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THE

Statutes at Large,

From the Third Year of the Reign of

KING *GEORGE* the SECOND

To the Twentieth Year of the Reign of

KING *GEORGE* the SECOND.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private Statutes during that Time.

VOLUME the SIXTH.

LONDON:

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MDCCLXIV.

A

TABLE

OF THE

Publick and Private Statutes,

CONTAINING

The TITLES of the ACTS from the Third Year of the Reign of GEORGE II. to the Twentieth Year of the Reign of GEORGE II.

PUBLICK ACTS.

Anno 3 *Georgii* II.

1. AN Act for granting an Aid to his Majesty by a Land-Tax to be raised in *Great Britain* for the Service of the Year 1730.
2. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
3. An Act for providing a Maintenance or the Minister of the Parish Church of St. *Mary Stratford Bow*, in the County of *Middlesex*.
4. An Act for making more effectual an Act passed in the eleventh Year of the Reign of his late Majesty King *George* the First, for repairing and widening the Road from *Sherbrook-Hill*, near *Buxton* and *Chapple in the Frith* in the County of *Derby*, to *Manchester* in the County of *Lancaster*.
5. An Act to enable his Majesty to prohibit any Person or Persons, his Majesty's Subjects, for residing within this Kingdom, to advance or lend any Sum or Sums of Money to any Foreign Prince, State or Potentate, without Licence obtained from his Majesty under his Privy Seal, or some greater Authority.
6. An Act for making more effectual an Act passed in the twelfth Year of the Reign of his late Majesty King *George* the First, for repairing the Roads therein mentioned between *Crackley Bank* in the Parish of *Idsall*, alias *Shiffnall*, and the Town of *Shrewsbury* in the County of *Salop*.
7. An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year 1730. for exempting from the said Duties Cyder and Perry used for Distilling; for ascertaining the Bounty for Malt exported; for better preventing Frauds in the malting of Corn for Exportation; for making good the Deficiency of a late Malt Act; and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.
8. An Act for the better regulating Elections in the City of *Norwich*, and for preserving the Peace, good Order, and Government of the said City.
9. An Act for repairing the Road leading from a Gate called *Shipston Toll Gate*, at *Bridge Town*, in the Parish of *Old Stratford*, in the County of *Warwick*, through *Alderminster* and *Shipston* upon *Stower*, to the Top of *Long Compton Hill* in the said County.
10. An Act for repairing the Road leading from *Galley Corner* adjoining to *Enfield Chase* in the Parish of *South Mims* in the County of *Middlesex*, to *Lemsford Mill* in the County of *Hertford*.
11. An Act for reviving and amending an Act made in the sixth and seventh Years of the Reign of his late Majesty King *William* the Third, intituled, *An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of* Thames *Westward, and for ascertaining the Rates of Water Carriage upon the said River.*
12. An Act for importing Salt from *Europe* into the Colony of *New York* in *America*.
13. An Act for making navigable the River *Stroudwater* in the County of *Gloucester*, from the *Severn*, at or near *Framilode*, to *Wallbridge* near the Town of *Stroud* in the same County.
14. An Act for reducing the Annuity or Fund of the united *East India* Company, and for ascertaining their Right of Trade to the *East Indies*, and the Continuance of their Corporation for that Purpose, upon the Terms therein mentioned.

15. An Act for repairing and widening the Road from that Part of *Chatham*, which lies next to the City of *Rochester*, to St. *Dunstan's Cross* near the City of *Canterbury*, in the County of *Kent*; and for repealing so much of a former Act, as appropriates Part of the Money arising by the Tolls or Duties therein mentioned, towards repairing the Road between the Town of *Chatham*, and *Boughton under the Blean*, in the said County of *Kent*.
16. An Act for raising five hundred and fifty thousand Pounds by Exchequer Bills, towards the Supply granted to his Majesty; and for the further Application of the Produce of the Sinking Fund; for applying the Arrears of former Land Taxes; for appropriating the Supplies granted in this Session of Parliament; and for giving Relief with respect to an Overpayment to the Land Tax, for the Year 1721. by the Receiver General for the County of *Salop*.
17. An Act for making the Hamlet of *Limehouse*, and Part of the Hamlet of *Ratcliffe*, in the Parish of St. *Dunstan Stebonheath*, alias *Stepney*, in the County of *Middlesex*, a distinct Parish, and for providing a Maintenance for the Minister of the New Church there.
18. An Act for repairing the several Roads leading into the City of *Hereford*.
19. An Act for providing a Maintenance for the Minister of the New Church near *Bloomsbury Market* in the County of *Middlesex*; and for making more effectual an Act passed in the fourth Year of his late Majesty's Reign, for impowering the Commissioners for building the Fifty New Churches, to direct the Parish Church of St. *Giles in the Fields*, in the said County, to be rebuilt, instead of one of the said Fifty New Churches.
20. An Act for taking off certain Duties on Salt, and for making good any Deficiencies in the Funds that may happen thereby; and for charging the reduced Annuity, payable to the *East India* Company, on the Aggregate Fund; and for Relief of *Matthew Lyon* Executor of *Matthew Page* deceased, in respect of the Duty for Salt lost by the overflowing of the River *Mercy*, in the Year 1724.
21. An Act for repairing and amending the several Roads leading from *Woodstock*, through *Kiddington* and *Enston*, to *Roll Right Lane*, and from *Enslow Bridge* to *Kiddington* aforesaid, in the County of *Oxon*.
22. An Act for amending the Acts therein mentioned relating to the making of Bricks.
23. An Act for amending and making more effectual an Act made in the second and third Years of the Reign of the late Queen *Anne*, intituled, *An Act for the erecting a Workhouse in the City of* Worcester, *and for setting the Poor on Work there.*
24. An Act for making a new Road, and for repairing and amending the antient Road, between the Towns of *Wisbech* and *March*, in the Isle of *Ely*, in the County of *Cambridge*.
25. An Act for the better Regulation of Juries.
26. An Act for the better Regulation of the Coal Trade.
27. An Act for explaining and amending an Act made in the last Session of Parliament, intituled, *An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons.*
28. An Act for granting Liberty to carry Rice from his Majesty's Province of *Carolina* in *America* directly to any Part of *Europe* Southward of Cape *Finisterre*, in Ships built in and belonging to *Great Britain*, and navigated according to Law.
29. An Act for continuing and amending an Act for regulating the Price and Assize of Bread; for Relief of Bankrupts, whose Certificates were not allowed before the Expiration of a late Act (*for the better preventing Frauds committed by Bankrupts*) for allowing further Time for Inrollment of Deeds or Wills made by Papists, and for Relief of Protestant Purchasers and Lessees; and for making further Provision concerning Certificates relating to the Settlements of poor Persons, and the Charges of maintaining and removing certificated Persons.
30. An Act to put an End to certain Disputes touching Orders and Decrees made in the Court of Chancery.
31. An Act for the Admission and Regulation of Brokers within the City of *Bristol*.
32. An Act for enabling the Judges of the Court of Session in *Scotland*, to make an Adjournment of the said Court; and for limiting the Time for the Execution of Sentences importing corporal Punishments, in that Part of the Kingdom.
33. An Act for providing a Maintenance for the Minister of the new Parish Church of St. *Nicholas Deptford*, in the Counties of *Kent* and *Surrey*, and for making the same a distinct Parish.
34. An Act for repairing several Roads leading into the Town of *Bridgewater* in the County of *Somerset*.
35. An Act for making the Acts of the first and seventh Years of his late Majesty's Reign (*for making the River* Kennet *navigable from* Reading *to* Newbury *in the County of* Berks) more effectual.
36. An Act for confirming a Patent granted by her late Majesty Queen *Anne* to *William Trench* Esq; deceased, for erecting a Lighthouse upon the Island or Rock called *Skerries*, and for the better Maintenance of the said Lighthouse, and for making the Duties granted for maintaining the same perpetual.
37. An Act to explain, amend, and render more effectual an Act made in the tenth Year of his late Majesty's Reign, intituled, *An Act for repairing the Roads leading from* Stump-Cross, *in the Parish of* Chesterford *in the County of* Essex, *to* Newmarket-Heath, *and the Town of* Cambridge *in the County of* Cambridge, and also an Act made in the eleventh Year of his said late Majesty's Reign, intituled, *An Act for repairing Part of the Road from* London *to* Cambridge, *beginning at the End of the Parish of* Foulmire *in the said County, next to* Barley *in the County of* Hertford, *and ending at the Pavement in* Trumpington-Street, *in the Town of* Cambridge.

PRIVATE ACTS.

Anno 3 *Georgii* II.

1. AN Act for naturalizing *Paul Torras*, and others.
2. An Act for naturalizing *Herman Broyel*.
3. An Act to inclose divers Commons and Parcels of waste Grounds, lying and being in the Township of *Claughton*, in the Parish of *Garstang*, and County Palatine of *Lancaster*.
4. An Act for inclosing several common Fields, common Meadows, and other commonable Lands, in the Parish of *Lillington*, in the County of *Warwick*.
5. An Act to confirm an Agreement for inclosing the common Fields, Downs, waste and unincloſed Lands, Part of the Manor of *Mixbury*, in the County of *Oxon*, and for other Purposes therein mentioned.
6. An Act for inclosing Part of the Waste or Common called *East Wellow Common*, belonging to the Manor and Tithing

Tithing of *East Wellow*, in the County of *Southampton*, and for vesting a certain annual Rent Charge in Truſtees, for the Benefit of the Poor of the Tithing of *East Wellow* aforeſaid for ever.

7. An Act for incloſing and dividing the common Fields and common Grounds in the Pariſh of *Horninghold*, in the County of *Leiceſter*.
8. An Act for veſting the Manor of *Okeley*, and other Lands in the County of *Bucks*, in Truſt for *Charles* Lord *Cadogan*, and his Heirs, and for ſettling other Lands of equal Value in the Counties of *Oxon* and *Berks*, to the ſame Uſes, in lieu thereof.
9. An Act for naturalizing *Nicholas Lewis Well*, and others.
10. An Act for obliging *Henry* Duke of *Beaufort*, and *Frances* Ducheſs of *Beaufort*, and her Children to take the additional Surname, and bear the Arms of *Scudamore*, purſuant to a Settlement made by *James* late Lord *Scudamore* in the Kingdom of *Ireland*; and for veſting in the ſaid Duke, in Fee, the Manors of *Wickhall* and *Ditton Camois*, and Lands in the County of *Cambridge*, late the Eſtate of the ſaid Lord *Scudamore*, in lieu of the Portion provided by him for his Daughter the ſaid Ducheſs; and for other Purpoſes therein mentioned.
11. An Act for veſting the Manor of *Claxby*, and divers Lands and Hereditaments in the County of *Lincoln*, the Eſtate of the Honourable *James Cavendiſh* Eſq; in Truſtees, to be ſold for diſcharging 4,200*l.* ſecured upon thoſe and other Lands.
12. An Act for veſting the Eſtate of *Richard* late Earl of *Ranelagh*, in the Kingdom of *Ireland*, lying in the Counties of *Middleſex* and *Berks*, in Truſtees, to be ſold for the Uſes therein mentioned.
13. An Act for incloſing ſeveral common Fields, common Meadows, and other commonable Lands, in the Hamlet of *Welſbourne Mountfort*, in the Pariſh of *Welſbourne Haſtings*, in the County of *Warwick*.
14. An Act for the Sale of the Manor of *Hickling*, and other Lands and Hereditaments in the County of *Nottingham*, late the Eſtate of *Margaret* Ducheſs Dowager of *Newcaſtle*, and intailed by her Will; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of another Eſtate, to be ſettled to the ſame Uſes.
15. An Act for enlarging the Power of Sir *Charles Mordaunt* Bart. to make a Jointure.
16. An Act for veſting the Eſtate of Sir *James Lumley* Bart. in Truſtees, for raiſing Monies by Sale or Mortgage thereof, for the Payment of his Debts.
17. An Act to enable Truſtees to make Leaſes of the Eſtate late of Sir *William Dodwell* Knt. deceaſed, during the Infancy of *Mary Dodwell* his only Child, and for other Purpoſes therein mentioned.
18. An Act for repealing Part of an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for veſting Part of the Eſtate of* Moyle Breton, *Eſq; in Truſtees, to be ſold for the raiſing* 3,000l. *charged on the other Part of the ſame Eſtate, and for other Purpoſes therein mentioned*, and for appointing other Lands to be ſold, than by the ſaid Act are directed.
19. An Act for confirming a Conveyance and Surrenders of certain Freehold and Copyhold Lands and Hereditaments, by *Roger Satisfatt* and *Jemima Satisfatt*, both Infants unto *Edward* Lord Biſhop of *Coventry* and *Lichfield*.
20. An Act for reſtraining *Thomas Jervoiſe* junior, Eſq; a Lunatick, from marrying or aliening, diſpoſing or incumbring his Eſtate, during his Lunacy, and for raiſing Portions for his Siſter's Children, and for other Purpoſes therein mentioned.
21. An Act for Relief of Dame *Elizabeth Dudley*, relating to an Eſtate in the Kingdom of *Ireland*, forfeited to the Crown, during the Life of *William Kennedy* her great Uncle.

PUBLICK ACTS.

Anno 4 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year 1731.
2. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
3. An Act for repairing the Roads leading from the moſt Southern Part of *Butt Lane* in the Pariſh of *Lawton*, in the County Palatine of *Cheſter* to *Lawton*, and from thence to *Henſhall*'s Smithy upon *Cranage Green* in the ſaid County.
4. An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in *Great Britain* for the Service of the Year 1731.
5. An Act for the further Application of the Sinking Fund, by paying off one million of *South Sea* Annuities.
6. An Act to indemnify Perſons who through Ignorance of Law have omitted to qualify themſelves for Employments or Offices, by taking the Oaths, and making and ſubſcribing the Declaration againſt Tranſubſtantiation, and receiving the Sacrament; and Members of Corporations, who have neglected to take the Oaths of Office, and Perſons who have not read the *Common Prayer*, and declared their Aſſent and Conſent to the ſame, according to Law, upon the Terms therein mentioned.
7. An Act to explain and amend an Act made in the third Year of his Majeſty's Reign, intituled, *An Act for the better regulation of Juries*, ſo far as the ſame relates to the County of *Middleſex*.
8. An Act for the more effectual repairing the Road leading from *Godſtone* in the County of *Surrey* to *Highgate*, at the Entrance into *Aſhdown Foreſt* in the Pariſh of *Eaſt Grinſtead*, in the County of *Suſſex*.
9. An Act for raiſing one million two hundred thouſand Pounds by Annuities, and a Lottery, in Manner therein mentioned; and for appropriating the Supplies granted in this Seſſion of Parliament, and for making forth Duplicates of Exchequer-Bills, Lottery-Tickets and Orders loſt, burnt or otherwiſe deſtroyed.
10. An Act to enable Ideots and Lunaticks, who are ſeiſed or poſſeſſed of Eſtates in Fee, or for Lives, or Terms of Years in Truſt, or by way of Mortgage, to make Conveyances, Surrenders or Aſſignments of ſuch Eſtates.
11. An Act for continuing the Duty of two Pennies *Scots*, or one ſixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer that ſhall be vended or ſold within the Town of *Dundee*, and Privileges thereof, for paying the publick Debts of the ſaid Town, repairing the Harbour there, and for other Purpoſes therein mentioned.
12. An Act to continue the Duties for Encouragement of the Coinage of Money.
13. An Act for the further continuing the Duties granted by an Act paſſed in the Parliament of *Scotland*, in the Year one thouſand ſix hundred and nine-five, and continued by an Act paſſed in the Year one thouſand ſeven hundred and ſeven, for paying off the Debts of the

Town

Town of *Aberdeen*, and for the other publick Uſes of the ſaid Town.

14. An Act to prevent Frauds in the Revenue of Exciſe, with reſpect to Starch, Coffee, Tea and Chocolate.

15. An Act for importing from his Majeſty's Plantations in *America*, directly into *Ireland*, Goods not enumerated in any Act of Parliament.

16. An Act to prevent the Stealing of Linen, Fuſtian and Cotton Goods and Wares, from Fields, Grounds and other Places, uſed for whitening, bleaching or drying the ſame.

17. An Act for repairing and keeping in repair the Pier or Piers, and Harbour of *Newhaven* in the County of *Suſſex*.

18. An Act to prevent counterfeiting the Paſſes commonly called *Mediterranean* Paſſes.

19. An Act for repairing and keeping in Repair the Pier and Harbour of *Ilfordcombe* in the County of *Devon*.

20. An Act for rebuilding the Pariſh Church of *Graveſend*, in the County of *Kent*, as one of the Fifty new Churches directed to be built by two Acts of Parliament, one made in the ninth, and the other in the tenth Year of the Reign of her late Majeſty Queen *Anne*.

21. An Act to explain a Clauſe in an Act made in the ſeventh Year of the Reign of her late Majeſty Queen *Anne* (*for naturalizing foreign Proteſtants*) which relates to the Children of the natural-born Subjects of the Crown of *England* or of *Great Britain*.

22. An Act to explain and amend an Act paſſed in the thirteenth Year of his late Majeſty's Reign, intituled, *An Act for amending the ſeveral Roads leading from the City of* Briſtol.

23. An Act for repairing the Road leading from *Chappel on the Heath*, in the County of *Oxon*, to the Quarry above *Bourton on the Hill*, in the County of *Glouceſter*.

24. An Act to explain and amend a Clauſe in an Act paſſed in the ſecond Year of his Majeſty's Reign (*for making more effectual ſeveral Acts relating to Watermen, Wherrymen and Lightermen, rowing on the River* Thames) ſo far as the ſame relates to Ferry-Boats, and flat-bottomed Boats.

25. An Act for confirming an Agreement lately entred into between the Mayor, Aldermen and Citizens of the City of *Worceſter*, and the Guardians of the Poor of the ſaid City, for continuing the Hop-Market of the ſaid City in the Workhouſe there; and for veſting the Right of the ſaid Mayor, Aldermen and Citizens, of keeping a Hop-Market in the ſaid City, in the Guardians of the Poor of the ſaid City, and their Succeſſors for ever.

26. An Act, That all Proceedings in Courts of Juſtice, within that Part of *Great Britain* called *England*, and in the Court of Exchequer in *Scotland*, ſhall be in the *Engliſh* Language.

27. An Act for further encouraging the Manufacture of *Britiſh* Sail Cloth, by taking off the Duties and Drawbacks therein mentioned; and allowing an additional Bounty on *Britiſh* made Sail-Cloth exported; and for ſtamping *Britiſh* made Sail-Cloth with the Name and Place of Abode of the Maker.

28. An Act for the more effectual preventing Frauds committed by Tenants, and for the more eaſy Recovery of Rents, and Renewal of Leaſes.

29. An Act for granting an Allowance upon the Exportation of *Britiſh* made Gunpowder.

30. An Act for rendring more effectual an Act made in the third Year of his Majeſty's Reign, intituled, *An Act for the better Regulation of the Coal Trade*, ſo far as the ſame relates to the preventing the inhancing the Price of Coals in the River *Thames* by the keeping of Turn in delivering of Coals there.

31. An Act for making more effectual an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing, widening and amending the Roads from *Wigan* to *Preſton* in the County of *Lancaſter*.

32. An Act for the more effectual puniſhing Stealers of Lead, or Iron Bars fixed to Houſes, or any Fences belonging thereunto.

33. An Act for obviating a Doubt which hath ariſen concerning the uſual Allowance made upon the Delivery of Letters ſent by the Penny-Poſt to Places out of the Cities of *London* and *Weſtminſter*, and Borough of *Southwork*, and the reſpective Suburbs thereof.

34. An Act for repairing the Road leading from the Town of *Fulham* in the County of *Middleſex*, through *Fulham* Fields, to the great Road near the Pound at *Hammerſmith* in the ſaid County.

PRIVATE ACTS.

Anno 4 *Georgii* II.

1. AN Act to enable *Edward Southwell* Eſq; to take the Oaths in this Kingdom, and to qualify himſelf for the legal Enjoyment of the Offices of principal Secretary of State, and Keeper of the Signet and Privy Seal of the Kingdom of *Ireland*.

2. An Act to naturalize *Philip Jacob de Neufville* and others.

3. An Act for incloſing the common Fields, and uninclоſed Lands, lying within the Manor and Pariſh of *Biſhops Tachbrooke* in the County of *Warwick*.

4. An Act for enabling *Richard Claridge* Gent. and his Iſſue, to take and uſe the Surname of *Turner*.

5. An Act to naturalize *Hieronymus de Salis* Eſq;

6. An Act for naturalizing *Catharina Godolphin*, Wife of the Honourable *William Godolphin* Eſq; commonly called Marquis of *Blandford*.

7. An Act to naturalize *Mary Anne de la Fontaine*, Wife of *Charles de la Fontaine* of *London*, Merchant.

8. An Act for veſting ſeveral Manors, Lands and Hereditaments therein mentioned, in *James* Duke of *Chandos*, and his Heirs, in purſuance of certain Articles of Agreement made on the Marriage of his Son *Henry Brydges* Eſq; commonly called Marquiſs of *Carnarvon*.

9. An Act for incloſing and dividing the common Fields and common Grounds in the Manor of *Nuneaton* and *Attleborough* in the County of *Warwick*.

10. An Act for exchanging, dividing, and incloſing the common Fields, common Meadows, and common and waſte Grounds within the Manor of *Preſtbury* in the County of *Glouceſter*.

11. An Act to enable *John Shafto* Eſq; to make a ſuitable Settlement upon any Woman he ſhall marry, and Proviſion for younger Children.

12. An Act for the Sale of the Eſtate late of *Mary Clayton* deceaſed, in the County of *Bucks* (intailed by her Will) for Payment of her Debts and Legacies charged thereon, and for laying out the Overplus of the Monies, ariſing by ſuch Sale, in the Purchaſe of other Lands, to be ſettled to the like Uſes.

13. An Act for naturalizing *Iſaac Lacam*, *Peter Korten* and others.

14. An Act for Sale of an Eſtate of *Charles* Duke of *Grafton* in the County of *Surrey*, and to ſettle other Lands in lieu thereof.

15. An

15. An Act for enabling the Sale of ſeveral Lands and Hereditaments of *Thomas Taylor* and *Maurice Shelton* Eſquires, in the County of *Suffolk*, and for ſettling other Lands of as great yearly Value to the ſame Uſes.
16. An Act for making Diviſions, Incloſures, and Allotments of the open Cornfields and Paſtures in the Lordſhip of *Catwick*, in the County of *York*, and for ſettling and eſtabliſhing the Payment of a yearly Sum to the Rector of *Catwick* aforeſaid, and his Succeſſors, in lieu of Tythes, purſuant to Agreement between the preſent Rector and Proprietors of the ſaid Lands.
17. An Act for exchanging the Parſonage Houſe and Glebe Lands in *Biſcathorpe* in the County of *Lincoln*, for other Lands belonging to the Lord of the Manor, and for giving a Recompence to the Rector in lieu of his Tythes, to enable the Lord of the Manor to incloſe the common Fields.
18. An Act for incloſing, dividing, and exchanging the common Fields and common Grounds in the Pariſhes of *Lower Slaughter* and *Upper Slaughter* in the County of *Glouceſter*.
19. An Act for dividing and incloſing divers Parcels of Commons and waſte Grounds lying within the Manor of *Weſt Broughton* in the Pariſh of *Dovebridge* in the County of *Derby*.
20. An Act for veſting certain Eſtates of Sir *Hungerford Hoskyns* Baronet, in Truſtees, to be ſold for the raiſing and paying his Brothers and Siſters Portions, now remaining a Charge upon his Eſtate, together with the Debts and Incumbrances of his Father Sir *John Hoskyns*, affecting the ſame.
21. An Act for making and rendring effectual an Exchange of Eſtates therein mentioned in the County of *York*, between *Lancelot* Lord Archbiſhop of *York*, and *John Aiſlabie* Eſq;
22. An Act to enable *Frances Arundell* and *George Henry* Earl of *Lichfield*, Guardian of *Mary Arundell* (an Infant) during the Minority of the ſaid *Mary Arundell*, to grant and fill up Leaſes of the Eſtates of the ſaid *Frances* and *Mary Arundell* in the Counties of *Cornwall* and *Dorſet*.
23. An Act for exemplifying the Will of *Henry* late Lord *Herbert*, and for making the ſame Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.
24. An Act for exemplyfying the Will of *Nicholas Bagenall* Eſq; and for making the ſame Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*, and Dominion of *Wales*.
25. An Act for confirming an Agreement for exchanging of Lands made between *Edmund Halſey* Eſq; deceaſed, and the Patron and Vicar of *Stoke Poges* in the County of *Bucks*.
26. An Act for ſelling Part of the Eſtate of *Thomas Player* Eſq; for diſcharging the Debts, Legacies, and Incumbrances therein mentioned.
27. An Act for the Sale of the Eſtates of *Edward Standen* Eſq; deceaſed, at *Arborfield* and elſewhere, for diſcharging the Debts of the ſaid *Edward Standen*, and other Purpoſes therein mentioned.
28. An Act for veſting in Truſtees the Eſtate of *Lucy Bowry* Widow, and *John Bowry* her Son, ſituate in the Pariſhes of *Edmunton* and *Tottenham* in the County of *Middleſex*, for the Sale thereof, to diſcharge the ſeveral Incumbrances thereupon, and for other Purpoſes therein mentioned.
29. An Act for ſelling Part of the Eſtate of *Robert Weſtby* Eſq; in the County of *Lancaſter*, for raiſing Money to diſcharge ſeveral Debts and Incumbrances of his Father and Brother, and for other Purpoſes therein mentioned.
30. An Act to enable *Reymundo Putt* Eſq; to make and fill up Leaſes of the Eſtate late of Sir *Thomas Putt* Baronet, deceaſed, in the Counties of *Devon*, *Dorſet*, and *Somerſet*.
31. An Act for veſting in *John Inglis* (Executor of *George Heriot* Clerk, deceaſed) certain Lands in the County of *Southampton*, mortgaged in Fee by *Charles Bulkeley* Eſq; to the Teſtator, in Truſt for the Purpoſes therein mentioned.
32. An Act for enabling *Godfrey Kneller Huckle* Gent. and the Heirs of his Body, to take and uſe the Surname of *Kneller*.
33. An Act for naturalizing *Ernſt Bardewieck*.

PUBLICK ACTS.

Anno 5 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year 1732.
2. An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters.
3. An Act to encourage and compel *George Robinſon* Eſq; and *John Thomſon* to appear, and produce the Books, and diſcover the Effects of the *Charitable Corporation* for Relief of Induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges, at legal Intereſt; and to be examined thereupon at the Times and Places therein mentioned.
4. An Act for rebuilding the Pariſh Church of *Woolwich* in the County of *Kent*, as one of the Fifty New Churches directed to be built by two Acts of Parliament, one made in the ninth, and the other in the tenth Year of the Reign of her late Majeſty Queen *Anne*.
5. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain* for the Service of the Year 1732.
6. An Act for reviving the Duties on Salt for the Term therein mentioned.
7. An Act for the more eaſy Recovery of Debts in his Majeſty's Plantations and Colonies in *America*.
8. An Act for providing a Recompence to Sir *Thomas Lombe* for diſcovering and introducing the Arts of making and working the three Capital *Italian* Engines for making Organzine Silk, and for preſerving the Invention for the Benefit of this Kingdom.
9. An Act to explain an Act made in the laſt Seſſion of Parliament, intituled, *An Act for importing from his Majeſty's Plantations in* America, *directly into* Ireland, *Goods not enumerated in any Act of Parliament, ſo far as the ſaid Act relates to the Importation of foreign Hops into* Ireland.
10. An Act for repairing and amending the Road leading from the Town of *Mancheſter* in the County Palatine of *Lancaſter*, through the Town of *Aſhton under Line*, and the Pariſh of *Mottram Longdendale*, *and from thence to Salters Brook* in the County Palatine of *Cheſter*.
11. An Act to enlarge the Pier and Harbour of *Scarborough* in the County of *York*.
12. An Act for amending and making more effectual an Act made in the firſt Year of the Reign of King *James* the Second, intituled, *An additional Act for the Improvement of Tillage*.
13. An Act for enlarging the Term granted by an Act made in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, for rebuilding the Pier and Harbour of *Parton*, in the County of *Cumberland*.

14. An

The TITLES of the STATUTES.

14. An Act for the better and more eaſy rebuilding of the Town of *Tiverton* in the County of *Devon*, and for determining Differences touching Houſes and Buildings burnt down and demoliſhed by reaſon of the late dreadful Fire there, and for the better preventing Dangers from Fire for the future.
15. An Act for rendring more effectual an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for improving the Navigation of the River* Ouze *in the County of* York.
16. An Act for the better and more eaſy rebuilding of the Town of *Blandford Forum* in the County of *Dorſet*, and for determining Differences touching Houſes and Buildings burnt down or demoliſhed by reaſon of the late dreadful Fire there.
17. An Act for the further Application of the Sinking Fund, by paying off one million of *South Sea* Stock; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders loſt, burnt or otherwiſe deſtroyed.
18. An Act for the further Qualification of Juſtices of the Peace.
19. An Act to oblige the Juſtices of the Peace at their General or Quarter-Seſſions to determine Appeals made to them according to the Merits of the Caſe, notwithſtanding Defects of Form in the original Proceedings; and to oblige Perſons ſuing forth Writs of *Certiorari* to remove Orders made on ſuch Appeals into his Majeſty's Court of King's Bench, to give Security to proſecute the ſame with Effect.
20. An Act for the better Regulation and Government of Pilots licenſed by the Corporation of *Trinity Houſe* of *Deptford Strond* in the County of *Kent*, and to prevent Miſchiefs and Annoyances upon the River of *Thames* below *London Bridge*.
21. An additional Act for the Encouragement of the Woollen Manufacture of this Kingdom, by the more effectual preventing the unlawful Exportation of the Woollen Manufactures of the Kingdom of *Ireland* to foreign Parts.
22. An Act to prevent the Exportation of Hats out of any of his Majeſty's Colonies or Plantations in *America*, and to reſtrain the Number of Apprentices taken by the Hatmakers in the ſaid Colonies or Plantations, and for the better encouraging the making Hats in *Great Britain*.
23. An Act for making void the ſeveral Contracts for Sale of the Eſtate of *James* late Earl of *Derwentwater*, to *William Smith*, Eſq; and alſo of the Annuity of two hundred Pounds during the Life of *Charles Radcliffe*, and the Arrears thereof to *Matthew White*, Eſq; and the ſeveral Conveyances made in purſuance of the ſame.
24. An Act for encouraging the Growth of Coffee in his Majeſty's Plantations in *America*.
25. An Act for making Proceſs in Courts of Equity effectual againſt Perſons who abſcond, and cannot be ſerved therewith, or who refuſe to appear.
26. An Act for the effectual repairing the Highways between *Dunſtable* and *Hockcliffe* in the County of *Bedford*, by enlarging the Term and Powers granted by two former Acts, one of the ninth, and the other of the twelfth Year of the Reign of her late Majeſty Queen *Anne*.
27. An Act to explain, amend and render more effectual, an Act made in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act to prevent frivolous and vexatious Arreſts*.
28. An Act for encouraging the *Greenland* Fiſhery.
29. An Act for reviving an Act made in the fifth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the better ſecuring the lawful Trade of his Majeſty's Subjects to and from the* Eaſt-Indies, *and for the more effectual preventing all his Majeſty's Subjects trading thither under foreign Commiſſions*.
30. An Act to prevent the committing of Frauds by Bankrupts.
31. An Act for appointing Commiſſioners for taking, ſtating and determining all the Claims and Demands of the Creditors of *The charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges at legal Intereſt*; and of all Perſons claiming any Share or Intereſt in the Stock or Fund of the ſaid Corporation, and for enabling the ſaid Corporation to name one Perſon to be an Aſſignee under the reſpective Commiſſions of Bankruptcy awarded againſt *George Robinſon* and *John Thomſon*; and for enabling the Commiſſioners acting under the ſaid Commiſſions of Bankruptcy to proceed and enquire of the Eſtates, Goods and Effects of the ſaid Bankrupts, and to apply the ſame; and to oblige *John Thomſon*, Father of the ſaid *John Thomſon* the Bankrupt, to appear before the ſaid Commiſſioners of Bankruptcy in *England*.
32. An Act to reſtrain Sir *Robert Sutton* Knight of the Bath, Sir *Archibald Grant* Baronet, *Denis Bond*, *William Boroughs*, Eſquires, *Richard Woolley* and *Thomas Warren*, from going out of this Kingdom for the Space of one Year, and until the End of the then next Seſſion of Parliament; and for diſcovering their Eſtates and Effects, and to prevent the tranſporting or alienating the ſame; and to oblige *William Squire* to ſurrender himſelf at a Time and Place mentioned in the Act, and to give Security for his not going out of this Kingdom for the Space of one Year, and until the End of the then next Seſſion of Parliament, and for diſcovering his Eſtate and Effects, and to prevent the tranſporting or alienating the ſame; and for committing the aforeſaid *Willian Boroughs* to the Priſon of the *Fleet*, until he ſhall have complied with the Directions of this Act.
33. An Act to explain, amend, and render more effectual an Act paſſed in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by Authority of Parliament for making Rivers navigable*.

PRIVATE ACTS.

Anno 5 Georgii II.

1. AN Act to naturalize *Leonard Lockman* Eſq;
2. An Act to naturalize *Agnes Couſſmaker*.
3. An Act to naturalize *Thomas Malan*, and *Joſeph Malan*, and others.
4. An Act for veſting ſeveral Manors and Hereditaments, the Eſtate of *Montague* Earl of *Abingdon*, in the Counties of *Wilts*, *Oxon*, *Bucks* and *Berks*, in Truſtees to be ſold for raiſing Money to diſcharge Debts and Incumbrances.
5. An Act for Sale of the Manors of *Kemble* and *Poole*, in the County of *Wilts*, late the Eſtate of *Henry Poole* Eſq; deceaſed, for the Purpoſes therein mentioned.
6. An Act for exchanging, incloſing, and reducing into Severality, ſeveral common Fields, common Meadows, and waſte Grounds within the Manor and Townſhip of *Little Kineton* in the County of *Warwick*.
7. An Act for advancing and applying four thouſand Pounds, Part of the Portion of Dame *Anne Drake*, Wife of Sir *Francis Henry Drake* Baronet, and for leaſing out certain Lands and Hereditaments in the County of *Devon* for Lives, according to the Cuſtom of the Country.

8. An

8. An Act for veſting the Conduits, Springs and Waters in *Hyde Park*, in Truſtees for the Benefit of his Majeſty.
9. An Act for the Exchange of the Right of Preſentation to the Rectory of *Wimborne Allhallows*, and Vicaridge of *Loders* in the County of *Dorſet*, and for uniting the Rectories and Pariſhes of *Wimborne St. Giles*, and *Wimborne Allhallows*.
10. An Act for enlarging the Churchyard of the Pariſh of *Paddington* in the County of *Middleſex*.
11. An Act for enabling *Richard* Lord Viſcount *Moleſworth* and his Brothers to make Leaſes for Lives, or Years determinable upon Lives, renewable for ever, or to make Grants in Fee-farm of a Piece of Ground in the City of *Dublin*.
12. An Act for Sale of certain Manors, Woods, Wood-Lands, and other Lands and Hereditaments in the Counties of *Bucks*, *Hertford* and *Bedford*, Part of the Eſtate of Sir *William Stanhope* Knight of the Bath, and for ſettling other Lands in the County of *Warwick*, of greater yearly Value, to the ſame Uſes, and for other Purpoſes therein mentioned.
13. An Act for making effectual an Agreement between Sir *Ralph Hare* and his Brothers, for raiſing Money upon Part of his intailed Eſtate, and for ſettling other Lands not intailed, of greater Value in lieu thereof.
14. An Act to impower Sir *Robert Furneſe* Baronet, to transfer and pay unto *Richard Edgecumbe* Eſq; certain Government Securities and Money therein mentioned, and for ſettling Lands of equal Value upon the ſame Truſts.
15. An Act for Sale of Part of the Eſtate of Sir *William Gerard* Baronet, a Lunatick, for Payment of his Debts and other Purpoſes therein mentioned.
16. An Act for veſting Part of the Eſtate of *John Lambe*, Eſq; in Truſtees for raiſing Money to diſcharge ſeveral Mortgages, and other Debts and Incumbrances therein mentioned.
17. An Act for making Leaſes of the Eſtate late of *Thomas Strangeways* Eſq; and *Elizabeth*, late Ducheſs of *Hamilton*, his Siſter (both deceaſed) and for applying the Money ariſing thereby for the Purpoſes therein mentioned.
18. An Act for Sale of the Eſtate of *Thomas Mitchell* deceaſed, lying in the County of *Warwick*, for Payment of the Debts charged thereupon, and for making Proviſion for his Widow and Infant Children.
19. An Act for raiſing Money out of the Eſtate late of *Surtees Swinburne* Eſq; deceaſed, for compounding and paying the Portions charged thereon to his younger Sons *William* and *Robert Swinburne*, and for paying the Debts of *Cuthbert Swinburne* Eſq; deceaſed.
20. An Act for Sale of the real Eſtate late of *Robert Abbot* Eſq; deceaſed, for diſcharging his Debts and Incumbrances, and for making a Proviſion for his Widow and only Son.
21. An Act for rectifying ſome Miſtakes in a Settlement made by *John Congreve* Eſq; and veſting his Seat and Eſtate in *Stretton* in the County of *Stafford*, in Truſtees to be ſold for better clearing his Debts, for which his eldeſt Son ſtands engaged, and purchaſing another Eſtate more ſuitable to the Occaſions of his Family to be ſettled in lieu thereof.
22. An Act for veſting certain Lands and Eſtates in the Counties of *Stafford*, *Leiceſter*, *Rutland*, and *Northampton*, late the Eſtates of Sir *Euſebius Buſwell* Baronet, deceaſed, in Truſtees to be ſold for the Payment of his Debts.
23. An Act for exchanging of certain Lands between *Henry Bromley* Eſq; and the Maſter, Fellows, and Scholars of *Pembroke Hall* in the Univerſity of *Cambridge*.
24. An Act to eſtabliſh and confirm an Agreement made between *John Weſt* Eſq; on the Behalf of his Daughters *Mary Weſt* and *Frances Weſt* Infants, Sir *Francis Vyvyan* Baronet, and *Mary Eriſey*, and to render the ſame effectual.
25. An Act for charging the ſettled Eſtate of *John Francis* Clerk, with the Payment of his Father's Debts and Legacies, and for ſettling another Eſtate of greater Value to the Uſes of his Marriage Settlement.
26. An Act for veſting two undivided fourth Parts of the Manor of *Greatham*, and of other Lands and Hereditaments in the County of *Suſſex*, the Eſtate of *Barbara Mill* and *Frances Mill* Spinſters, in Truſtees, to enable them to join in the Sale of the ſaid intire Manor, Lands and Hereditaments, for raiſing Portions for them and their two Siſters.
27. An Act for ſelling Part of the Eſtate of *Joſeph Gace* Eſq; for diſcharging ſeveral Debts and Incumbrances affecting the ſame.
28. An Act for Sale of the Eſtate of Sir *William Morrice* Baronet in *Padſtow*, in the County of *Cornwall*, and for ſettling another Eſtate of better Value to the ſame Uſes in lieu thereof.
29. An Act to veſt in *Mary Hall* Widow, certain Copyhold Lands, in the Manors of *Bedlington* and *Cheſter en le Street*, in the County of *Durham*, to ſell the ſame, and thereby to perform the Truſts mentioned in the Will of *Anne Hancock* Widow, deceaſed.
30. An Act for ſupplying a Defect in a Conveyance lately made by *Charles Lloyd* ſenior, and *Sarah* his Wife, and *Charles Lloyd* junior, and *Jane* his Wife; and for the Sale of certain Lands in the County of *Montgomery*, for raiſing three thouſand Pounds, and ſix hundred Pounds, and for other Purpoſes therein mentioned.
31. An Act for incloſing and dividing a common Paſture Ground called *Momes Leaze*, ſituate and lying in the Pariſh of *Puriton*, alias *Pirton*, in the County of *Wilts*.
32. An Act for confirming the Exchanges, Incloſures and Diviſions of the common Fields, common Meadows, common Grounds, and Commons within the Pariſh of *Staunton* in the County of *Wilts*, and for other Purpoſes therein mentioned.
33. An Act to enable the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer for the Time being, to compound with *Thomas Tomkins*, Caſhier to the late Commiſſioners for licenſing Hawkers, Pedlars and Petty Chapmen, for an Arrear he ſtands charged with to the Crown.
34. An Act to naturalize *Nicholas Haijman*.
35. An Act to naturalize *Joſeph Guinand*, *David Dumouchell* and others.

PUBLICK ACTS.

Anno 6 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year 1733. and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.

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2. An Act to allow a further Time to *John Thompſon* to appear and produce the Books, and diſcover the Effects, of *The Charitable Corporation for Relief of Induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges, at legal Intereſt*, and to be examined thereupon at the Times and Places fixed in the Bill, and for allowing the ſaid *John Thompſon* a Proportion out of the Effects of the ſaid Corporation, which he ſhall diſcover, and for preventing fraudulent releaſing or aſſigning any Debt due, from *George Robinſon*, or the ſaid *John Thomſon*, or either of them.
3. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
4. An Act to indemnify Perſons who have omitted to qualify themſelves for Employments or Offices by taking the Oaths, and making and ſubſcribing the Declaration againſt Tranſubſtantiation, and receiving the Sacrament, and allowing them further Time for that Purpoſe.
5. An Act for allowing further Time for the Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers and Leſſees.
6. An Act for obviating a Doubt which may ariſe upon an Act made in the fourth Year of his preſent Majeſty's Reign, intituled, *An Act that Proceedings in the Courts of Juſtice within that Part of* Great Britain *called* England, *and in the Court of Exchequer in* Scotland, *ſhall be in the* Engliſh *Language*, ſo far as the ſame doth or may relate to the Court of the Receipt of his Majeſty's Exchequer, or to any Members or Branches thereof.
7. An Act for the free Importation and Exportation of Diamonds, Pearls, Rubies, Emeralds, and all other Jewels and precious Stones.
8. An Act for rebuilding the Pariſh Church of St. *George the Martyr*, in the Borough of *Southwark*, in the County of *Surry*, as one of the Fifty New Churches directed to be built by two Acts of Parliament, one made in the ninth, the other in the tenth Year of the Reign of her late Majeſty Queen *Anne*.
9. An Act to explain and amend two Acts of Parliament, one made in the twelfth, and the other in the thirteenth Year of his late Majeſty's Reign, for making navigable the River *Dun* in the County of *York*, and for the better perfecting and maintaining the ſaid Navigation, and for uniting the ſeveral Proprietors thereof into one Company.
10. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year 1733.
11. An Act for providing a Maintenance for the Miniſter of the New Church of *Horſlydown*, in the Borough of *Southwark*, in the County of *Surrey*, and for making the Diſtrict aſſigned to the ſame a diſtinct Pariſh, and for other Purpoſes therein mentioned.
12. An Act for erecting Piers in and for repairing and keeping in Repair the Harbour of *Little Hampton* called *Arundell Port* in the County of *Suſſex*.
13. An Act for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*.
14. An Act for the more effectual preventing frivolous and vexatious Arreſts, and for the more eaſy Recovery of Debts and Damages in the Courts of Great Seſſions in the Principality of *Wales*, and in the Court of Aſſize in the County Palatine of *Cheſter*, and for the obviating a Doubt which has ariſen upon an Act made in the fourth Year of his preſent Majeſty's Reign, intituled, *An Act that all Proceedings in Courts of Juſtice, within that Part of* Great Britain *called* England, *and in the Court of Exchequer in* Scotland, *ſhall be in the* Engliſh *Language*, ſo far as the ſame Act doth or may relate to the Courts of Juſtice holden within the ſaid Principality, and for explaining and amending the ſaid Act.
15. An Act for making more effectual an Act paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Roads therein mentioned, from the Pariſh of *Enfield* in the County of *Middleſex*, to the Town of *Hertford*, and to the great Bridge in *Ware*, in the County of *Hertford*, and for amending the Road from the ſaid great Bridge to the South End of the great Bridge at *Wades Mill*, and from the great Road at *Cheſhunt*, to the Weſt End of *Small Lea Bridge* in the ſaid County of *Hertford*.
16. An Act for repairing the Roads leading from a Place called *Saint Johns Bridge* in the County of *Berks*, to a Place called *Fyfield* in the ſaid County.
17. An Act for repealing an Act for laying a Duty on compound Waters or Spirits, and for licenſing the Retailers thereof, and for determining certain Duties on *French* Brandy, and for granting other Duties in lieu thereof, and for enforcing the Laws for preventing the running of Brandies.
18. An Act for continuing a Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer brewed and ſold within the Town of *Linlithgow*, and Liberties thereof, in the County of *Weſt Lothian*, for paying the Debts of the ſaid Town, and other Purpoſes therein mentioned.
19. An Act for making a Chapel in the Town of *Tiverton* in the County of *Devon*, a perpetual Cure, and for providing a Maintenance for the Miniſters who ſhall officiate therein.
20. An Act for enlarging the Term and Powers granted by an Act paſſed in the tenth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the better repairing and amending the Road leading from* Ipſwich *to* Cleydon, *and the Road called the* Pye Road, *in the County of* Suffolk, *and for amending the Roads leading from* Yaxley Bull *through* Eye, *to* Lanthorn Green *in the ſaid County*.
21. An Act for providing a Maintenance for the Rector of the New Church near *Old-ſtreet*, in the Pariſh of St. *Giles Cripplegate*, and for making that Part of the ſaid Pariſh which is called *The Lordſhip Part* a diſtinct Pariſh, and for impowering the Commiſſioners for building of the Fifty New Churches, to apply a Sum of Money to wall in the ſaid Church and Church-yard, and to erect a Houſe for the Habitation of the Rector of the ſaid Church, out of the Money appropriated for the Endowment of the ſaid Fifty New Churches.
22. An Act for filling up ſuch Part of the Channel of *Bridewell-Dock* and *Fleet-Ditch*, as lies between *Holborn-Bridge* and *Fleet-Bridge*, and for converting the Ground, when filled up, to the Uſe of the City of *London*.
23. An Act to explain and amend an Act made in the ſeventh and eighth Years of the Reign of King *William* the Third, intituled, *An Act for the further regulating Elections of Members to ſerve in Parliament, and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning ſuch Members, ſo far as the ſame relates to the holding of County Courts*.
24. An Act for the more effectual repairing the Roads leading from *Wades-Mill* in the County of *Hertford*, to *Barley* and *Royſton* in the ſaid County.

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25. An Act for enabling his Majeſty to apply five hundred thouſand Pounds out of the Sinking Fund, for the Service of the Year 1733. and for the further Diſpoſition of the ſaid Fund, by paying off one million of *South-Sea* Annuities; and for enabling his Majeſty, out of the Monies ariſen by Sale of the Lands in the Iſland of St. *Chriſtopher*, to pay the Sum of eighty thouſand Pounds, for the Marriage Portion of the Princeſs Royal, and ten thouſand Pounds to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*; and for making good all Deficiencies and Charges, by taking of Broad Pieces into the Mint out of the Coinage Duty; and for appropriating the Supplies granted in this Seſſion of Parliament; and for iſſuing to the Subdean, Treaſurer, and Steward of the Collegiate Church of St. *Peter Weſtminſter*, out of the Monies reſerved for building Fifty New Churches within the Cities of *London* and *Weſtminſter*, and the Suburbs thereof, and for making Proviſions for the Miniſters of the ſame, four thouſand Pounds for the Repair of the ſaid Collegiate Church, and twelve hundred Pounds for finiſhing the Dormitory belonging thereunto.

26. An Act to prevent the coining or counterfeiting any of the Gold Coins, commonly called *Broad Pieces*.

27. An Act to explain and amend an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the better Regulation of Attornies and Solicitors*.

28. An Act for the converting a further Part of the Capital Stock of the *South-Sea* Company into Annuities redeemable by Parliament, and for ſettling the remaining Part of the ſaid Stock in the ſaid Company.

29. An Act for the better Regulation of Laſtage and Ballaſtage in the River *Thames*.

30. An Act to recover and preſerve the Navigation of the River *Dee* in the County Palatine of *Cheſter*.

31. An Act for the Relief of Pariſhes, and other Places, from ſuch Charges as may ariſe from Baſtard Children born within the ſame.

32. An Act to enable certain Perſons to propound the Papers importing to be the laſt Will, Codicils, and Teſtamentary Schedules of *Richard Norton* late of *Southwick* in the County of *Southampton* Eſq; deceaſed, in the Prerogative Court of *Canterbury*, and to ſue for Adminiſtration with the ſame annexed.

33. An Act for the further Encouragement of the Whale Fiſhery carried on by his Majeſty's *Britiſh* Subjects.

34. An Act for reviving ſo much of the Act made in the firſt Year of his Majeſty's Reign, intituled, *An Act to oblige Ships coming from Places infected more effectually to perform their Quarentine, and for the better preventing the Plague being brought from foreign Parts into* Great Britain *or* Ireland, *or the Iſles of* Guernſey, Jerſey, Alderney, Sark *or* Man, *and to hinder the ſpreading of Infection*, as relates to the performing of Quarentine, and preventing the ſpreading of Infection, and to enable his Majeſty to prohibit Commerce with any Country or Place infected with the Plague, for a certain Time therein limited.

35. An Act for appointing Commiſſioners to examine, ſtate and report, who of the Sufferers in *The Charitable Corporation* are Objects of Compaſſion, according to the Deſcriptions therein mentioned; and for giving Relief to ſuch Sufferers; and for enforcing the Laws made againſt foreign Lotteries; and for impowering the ſaid Commiſſioners to hear and determine the Claims of ſuch Creditors and Proprietors of the ſaid Corporation, as have not made their Claims within the Time limited by an Act made in the laſt Seſſion of Parliament, *for taking, ſtating and determining all the Claims and Demands of the Creditors of the ſaid Corporation, and of all Perſons claiming any Share or Intereſt in the Stock or Fund of the ſaid Corporation*.

36. An Act for making effectual ſuch Agreement as ſhall be made between the Charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges, at legal Intereſt, and their Creditors.

37. An Act for making perpetual the ſeveral Acts therein mentioned, for the better Regulation of Juries, and for impowering the Juſtices of Seſſion or Aſſizes for the Counties Palatine of *Cheſter*, *Lancaſter* and *Durham*, to appoint a ſpecial Jury in Manner therein mentioned, and for continuing the Act for regulating the Manufacture of Cloth, in the Weſt-Riding of the County of *York* (except a Clauſe therein contained) and for continuing an Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and for other Purpoſes therein mentioned; and to prevent the cutting or breaking down the Bank of any River, or any Sea-Bank, and to prevent the malicious cutting of Hop-binds; and for continuing an Act made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, for preventing Theft and Rapine upon the Northern Borders of *England*; and for reviving and continuing certain Clauſes in two other Acts made for the ſame Purpoſe.

38. An Act for enlarging the Time for Exportation of Tea.

PRIVATE ACTS.

Anno 6 *Georgii* II.

1. AN Act for incloſing ſeveral large common Fields within the Pariſhes of *Welſborne Haſtings* and *Newbold Pacy*, in the County of *Warwick*.

2. An Act for exemplifying two Marriage Settlements, made on the Marriage of *Henry* late Earl of *Thomond*, and the preſent Earl *Thomond*, and for making the ſame Evidence in all Courts of Law and Equity in *Ireland*.

3. An Act for dividing and incloſing the common Fields, and common Meadows, in the Pariſh of *Barſton* in the County of *Warwick*.

4. An Act for diſcharging divers Lands and Hereditaments, at *Aberton* in the County of *Worceſter*, Part of the Eſtate of *Francis Sheldon* Eſq; a Lunatick, from the Truſts of a former Act of Parliament, made for Payment of the Debts of the ſaid *Francis Sheldon* and for veſting another Eſtate of the ſaid Lunatick in the County of *Glouceſter*, in Truſtees for the ſame Purpoſe.

5. An Act to naturalize *Juſtus Gerhard*, *Paul L' Hoſpital*, *William Chriſtian Hamburger* and others.

6. An Act for incloſing and dividing the common Fields and common Grounds, lying in the Manor and Pariſh of *Chippen Warden* in the County of *Northampton*.

7. An Act for incloſing and dividing the common Fields and common Grounds in the Tithing of *Buckland Newton*, *Mineterne Parva*, and *Knowle* in the Pariſh of *Buckland Newton*, alias *Buckland Abbas* in the County *Dorſet*.

8. An Act for dividing and incloſing the Hamlet of *Aſton Magna* in the Pariſh of *Blockley* in the County of *Worceſter*.

9. An Act to enable the Lady Viſcounteſs *Gage*, and her Truſtees, and *Thomas Wherwood* Eſq; to purchaſe Lands of Inheritance with the Money ariſing by Sale of their Eſtate in the County of *Bucks*.

10. An Act for Sale of the Manors of *Kidderminſter Borough*, and *Kidderminſter Forren*, Part of the intailed

Eſtate of *William* Lord *Abergavenny*, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of another Eſtate to be ſettled to the ſame Uſes.

11. An Act for veſting divers Lands and Tithes in *Hothorpe* in the County of *Northampton*, the Eſtate late of *Griffith Davies* deceaſed, and of *Arthur Dagget*, in Truſtees to ſuch Uſes, as the Manor of *Hothorpe* aforeſaid, ſtands ſettled, and for other Purpoſes therein mentioned.

12. An Act to confirm Articles of Agreement entred into between *Archibald Hamilton*, Eſq; commonly called Lord *Archibald Hamilton* and others, and *George* Earl of *Macclesfield* and others, Truſtees of a Charity, for veſting in *George* Earl of *Orkney*, and his Heirs, certain Lands in the County of *Berks*, to the ſeveral Uſes, and upon the Truſts therein mentioned.

13. An Act to enable *William Widdrington* late Lord *Widdrington*, to ſue or maintain any Action or Suit, notwithſtanding his Attainder, and to remove any Diſability in him, by reaſon of his ſaid Attainder, to take or inherit any real or perſonal Eſtate, that may or ſhall hereafter deſcend or come to him, or which he was intitled unto in Reverſion or Remainder, before his Attainder.

14. An Act to explain and amend an Act paſſed in the firſt Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for veſting the Honour and Eſtate of* John *Duke of* Atholl *in* James Murray (*commonly called Lord* James Murray) *after the Death of the ſaid Duke.*

15. An Act for Sale of Part of the paternal Eſtate of *Waltham Savory* Eſq; compriſed in his Marriage Settlement to diſcharge the Incumbrances on other the more valuable Parts of his Eſtate in the ſame Settlement compriſed, for the Benefit of his Iſſue by *Mary* his late Wife.

16. An Act for rendring more uſeful, and preventing the Inconveniencies likely to ariſe from a Covenant in the Marriage Settlement made by *George Pitt* Eſq; and for making good and effectual the Agreements, Limitations and Proviſions made by the Parties for that Purpoſe, contained in an Indenture of Settlement lately made.

17. An Act for Sale of Part of the Eſtate of *Thomas Preſtwood* Eſq; in the County of *Devon*, for diſcharging an Incumbrance affecting the ſame, and other Purpoſes therein mentioned.

18. An Act to enable *Thomas Warden* Eſq; and the Heirs of his Body, and the ſeveral other Perſons therein named, and the Heirs of their reſpective Bodies, to take and uſe the Surname of *Sergiſon*, as therein mentioned.

19. An Act for impowering Sir *John Tynte* Baronet, and *Charles Tynte* Eſq; and their Sons reſpectively, to make Leaſes of the Eſtates compriſed in the late Sir *Haſwell Tynte*'s Settlement, for Lives or Years determinable on Deaths, according to the Cuſtom of the Country.

20. An Act to enable *Thomas Erle Drax* Eſq; an Infant and others, to grant Leaſes of ſeveral Manors and Lands in the County of *Wilts*, in ſuch Manner as is therein mentioned.

21. An Act to diſſolve the Marriage of Sir *John Rudd* Bart. with *Lettice Vaughan*, and to enable him to marry again, and for other Purpoſes therein mentioned.

22. An Act for ſettling the Eſtate of *Thomas Bawtry* late of *Boſton* in the County of *York* Eſq; deceaſed, in his Surname and Blood, and making his Will more effectual for that Purpoſe.

23. An Act for dividing the Site of the late diſſolved Monaſtery of *Bellalanda*, alias *Byland*, and divers Meſſuages, Lands, Tenements and Hereditaments, in the County of *York*, amongſt *Thomas Holles* Duke of *Newcaſtle*, *Philip Dormer* Earl of *Cheſterfield*, and *Gervaſe Scrope* Eſq; in the Manner therein mentioned.

24. An Act for explaining and amending Part of an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for incloſing* Aldham *and* Boyne Commons, *belonging to the Pariſh of* Hadleigh *in the County of* Suffolk, *for the better Maintenance of the Poor of the ſaid Pariſh.*

25. An Act to naturalize *Jean Legier Lamotte*, and *George Godfried Haſenfeller.*

26. An Act for confirming an Exchange agreed to be made between *William* Earl *Cowper*, and Sir *George Oxenden* Baronet, of certain Lands and Hereditaments in the County of *Kent.*

27. An Act to enable *Richard Child* Eſq; commonly called Lord *Caſtlemain*, and the Heirs of his Body, and ſuch other Perſons, who by virtue of a Settlement made by *Frederick Tylney* Eſq; deceaſed, ſhall be in the Poſſeſſion of the Eſtates therein limited, to take and uſe the Surname of *Tylney.*

28. An Act to enable the ſeveral Perſons claiming under the Will or Codicil of *Robert* late Lord *Bingley*, when they ſhall be intitled to the Eſtates compriſed therein, or directed to be purchaſed thereby, to make Leaſes for one and twenty Years, at the beſt improved Rents, without taking Fines.

29. An Act for veſting Part of the Eſtate of *Charles Cholmondeley* Eſq; in the County of *Cheſter*, in Truſtees, to be ſold to raiſe Money for the Payment of Debts, and other Purpoſes therein mentioned.

30. An Act for making certain Articles of Agreement, entred into by *Thomas Aſheton* Eſq; in behalf of his Son *Thomas Aſheton*, an Infant, touching the Eſtate late of *Robert Cholmondeley* of *Holford* in the County of *Cheſter*, Eſq; obligatory on the ſaid Infant, and veſting the ſaid Eſtate in Truſtees, to be ſold for the Purpoſes therein expreſſed.

31. An Act for enabling *Richard Dowdeſwell* Eſq; to raiſe Money by Sale or Mortgage of his Eſtates in the Counties of *Glouceſter* and *Worceſter*, to pay off the Portion of his Niece *Anne Wilde* the Younger, charged thereon.

32. An Act for veſting Part of the ſettled Eſtates of *Anthony Henley* Eſq; in Truſtees, to be ſold for diſcharge of the ſeveral Debts and Incumbrances affecting the ſame; and for making a further ſeparate Proviſion for the Lady *Elizabeth* his Wife, during their joint Lives.

33. An Act for ſelling Part of the ſettled Eſtate of *David Roberts* Eſq; for diſcharging the Debts and Incumbrances of himſelf and his late Father; and for ſettling an Equivalent for the ſame, for the Benefit of the ſeveral Perſons claiming under his Marriage Settlement.

34. An Act for veſting in Truſtees the unſettled Eſtates of *William Brandon* deceaſed, to be ſold for Payment of a Debt due from him to the Crown; and for applying the Reſidue of the Money ariſing by ſuch Sale for the Benefit of his Family.

35. An Act for enabling Truſtees to make Leaſes of certain Meſſuages, Houſes and Buildings, in *Mark-Lane* in the City of *London*, the Eſtate of *George Harveſt*, an Infant.

36. An Act for reſtoring *Bazil Hamilton* in Blood.

PUBLICK ACTS.

Anno 7 Georgii II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties

The TITLES of the STATUTES.

Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-four; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders, loſt, burnt, or otherwiſe deſtroyed.

2. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

3. An Act for exhibiting a Bill in this preſent Parliament, for naturalizing his Highneſs the Prince of *Orange*.

4. An Act for naturalizing the moſt Serene Prince *William Charles Henry Friſo*, Prince of *Orange* and *Naſſau*.

5. An Act for enlarging the Term and Powers granted by an Act paſſed in the ſixth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for laying a Duty of two Pennies* Scots, *or one ſixth Part of a Penny Sterling, upon every Pint of Ale or Beer that ſhall be vended or ſold within the Town of* Montroſe, *and Privileges thereof, for ſupplying the ſaid Town with freſh Water, and for other Purpoſes therein mentioned.*

6. An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſeven Years; and for licenſing the erecting new Refineries of Rock Salt in the Counties of *Eſſex* and *Suffolk*.

7. An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in *Great Britain* for the Service of the Year one thouſand ſeven hundred and thirty-four.

8. An Act to prevent the infamous Practice of Stock-jobbing.

9. An Act to explain and make more effectual the Laws in being, to oblige the Poſſeſſors of Lands adjacent to common Highways, to cut and keep low ſuch Hedges as are adjoining to the ſaid Highways.

10. An Act to indemnify Perſons who have omitted to qualify themſelves for Imployments or Offices, by taking the Oaths, and making and ſubſcribing the Declaration againſt Tranſubſtantiation, and receiving the Sacrament, and to allow them further Time for that Purpoſe; and to enable the Vice Chancellor of the Univerſity, and Mayor of the Town of *Cambridge*, to act as Juſtices of the Peace for the County of *Cambridge*, notwithſtanding the Act for the further Qualification of Juſtices of the Peace.

11. An Act for the Application and Diſpoſal of the Reſidue of the Money raiſed by way of Lottery, on the Credit of an Act made in the laſt Seſſion of Parliament, for the Relief of ſuch Sufferers in the Charitable Corporation, as are Objects of Compaſſion, according to the Deſcriptions therein mentioned.

12. An Act for enabling his Majeſty to apply the Sum of one million two hundred thouſand Pounds out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-four; and for appropriating the Supplies granted in this Seſſion of Parliament.

13. An Act to enable his Majeſty to continue and ſettle an Annuity of five thouſand Pounds on the Princeſs Royal during the Term of her natural Life, in caſe ſhe ſhall ſurvive his Majeſty.

14. An Act for aſcertaining the Duties upon Arrack, and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.

15. An Act to ſettle how far Owners of Ships ſhall be anſwerable for the Acts of the Maſters or Mariners.

16. An Act for the better regulating the Election of Members to ſerve in the Houſe of Commons, for that Part of *Great Britain* called *Scotland*; and for incapacitating the Judges of the Court of Seſſion, Court of Juſticiary, and Barons of the Court of Exchequer in *Scotland*, to be elected, or to ſit or vote as Members of the Houſe of Commons.

17. An Act to explain an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the converting a further Part of the Capital Stock of the* South Sea *Company into Annuities redeemable by Parliament, and for ſettling the remaing Part of the ſaid Stock in the ſaid Company*, ſo far as the ſaid Act relates to the paying off the Bonds of the ſaid Company.

18. An Act for the Revival of an Act made in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the free Importation of Cochineal during the Time therein limited*; and alſo for the free Importation of Indico.

19. An Act for the more effectual preventing the clandeſtine Importation of foreign Hops into *Great Britain* and *Ireland*, and to prevent the adulterating or ſophiſticating of Hops to alter the Colour or Scent thereof.

20. An Act for the more eaſy Redemption and Foreclоſure of Mortgages.

21. An Act for the more effectual Puniſhment of Aſſaults with Intent to commit Robbery.

22. An Act for the more effectual preventing the Forging the Acceptance of Bills of Exchange, or the Numbers or principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money, or Warrants, or Orders for Payment of Money, or Delivery of Goods.

23. An Act for raiſing the Militia of that Part of *Great Britain* called *England*, although the Month's Pay formerly advanced be not repaid; and for making the Militia within the ſame more uſeful.

24. An Act for granting to *Samuel Buckley*, Citizen and Stationer of *London*, the ſole Liberty of Printing and Reprinting the Hiſtories of *Thuanus*, with Additions and Improvements, during the Time therein limited.

25. An Act to explain and amend an Act paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the better Regulating the Manufacture of Cloth in the* Weſt Riding *of the County of* York.

26. An Act for continuing, explaining, and making more effectual two Acts of Parliament, one of the third, and the other of the eighth Year of the Reign of his late Majeſty King *George* the Firſt, *For Repairing the Highways from the ſeveral Places in the ſaid Acts mentioned, to* Highgate *Gatehouſe and* Hampſtead *in the County of* Middleſex; *and for amending the Roads from the South End of the ſaid Town of* Hampſtead, *to the further End of* Burrough Lane *in the Pariſh of* Hendon; *and for repairing other Roads therein mentioned, lying in the Pariſh of* Iſlington *in the ſaid County.*

27. An Act for making the Church of *Baſtlack* in the City of *Coventry* a Pariſh Church, and for appointing a Diſtrict or Pariſh thereto; and for enabling the Maſter and Uſher of the Free Grammar School within the ſaid City, to be the Rector and Lecturer of the ſaid Pariſh Church.

28. An Act to extend the Navigation of the River *Weaver* from *Winſford* Bridge to the Town of *Namptwich* in the County of *Cheſter*.

29. An Act for making more effectual an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the more effectual amending the Highways leading from* Royſton *in the* County

County of Hertford, *to* Wandsford Bridge *in the County of* Huntingdon, ſo far as the ſame relates to the amending that Part of the Road as lies between a Place called the *White Poſt* upon *Alconbury Hill*, and *Wandſford Bridge* in the ſaid County of *Huntingdon*, called *The North Diviſion*.

PRIVATE ACTS.

Anno 7 *Georgii* II.

1. AN Act to naturalize *John Matthew Buttner*, *John Lewis Kraguelius*, and others.
2. An Act for confirming the Incloſure Diviſion, and Exchanges of ſeveral Lands and Grounds lying in the common Fields of *Woolleſthorpe* near *Belvoir* Caſtle in the County of *Lincoln*.
3. An Act to enable *Robert Dalzell* late Earl of *Carnwath*, to ſue or maintain any Action or Suit, notwithſtanding his Attainder, and to remove any Diſability in him, by reaſon of his ſaid Attainder, to take or inherit any Real or Perſonal Eſtate, that may or ſhall hereafter deſcend or come to him.
4. An Act to enable *Walter Calverley* Eſquire, now called *Blackett* Eſquire, and his Iſſue Male, to take and uſe the Surname of *Blackett* only, purſuant to the Will of Sir *William Blackett* Baronet, deceaſed.
5. An Act for veſting certain Lands and Tenements lying contiguous to the Citadel of *Plymouth*, being the Eſtate of *William Strode*, an Infant, in Truſtees, in order to ſell and convey the ſame to or for the Uſe of his Majeſty.
6. An Act for ſupplying an Omiſſion in a former Act of Parliament, to enable *Richard* Earl of *Burlington* to grant Leaſes of Ground behind *Burlington* Houſe.
7. An Act to enable the Truſtees and Executors of the laſt Will and Teſtament of *John Vanden Bempde* Eſquire, deceaſed, to lay out Part of the ſaid Teſtator's Truſt Eſtate in the Purchaſe of Securities affecting the Marquis of *Annandale*'s Eſtate in *Scotland*, and carrying Intereſt after the Rate of five Pounds *per Centum per Annum*, to be aſſigned to the ſaid Truſtees, to and for the ſame Uſes and Truſts, as by the ſaid Will are declared of and concerning the ſaid Truſt Eſtate.
8. An Act for veſting in Sir *Theodore Janſſen* Knight and Baronet, and his Heirs, the Remainder in Fee Simple, now in the Crown, expectant on the Determination of certain Eſtates Tail, of and in the Manor and Advowſon of *Ower Moigne* in the County of *Dorſet*, and ſeveral Lands and Hereditaments to the ſame Manor belonging.
9. An Act for enabling *Thomas Scawen* Eſquire, and others, to ſell an Eſtate in *Ireland*, ſettled by Sir *William Scawen*'s Will, and ſettling another Eſtate, purchaſed by the ſaid *Thomas Scawen* in *England*, of greater Value, to the ſame Uſes.
10. An Act for Sale of the Manor of *Hopsford* in the County of *Warwick*, for raiſing Money towards diſcharging the Debts and Incumbrances of *Elizabeth* late Dutcheſs of *Hamilton* and *Brandon*, deceaſed.
11. An Act for diſcharging a certain Piece of Ground called *The Peſthouſe Field*, from certain charitable Truſts, and for ſettling another Piece of Ground of equal Extent, and in a more convenient Place, upon the ſame Truſts.
12. An Act for veſting certain Houſes in *Blechingly* in the County of *Surrey*, late the Eſtate of *George Evelyn* Eſquire, deceaſed, in *Charles Boone* Eſquire, and for ſettling another Eſtate of greater Value on the Daughters and Coheirs of the ſaid *George Evelyn*, in lieu of and exchange for the ſame.
13. An Act for veſting Part of the Eſtate, late of *George Evelyn* Eſquire, deceaſed, in the County of *Surrey*, in Truſtees, in order to ſell and convey the ſame to *Charles Boon* Eſquire, purſuant to an Agreement for that Purpoſe.
14. An Act for incloſing the Common or Waſte called *Lightwood Foreſt*, otherwiſe *Cocknage Banks*, and *Blurton Common*, in the Manor and Pariſh of *Trentham* in the County of *Stafford*.
15. An Act for confirming and making effectual ſeveral Articles of Agreement made for incloſing and dividing the common Fields of *Great Cleybrooke*, and *Little Cleybrooke* in the County of *Leiceſter*.
16. An Act for confirming a Conveyance of divers Lands and Hereditaments in the County of *Durham*, late the Eſtate of *John Morland* Eſquire deceaſed, for Payment of his Debts and Incumbrances.
17. An Act for Sale of the Manor, Farm, and Lands of *Encombe* in the County of *Dorſet*, Part of the Eſtate of *John Culliford* Eſquire deceaſed, for Payment of the Debts and Incumbrances charged upon and affecting the ſame.
18. An Act to enable *Joſeph Wyndham* Eſquire and his Iſſue Male, to take and uſe the Surname of *Aſhe*, purſuant to the laſt Will and Teſtament of Dame *Mary Aſhe*.
19. An Act to naturalize *Anne Judith Briſtowe* Wife of *John Briſtowe* Eſquire.
20. An Act to naturalize *Bartold Bull*.

PUBLICK ACTS.

Anno 8 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-five.
2. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
3. An Act for repairing the Roads from the Town of *Mancheſter*, leading through *Newton*, *Failſworth* and *Oldham*, in the County Palatine of *Lancaſter* to *Auſterlands*, in the Pariſh of *Saddleworth*, in the County of *York*.
4. An Act to indemnify Perſons who have omitted to make and ſubſcribe the Declarations contained in the Act of Uniformity of the thirteenth and fourteenth Years of King *Charles* the Second within the Time limited by Law; and for allowing further Time for doing thereof.
5. An Act for enlarging the Term and Powers granted by an Act made in the twelfth and thirteenth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for repairing and amending the Highways between the Town or Village of* Tittenſor, *and the moſt Northern Part of* Talk on the Hill, *in* Butt Lane *in the County of* Stafford.
6. An Act for the publick regiſtring of all Deeds, Conveyances, Wills and other Incumbrances, that ſhall be made of, or that may affect any Honors, Manors, Lands, Tenements or Hereditaments, within the *North Riding* of the County of *York*, after the nine and twentieth Day of *September* one thouſand ſeven hundred and thirty-ſix.

7. An

7. An Act for repairing and widening the Road from the Town of *Rochdale* in the County Palatine of *Lancaſter*, leading over a certain craggy Mountain called *Black-ſtone Edge*, in the ſame County, and from thence to the Towns of *Halifax*, and *Ealand* in the County of *York*.
8. An Act for enlarging the Term and Powers granted by an Act paſſed in the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, *for repairing the Road from Saint* Giles's *Pound to* Kilbourn *Bridge in the County of* Middleſex, *and for paving that Part of the Road called* Oxford Street.
9. An Act for continuing and making more effectual an Act paſſed in the firſt Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Highways through the ſeveral Pariſhes of Saint* Michael, *Saint* Alban, *Saint* Peter, Shenley Ridge, *and* South Mims, *in the Counties of* Hertford *and* Middleſex; and for continuing the Commiſſioners authorized to put the ſaid Act in Execution.
10. An Act for lengthening the Weſt Pier of the Harbour of *Whitby*, in the County of *York*, and for improving the ſaid Harbour.
11. An Act for enabling his Majeſty to apply the Sum of one million out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-five.
12. An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of four Years; and for giving further Time for the Payment of Duties omitted to be paid, for the Indentures and Contracts of Clerks and Apprentices.
13. An Act for the Encouragement of the Arts of Deſigning, Engraving and Etching hiſtorical and other Prints, by veſting the Properties thereof in the Inventors and Engravers, during the Time therein mentioned.
14. An Act for prolonging the Time for claiming the fortunate Tickets in the *Charitable Corporation* Lottery, and for making Proviſion for Tickets in the ſaid Lottery, loſt, burnt or otherwiſe deſtroyed.
15. An Act for the better regulating the Nightly Watch and Bedels, within the two Pariſhes of Saint *James* and Saint *George Hanover Square*, within the Liberties of the City of *Weſtminſter*.
16. An Act for the Amendment of the Law relating to Actions on the Statute of *Hue and Cry*.
17. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpoſe.
18. An Act to continue ſome Laws therein mentioned, relating to the Encouragement of the making of Sail Cloth in *Great Britain*, and for Encouragement of the Silk Manufactures of this Kingdom.
19. An Act to continue an Act paſſed in the third Year of his preſent Majeſty's Reign, intituled, *An Act for granting Liberty to carry Rice from his Majeſty's Province of* Carolina *in* America, *directly to any Part of* Europe, *Southward of* Cape Finiſterre, *in Ships built in, and belonging to* Great Britain, *and navigated according to Law*; and to extend that Liberty to his Majeſty's Province of of *Georgia* in *America*.
20. An Act for rendering the Laws more effectual for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes for repairing Highways or Locks, or other Works erected by Act of Parliament for making Rivers navigable, and for other Purpoſes therein mentioned.
21. An Act to continue ſeveral Laws therein mentioned, for the better Regulation and Government of Seamen in the Merchants Service, for the Regulating of Pilots of *Dover*, *Deal*, and the Iſle of *Thanet*; for preventing Frauds in the Cuſtoms, and to prevent the clandeſtine running of Goods; and for making Copper Ore of the *Britiſh* Plantations an enumerated Commodity.
22. An Act to enable *William Mackenzie*, late Earl of *Seafort*, to ſue or maintain any Action or Suit, notwithſtanding his Attainder, and to remove any Diſability in him by reaſon of his ſaid Attainder, to take or inherit any real or perſonal Eſtate that may or ſhall hereafter deſcend or come to him.
23. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-five.
24. An Act to explain and amend an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons*.
25. An Act to indemnify Proteſtant Purchaſers of Eſtates of Papiſts, againſt the Penalties or Forfeitures Papiſts are liable to for not having inrolled their Eſtates, in purſuance of an Act of the third Year of King *George* the Firſt, for that Purpoſe.
26. An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Lincoln's Inn Fields*, in the County of *Middleſex*, to make a Rate on themſelves, for raiſing Money ſufficient to incloſe, clean and adorn the ſaid Fields.
27. An Act for rebuilding the Pariſh Church of Saint *Leonard Shoreditch* in the County of *Middleſex*.
28. An Act to explain and make more effectual the ſeveral Acts made and paſſed for repairing the Highways leading to *Highgate Gatehouſe*, and *Hampſtead* in the County of *Middleſex*, ſo far as the ſame relate to the Statute Work to be done upon the ſaid Highways, or Compoſitions to be made in lieu of the ſame.
29. An Act for the Application of the Rents and Profits of the Eſtates forfeited by the Attainders of *James* late Earl of *Derwentwater* and *Charles Radcliffe*.
30. An Act for regulating the Quartering of Soldiers during the Time of the Elections of Members to ſerve in Parliament.

PRIVATE ACTS.

Anno 8 *Georgii* II.

1. AN for naturalizing *Samuel Engel*, *John Peter Blaquiere* and others.
2. An Act for enabling the two younger Sons of *John* Duke of *Rutland*, by *Bridget* late Ducheſs of *Rutland*, and their reſpective Children, Progeny and Iſſue, to take and uſe the Surname of *Sutton*, purſuant to the Will of *Robert* Lord *Lexington* deceaſed, and in ſuch Manner as is therein mentioned.
3. An Act to enable *John Childe* Eſquire, commonly called Lord *Caſtlemain*, and the Heirs of his Body, and ſuch other Perſons, who by virtue of a Settlement made by *Frederick Tylney* Eſquire, deceaſed, ſhall be in Poſſeſſion of the Eſtates therein limited, to take and uſe the Surname of *Tylney*.

4. An

4. An Act for exchanging Lands between the Earl of *Peterborough*, and the Provoſt and Scholars of *Queen's College* in *Oxford*.
5. An Act for Sale of the Eſtate of *Henry* late Lord *Charleton* in the County of *Oxon*, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of another Eſtate in or near the County of *Wilts*, to be ſettled to the like Uſes.
6. An Act to enable *Hugh Hume Campbell*, commonly called Lord *Polwarth*, to ſell Lands in *Eſſex*, ſettled by his Marriage Articles, and with the Money ariſing thereby to purchaſe other Lands of like Value, to be ſettled to the ſame Uſes.
7. An Act to enable Sir *Charles Gilmour* Baronet, to ſell Part of the Lands and Baronies of *Craigmillar* and *Nether Libberton* for Payment of Debts, with which the ſaid Eſtate ſtands charged and incumbered.
8. An Act for veſting an undivided Moiety of divers Lands and Hereditaments in the Counties of *Oxon* and *Kent*, the Eſtate of *Elizabeth Dyke* an Infant, in *Edward Dyke* Eſquire, and his Heirs, in Exchange for his undivided Moiety of divers Lands and Hereditaments in the Counties of *Somerſet* and *Devon*.
9. An Act for confirming and eſtabliſhing a Partition of the Eſtate of *Henry Appleton*, Eſquire, deceaſed, made purſuant to a Decree of the Court of *Chancery*.
10. An Act for the better Execution of the laſt Will and Teſtament of *Richard Cantillon* Eſquire, deceaſed, and for other Purpoſes therein mentioned.
11. An Act for veſting the Eſtate of *William Forreſter* Eſquire, and *Brook Forreſter* his Son and Heir Apparent, in the County of *Salop*, in Truſtees, to ſettle the ſame, purſuant to an Agreement previous to the Marriage of the ſaid *Brook Forreſter* with *Elizabeth* his Wife, notwithſtanding the Minority of the ſaid *Brook Forreſter*.
12. An Act for diſcharging Part of the Eſtate of *Robert Edger* Eſquire, in the County of *Cambridge*, from the Uſes of his Marriage Settlement, he having ſettled an Eſtate in the County of *Suffolk*, of greater Value to the ſame Uſes.
13. An Act for veſting Part of the Real Eſtate late of *James Tregeare* Eſquire, deceaſed, in *Margery* his Widow and Relict, in Part of her Dower, and for Sale of the reſt of the ſaid Eſtate, for Payment of the Debts of the ſaid *James Tregeare*, and for laying up the Surplus Money ariſing by ſuch Sale in the Purchaſe of other Lands, to the Uſe of *Honour* his Daughter and her Heirs.
14. An Act for incloſing the Common Fields, Common Meadows, and other Commonable Lands in the Pariſh of *Hunningham* alias *Honningham* in the County of *Warwick*.
15. An Act for appointing Commiſſioners to make a Diviſion of certain Commons and Waſte Lands lying within the Manor and Pariſh of *Chedleton* in the County of *Stafford*, among the Proprietors, in order to incloſe the ſame.
16. An Act to enable *William Toller*, now called *William Toller Treffry* Gentleman, and his Iſſue Male, to take and uſe the Surname of *Treffrey* only, purſuant to the Deed of Settlement of *John Treffrey* Eſquire deceaſed.
17. An Act to explain and amend an Act made in the firſt Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the Relief of* Hannah Mac Donnell, *with relation to the forfeited Eſtates in* Ireland; *and for enabling* Randal Mac Donnell *Eſquire, to ſell or incumber the Eſtate therein mentioned.*
18. An Act for naturalizing *Anna Elizabeth Broughton*, *Joſias Cottin*, *John Chevalier*, and *John Treher*.
19. An Act to naturalize *Stephen Matthew Arnold Roſenhagen*, and *Jane Elizabeth du Bouchet*.

PUBLICK ACTS.

Anno 9 Georgii II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-ſix.
2. An Act to puniſh Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
3. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-ſix.
4. An Act to amend an Act paſſed in the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act to preſerve and encourage the Woollen and Silk Manufactures of this Kingdom, and for more effectual employing the Poor, by prohibiting the Uſe and Wear of all printed, painted, ſtained or dyed Callicoes, in Apparel, Houſhold Stuff, Furniture, or otherwiſe, after the twenty-fifth Day of* December *one thouſand ſeven hundred and twenty-two (except as is therein excepted)* ſo far as relates to Goods made of Linen Yarn, and Cotton Wooll manufactured in *Great Britain*.
5. An Act to repeal the Statute made in the firſt Year of the Reign of King *James* the Firſt, intituled, *An Act againſt Conjuration, Witchcraft, and dealing with evil and wicked Spirits*, except ſo much thereof as repeals an Act of the fifth Year of the Reign of Queen *Elizabeth*, *Againſt Conjurations, Inchantments, and Witchcrafts*, and to repeal an Act paſſed in the Parliament of *Scotland* in the ninth Parliament of Queen *Mary*, intituled, *Anentis Witchcrafts*, and for puniſhing ſuch Perſons as pretend to exerciſe or uſe any Kind of Witchcraft, Sorcery, Inchantment, or Conjuration.
6. An Act to indemnify Perſons who have omitted to read the Prayers, and make and ſubſcribe the Declarations directed to be read, made and ſubſcribed the Act of Uniformity of the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, within the Time limited by Law, and for allowing further Time for doing thereof.
7. An Act to explain and amend an Act paſſed in the firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing and enlarging the Road leading from the Houſe called* The Sign of the Bells, *in the Pariſh of Saint* Margaret *in* Rocheſter, *to* Maidſtone, *and other Roads therein mentioned in the County of* Kent.
8. An Act for the better regulating the Nightly Watch and Bedels within the Pariſh of Saint *Martin in the Fields*, within the Liberties of the City of *Weſtminſter*.
9. An Act for enlarging the Term and Powers granted by an Act paſſed in the eleventh Year of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing and amending the Road from* Biggleſwade *in the County of* Bedford, *to* Bugden, *and through* Alconberry *to the Top of* Alconberry Hill, *or Croſs Poſt, leading into* Sautery Lane, *on the* York *and* Edinburgh *Road, and from the ſaid Town of* Bugden *to the Town of* Huntingdon, *and from* Croſs Hall *in* Eaton Soken *in the ſaid*

County

County of Bedford, *to* Great Stoughton Common *in the ſaid County of* Huntingdon.

10. An Act for repairing and widening the Road leading from Saint *Dunſtan's Croſs* near the City of *Canterbury*, to the Water-ſide at *Whitſtable* in the County of *Kent*.

11. An Act for enlarging the Term and Powers granted by an Act paſſed in the fifth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Road from* Beconsfield *in the County of* Bucks, *to* Stoken Church *in the County of* Oxon.

12. An Act to enable the Juſtices of the Peace, acting for the Weſtern Diviſion of the County of *Kent*, to purchaſe a convenient Piece of Ground for building a Gaol for the ſaid County, and for impowering the ſaid Juſtices to apply Part of the County Stock of the ſaid Diviſion towards the ſame.

13. An Act for the better regulating the Nightly Watch and Bedels within the Pariſh of Saint *Paul*, *Covent Garden*, within the Liberties of the City of *Weſtminſter*.

14. An Act for repairing the Roads leading from *Henley Bridge* in the County of *Oxford* to *Dorcheſter Bridge*, and from thence to *Culham Bridge*, and to a Place called *Mile Stone* in the Road leading to *Magdalene Bridge* in the ſaid County.

15. An Act for enabling the Mayor, Bailiffs, and Burgeſſes of the Borough of *New Windſor* in the County of *Berks*, to repair and maintain their great Bridge over the River of *Thames*, and the Way thereon, leading from the ſaid Borough of *New Windſor* to *Eton* in the County of *Bucks*.

16. An Act for continuing the Term and Powers granted by an Act paſſed in the fourth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Highways from* Crown Corner *in the Town of* Reading (*leading by and through the ſeveral Pariſhes of* Shinfield *and* Heckfield, *in the ſeveral Counties of* Berks, Wilts, *and* Southampton) *to* Baſingſtoke *in the ſaid County of* Southampton.

17. An Act for the better regulating the Nightly Watch and Bedels within the Pariſhes of Saint *Margaret* and Saint *John the Evangeliſt*, within the City and Liberty of *Weſtminſter*.

18. An Act for reviving and continuing the Acts therein mentioned, and for explaining and amending a Clauſe in an Act made in the firſt Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for making the Laws for repairing the Highways more effectual*, relating to the appointing Scavengers in Cities and Market Towns, and the ordering the Aſſeſſments for the repairing and cleanſing the Streets therein.

19. An Act for the better regulating the Nightly Watch and Bedels within the Pariſh of Saint *Anne*, within the Liberties of the City of *Weſtminſter*.

20. An Act for the better enlightening of the Streets of the City of *London*.

21. An Act for repairing the Highways from *Sunning Lane End* next *Twyford*, to the *Old Bear Inn* in *Reading* in the County of *Berks*.

22. An Act for rebuilding the Pariſh Church of *Gainſburgh* in the County of *Lincoln*.

23. An Act for laying a Duty upon the Retalers of Spirituous Liquors, and for licenſing the Retalers thereof.

24. An Act for exhibiting a Bill in this preſent Parliament for naturalizing her Royal Righneſs the Princeſs of *Wales*.

25. An Act for more equal paying and better collecting certain ſmall Sums for Relief of Shipwrecked Mariners, and diſtreſſed Perſons, his Majeſty's Subjects, in the Ports of *Cadiz*, and Port *Saint Mary*'s in the Kingdom of *Spain*, and for other Uſes uſually contributed to by the Merchants trading to the ſaid Ports.

26. An Act for indemnifying Perſons who have omitted to qualify themſelves for Offices within the Time limited by Law, and for allowing further Time for that Purpoſe; and for amending ſo much of an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, as requires Perſons to qualify themſelves for Offices before the End of the next Term or Quarter-Seſſions; and alſo for enlarging the Time limited by Law for making and ſubſcribing the Declaration againſt Tranſubſtantiation; and for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers, Deviſees, and Leſſees.

27. An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer brewed, or brought into, and ſold within the Town of *Irvine*, and Liberties thereof: And for laying a Duty of one Penny *Sterling* upon every Ton, or ten Horſe Loads of Coals, carried to the Harbour of the ſaid Town, and ſhipped there for Tranſportation.

28. An Act for naturalizing her Royal Highneſs the Princeſs of *Wales*.

29. An Act for building a Bridge croſs the River *Thames*, from the *New Palace Yard* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*.

30. An Act to prevent the liſting his Majeſty's Subjects to ſerve as Soldiers without his Majeſty's Licence.

31. An Act for continuing the Duty of two Pennies *Scots*, or one ſixth of a Penny *Sterling*, on every Pint of Ale and Beer, that ſhall be vended or ſold within the City of *Glaſgow*, and for extending the ſame over the Villages of *Gorbells* and *Port Glaſgow*, and Privileges thereof, for the Benefit of the ſaid City and Villages.

32. An Act for continuing for the Purpoſes therein mentioned, the additional Duties upon ſtamped Vellum, Parchment and Paper, laid by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt.

33. An Act to render the Law more effectual for preventing the Importation of freſh Fiſh taken by Foreigners, and to explain ſo much of an Act made in the thirteenth and fourteenth Year of the Reign of King *Charles* the Second, as relates to Ships exporting Fiſh to the Ports of the *Mediterranean Sea*, and for the better Preſervation of the Fry of Lobſters on the Coaſts of *Scotland*.

34. An Act for enabling his Majeſty to borrow any Sum or Sums of Money not exceeding ſix hundred thouſand Pounds, to be charged upon the Surpluſſes, Exceſſes, or Overplus Monies, common called *The Sinking Fund*, redeemable by Parliament, and for the further Diſpoſition of the ſaid Fund, by paying off one million of *South Sea* Annuities, and for appropriating the Supplies granted in this Seſſion of Parliament.

35. An Act for indemnifying Perſons who have been guilty of Offences againſt the Laws made for ſecuring the Revenues of Cuſtoms and Exciſe, and for enforcing thoſe Laws for the future.

36. An Act to reſtrain the Diſpoſitions of Lands, whereby the ſame become unalienable.

37. An Act for further encouraging and regulating the Manufacture of *Britiſh* Sail Cloth, and for the more effectual ſecuring the Duties now payable on foreign Sail Cloth imported into this Kingdom.
38. An Act to explain and amend ſo much of an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Elections of Members to ſerve in Parliament*, as relates to the commencing and carrying on of Proſecutions grounded upon the ſaid Act.
39. An Act for making more effectual two Acts of Parliament, one of the tenth Year of the Reign of her late Majeſty Queen *Anne*, and the other of the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Road from *Highgate Gatehouſe* in the County of *Middleſex*, to *Barnet Block-houſe* in the County of *Hertford*; and the Road from the *Bear Inn* in *Hadley*, to the *Angel* in *Enfield Chace*; and for amending *Cane-wood Lane*, leading from *Highgate* to *Hampſtead* in the ſaid County of *Middleſex*.

PRIVATE ACTS.

Anno 9 *Geo.* II.

1. AN Act to enable *John Harriſon* an Infant, now called *John Newport*, and the Heirs of his Body, to take and uſe the Surname of *Newport*, purſuant to the Direction of *Henry* late Earl of *Bradford* deceaſed.
2. An Act for naturalizing *Peter Callifies*, *Zachary Cahuac*, and others.
3. An Act to enable *Bartholomew Richard Barneby* Eſquire, otherwiſe *Lutley*, and the Iſſue of his Body, to take upon him and them the Surname of *Barneby*, purſuant to the Will of *John Barneby* Eſquire, deceaſed.
4. An Act for naturalizing *Henry Lys* and *Frederick Ludovick Metzner*.
5. An Act for ſettling the Eſtate of *William* late Earl *Cowper* deceaſed, to the Uſes and for the Purpoſes mentioned in certain Articles of Agreement, made between *William* now Earl *Cowper*, and his Brother, and the Iſſue of *Spencer Cowper* Eſquire, deceaſed.
6. An Act to enable *Harry* Earl of *Stamford*, and *Harry Gray* Eſq; commonly called Lord *Gray*, Son and Heir Apparent of the ſaid Earl, to make a Settlement upon the Marriage of the ſaid Lord *Gray*, notwithſtanding his Infancy.
7. An Act for impowering the Truſtees named in the Will of *Thomas* late Earl of *Pembroke* and *Montgomery*, to lay out the Reſidue of his Perſonal Eſtate in the Purchaſe of ſuch Lands and Hereditaments, as in this Act are mentioned.
8. An Act for diſcharging the Eſtate purchaſed by the Truſtees of *Charles Cavendiſh* Eſquire, commonly called Lord *Charles Cavendiſh*, from the Truſts of his Settlement, and for enabling the ſaid Truſtees to ſell and diſpoſe of the ſame, for the Purpoſes therein mentioned.
9. An Act for exchanging of Lands between Sir *John Aſtley* Baronet, and the Preſident and Fellows of *Queen's College* in *Cambridge*.
10. An Act to enable the Dean and Chapter of Saint *Peter's*, *Weſtminſter*, to convey a Piece of Ground with three Houſes thereon, at *Knightsbridge*, to a Truſtee, for the Contributors to Saint *George's* Hoſpital, and their Succeſſors.
11. An Act for making effectual Articles of Agreement, touching the Eſtates late of *Roger Nowell* the elder, of *Read* in the County of *Lancaſter*, Eſquire, and *Roger Nowell* his Son, lying in the ſame County and in the County of *York*, and veſting the ſaid Eſtates in Truſtees, to be ſold for the Payment of Debts, and other Purpoſes therein mentioned.
12. An Act for Sale of an undivided fourth Part of the Manor of *Plumpton*, and certain Lands and Hereditaments in the County of *Suſſex*, the Eſtate of *Elizabeth Shore* and her Daughters, and for veſting the Money ariſing thereby in Truſtees for the ſame Uſes, to which the ſaid Eſtate now ſtands ſettled.
13. An Act for vacating the Grants and Settlements of certain Manors, Lands and Tenements, made by *George Parker* Eſquire, upon the Marriage of *Francis* his Son with *Jaquete* his now Wife, and for ſettling other Lands inſtead thereof.
14. An Act for veſting the Equity of Redemption of all the Lands of Inheritance and Leaſehold Eſtates, late of *Charles Bentley* Eſquire, deceaſed, lying in the County of *Worceſter*, in Truſtees, to be ſold for Payment of his Debts, and making ſome Proviſion for *Penelope* his Widow, and *Charles* and *Penelope* Infants, his Son and Daughter.
15. An Act for veſting the Eſtate of *William Gee* Eſquire, in Truſtees, to ſettle the ſame, purſuant to an Agreement made previous to his Marriage with *Elizabeth* his Wife, Daughter of *Roger Talbot* Eſquire.
16. An Act for explaining the Will of *Joſeph Banks* Eſquire, deceaſed, and for impowering ſeveral Perſons, claiming under the ſaid Will, to make Jointures and Leaſes, in ſuch Manner as is therein mentioned.
17. An Act for incloſing and dividing the Common Field called *Alderminſter* Common Field, Common Paſtures, and other Common Grounds, in the Pariſh of *Alderminſter* in the County of *Worceſter*.
18. An Act for dividing and incloſing the Common Field and Plots of Commonable Lands, and for ſtinting the Common or Heath in the Manor of *Ixworth* within the Pariſh of *Ixworth* in the County of *Suffolk*.
19. An Act for dividing and incloſing certain Commons and Waſte Grounds called *Stankham* and *Soldridge* Commons in the Pariſh of *Old Alresford* in the County of *Southampton*.
20. An Act to enable *Charles Herbert* Eſquire, now called *Charles Sheffield*, and his Iſſue, to take and uſe the Surname of *Sheffield*, purſuant to the Will of *John* late Duke of *Buckinghamſhire* and *Normanby*, deceaſed.
21. An Act to enable *Reginal Lygon* Eſquire, otherwiſe *Pyndar*, and the Heirs Male of his Body, to take upon him and them the Surname and Arms of *Lygon*, purſuant to the Settlement of *William Lygon* Eſquire, deceaſed.
22. An Act to enable *William Berkley* Eſquire, now called *William Portman*, and his Iſſue Male, to take and uſe the Surname of *Portman* only.
23. An Act to enable *Robert Kendall* Eſquire, now called *Robert Cater*, and his Iſſue, to take and uſe the Surname and Arms of *Cater*.
24. An Act to enable *John Shales*, commonly called *John Barrington*, and the Heirs of his Body, to take and uſe the Surname of *Barrington*, purſuant to a Settlement made by Sir *Charles Barrington* Baronet, deceaſed.
25. An Act to enable *George Algood* Eſquire, lately called *George Smith*, and the Heirs Male of his Body, to take and uſe the Surname of *Allgood* only, purſuant to the Will of *George Algood* Gentleman, deceaſed.
26. An Act to enable *Robert Phillips* Eſquire, and his Iſſue Male, to take and uſe the Surname of *Lee*, purſuant to the Will of *Robert Lee* Eſquire, deceaſed.

27. An

27. An Act to enable *John Gilbert* Esquire, and the Heirs Male of his Body, to take and use the Surname and Arms of *Cooper*, pursuant to the Will of *John Cooper* of *Thurgarton*, Esquire, deceased.
28. An Act to enable *John Sinclair*, eldest Son of *Henry* late Lord *Sinclair* deceased, to sue or maintain any Action or Suit, notwithstanding his Attainder, and to remove any Disability in him, by reason of his said Attainder, to take or inherit any Real or Personal Estate, that may or shall hereafter descend or come to him.
29. An Act to enable *William Murray* to sue or maintain any Action or Suit, notwithstanding his Attainder, and to remove any Disability in him, by reason of his said Attainder, to take or inherit any Real or Personal Estate, that may have descended or come to him since his late Majesty's most gracious Pardon, dated the twentieth of *July* in the seventh Year of his Reign, or that shall hereafter descend or come to him.
30. An Act for naturalizing *Friederick Felthusen*.
31. An Act for making effectual what has been agreed between *Alan* Lord Viscount *Midleton* in the Kingdom of *Ireland*, and his four Nieces; and for the securing the Payment of ten thousand Pounds agreed to be paid them; and to enable him to make good the Agreements in his Marriage Articles.
32. An Act to enable *John Freeman* Esquire, heretofore called *John Cooke*, and his Heirs, to take and use the Surname of *Freeman*, pursuant to the Will of *William Freeman* Esquire deceased; and also to impower the said *John Freeman* and others, to make Leases of the Estates devised by the said Will.
33. An Act to enable the Guardians and Trustees of *Samuel Pitt* an Infant, to compound with *Samuel Pitt* Merchant, for a Sum of Money decreed to the said Infant by the Court of *Chancery*.
34. An Act for Sale of Part of the Estate late of *Thomas Vaux* Esquire, deceased, for discharging his Debts and Incumbrances.
35. An Act for inclosing and dividing the Common Fields and Common Grounds in the Parish of *West Stafford cum Froom Bellett* in the County of *Dorset*.
36. An Act for vesting in *John Sallom* Gentleman, and his Heirs, a Reversion in Fee of Lands and Hereditaments therein mentioned, in the County of *Lancaster*, forfeited by *Gabriel Hesketh*, attainted of High Treason.
37. An Act to enable the Commissioners of the Treasury, or the Lord High Treasurer for the Time being, to compound with *Edward Randolph* late of *London* Merchant, and his Sureties, a Debt due to the Crown for Customs for Tobacco.
38. An Act for naturalizing *David Purry* and *John Anthony Merle*.
39. An Act for naturalizing *John Reesse*n.

PUBLICK ACTS.

Anno 10 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thousand seven hundred and thirty-seven.
2. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
3. An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and thirty-seven.
4. An Act for continuing an Act passed in the fifth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for laying a Duty of two Pennies* Scots, *or one sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that shall be vended or sold within the Town of* Dunbar, *for improving and preserving the Harbour, and repairing the Town House, and building a School, and other publick Buildings there, and for supplying the said Town with Fresh Water*.
5. An Act for enlarging the Term granted by an Act passed in the twelfth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for repairing several Roads therein mentioned, leading into the City of* Worcester; and for repairing several other Roads lying contiguous to the same; and for reducing the Toll or Duties granted on Sheep and Lambs by the said Act.
6. An Act for the better repairing and paving the Highways, Streets and Watercourses within the City of *New Sarum*, and for enlightning the Streets, Lanes, and Passages, and better regulating the nightly Watch within the said City.
7. An Act for continuing an Act passed in the third Year of the Reign of his late Majesty King *George* the First, *For laying a Duty of two Pennies* Scots, *or one sixth Part of a Penny Sterling, on every Pint of Ale or Beer that shall be vended or sold within the Town of* Dumfries, *and Privileges thereof, for paying the Debts of the said Town, and for building a Church, and making a Harbour there*; and for laying a Duty on the Tonnage of Shipping, and a Duty on Goods imported and exported into and out of the Port of the said Town, for the better repairing of the said Harbour.
8. An Act to make perpetual an Act made in the seventh Year of the Reign of his present Majesty, intituled, *An Act to prevent the infamous Practice of Stock-jobbing*.
9. An Act for making navigable the River or Brook, called *Worsley Brook*, from *Worsley Mill*, in the Township of *Worsley*, in the County Palatine of *Lancaster*, to the River *Irwell* in the said County.
10. An Act to impower the Justices of the Peace for the County of *Bucks*, to raise Money to discharge the Debts incurred on account of building a Gaol and Court Rooms, and for finishing the same for the Use of the County.
11. An Act for making more effectual two Acts of Parliament, one of the sixth Year of the Reign of her late Majesty Queen *Anne*, and the other of the eleventh Year of the Reign of his late Majesty King *George*, *For repairing the Highways from* Old Stratford *in the County of* Northampton, *to* Dunchurch *in the County of* Warwick.
12. An Act for repairing the Road from *Hertford Bridge Hill*, to the Town of *Basingstoke*, and also the Road from *Hertford Bridge Hill* aforesaid, to the Town of *Odiham* in the County of *Southampton*.
13. An Act for indemnifying Persons who have omitted to qualify themselves for Offices, or to take the Oaths required within the Time limited by Law, and for allowing further Time for those Purposes.
14. An Act for collecting at the Port of *Leghorn* certain small Sums of Money, to which the Merchants trading there have usually contributed, for the Relief of shipwreck'd Mariners, Captives and other distressed Persons, his Majesty's Subjects, and for other charitable and publick Uses.

15. An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Red-lion Square*, in the County of *Middleſex*, to make a Rate on themſelves for raiſing Money ſufficient to incloſe, pave, watch, clean and adorn the ſaid Square.

16. An Act for explaining and amending an Act paſſed in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for building a Bridge croſs the River* Thames, *from the* New Palace Yard *in the City of* Weſtminſter, *to the oppoſite Shore in the County of* Surrey.

17. An Act for repealing the preſent Duty on Sweets, and for granting a leſs Duty thereupon; and for explaining and enforcing the Execution of an Act paſſed in the ninth Year of his preſent Majeſty's Reign, intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licenſing the Retailers thereof*; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets and Orders, loſt, burnt or otherwiſe deſtroyed.

18. An Act for rebuilding the Church of the Pariſh of *Saint Olave*, in the City of *London*, and in the Borough of *Southwark*, in the County of *Surrey*.

19. An Act for the more effectual preventing the unlawful playing of Interludes within the Precincts of the two Univerſities, in that Part of *Great Britain* called *England*, and the Places adjacent, and for explaining and amending ſo much of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licenſing the Retailers thereof*, as may affect the Privilege of the ſaid Univerſities, with reſpect to licenſing Taverns, and all other Publick Houſes within the Precincts of the ſame.

20. An Act to enable the Magiſtrates and Town Council of the Burgh of *Lanark*, to repair and maintain their Bridge over the River *Clyd* at *Clydſholm*, in the Shire of *Lanark*.

21. An Act for making the Chapel in the Hamlet of *Abthorpe* and *Foxcoate*, in the Pariſh of *Towceſter*, in the County of *Northampton*, a Pariſh Church, and for appointing a Diſtrict or Pariſh thereto, and for enabling the Maſter of the Free Grammar School within the ſaid Hamlet of *Abthorpe* and *Foxcoate* to be Vicar of the ſaid Pariſh Church.

22. An Act for the better regulating the nightly Watch and Bedels within the City of *London*, and Liberties thereof; and for making more effectual the Laws now in being, for paving and cleanſing the Streets and Sewers in and about the ſaid City.

23. An Act for explaining and amending and making more effectual ſeveral Acts of Parliament made in the fourth, ſixth and tenth Years of the Reign of his late Majeſty King *George* the Firſt, reſpectively, for repairing the ſeveral Roads therein mentioned in the Counties of *Surry*, *Kent* and *Suſſex*; and for enlarging the Terms and Powers by the ſaid Acts granted; and for repairing the Road lying between *Noneſuch* and *Worceſter* Parks, in the Pariſh of *Cuddington* in the ſaid County of *Surry*.

24. An Act for enlarging the Term and Powers granted by an Act paſſed in the ninth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing and widening the Road leading from the* Black Bull Inn *in* Dunſtable *in the County of* Bedford, *to the Way turning out of the ſaid Road up to* Shafford Houſe *in the County of* Hertford; and for preventing the driving of Cattle through private Grounds and Paſſages, to avoid the Payment of the Toll charged upon Cattle by an Act of the firſt Year of the Reign of his late Majeſty, and the eighth Year of the Reign of his preſent Majeſty, *For repairing the Roads from* South Mims *to Saint* Albans *in the ſaid County of* Hertford.

25. An Act for the better regulating the nightly Watch and Bedels within the Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, in the Pariſh of Saint *Andrew Holborn*, in the County of *Middleſex*.

26. An Act for Relief of inſolvent Debtors.

27. An Act for laying a Duty upon Apples imported from foreign Parts; and for continuing an Act paſſed in the fourth Year of the Reign of his preſent Majeſty *For granting an Allowance upon the Exportation of* Britiſh *made Gunpowder*; and for taking off the Drawback upon Exportation of foreign Paper; and for the better ſecuring the Payment of the Bounty on the Exportation of *Britiſh* made Sail-Cloth; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

28. An Act to explain and amend ſo much of an Act made in the twelfth Year of the Reign of Queen *Anne*, intituled, *An Act for reducing the Laws relating to Rogues, Vagabonds, ſturdy Beggars and Vagrants, into one Act of Parliament; and for the more effectual puniſhing ſuch Rogues, Vagabonds, ſturdy Beggars and Vagrants, and ſending them whither they ought to be ſent*, as relates to common Players of Interludes.

29. An Act for enabling his Majeſty to ſettle a Revenue for ſupporting the Dignity of her Royal Highneſs the Princeſs, in caſe ſhe ſhall ſurvive his Royal Highneſs the Prince of *Wales*, and for exempting ſuch yearly Sum or Sums of Money, as his Majeſty hath granted, or ſhall grant to his ſaid Royal Highneſs, from the Payment of Fees, Taxes and other Charges whatſoever, and for enabling his ſaid Royal Highneſs to make Leaſes of Lands, Parcel of the Dutchy of *Cornwall*, or annexed to the ſame.

30. An Act for repealing the Duties payable *ad Valorum*, upon foreign Oyſters imported into this Kingdom, and for laying another Duty thereon.

31. An Act for regulating the Company of Watermen, Werrymen, and Lightermen rowing on the River *Thames*, between *Graveſend* in the County of *Kent*, and *Windſor* in the County of *Berks*.

32. An Act for continuing an Act for the more effectual puniſhing wicked and evil diſpoſed Perſons, going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice; and for continuing two Clauſes to prevent the cutting or breaking down the Bank of any River or Sea Bank, and to prevent the milicious cutting of Hopbinds, contained in an Act paſſed in the ſixth Year of his preſent Majeſty's Reign; and for the more effectual Puniſhment of Perſons removing any Materials uſed for ſecuring Marſh or Sea Walls or Banks, and of Perſons maliciouſly ſetting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal, and of Perſons unlawfully hunting or taking any Red or Fallow Deer, in Foreſts or Chaſes, or beating or wounding Keepers, or other Officers, in Foreſts, Chaſes or Parks; and for the more effectually ſecuring the Breed of Wild-fowl.

33. An Act for making navigable the River *Rodon*, from a little below a Mill called *Barking Mill* in the County of *Eſſex*, to *Illford Bridge* in the ſaid County.

34. An

34. An Act to diſable *Alexander Wilſon* Eſquire, from taking, holding or enjoying any Office or Place of Magiſtracy in the City of *Edinburgh*, or elſewhere, in *Great Britain*; and for impoſing a Fine upon the Corporation of the ſaid City.
35. An Act for the more effectual bringing to Juſtice any Perſons concerned in the barbarous Murder of Captain *John Porteous*, and puniſhing ſuch as ſhall knowingly conceal any of the ſaid Offenders.
36. An Act for enlarging the Term and Powers granted by an Act paſſed in the Eighth Year of the Reign of his late Majeſty King *George* the Firſt, *For repairing the Highways from the Stones End at* White Chapel Church, *in the County of* Middleſex, *to* Shenfield, *and to the furthermoſt Part of the Pariſh of* Woodford, *leading to the Town of* Epping, *in the County of* Eſſex; and for repairing the Road leading from the Cauſway in the Pariſh of *Low Layton* (through *Wanſtead*) to the End of the Pariſh of *Woodford* next to the Pariſh of *Chigwell* in the ſaid County of *Eſſex*.
37. An Act to prevent the Act made in the twenty-firſt Year of the Reign of King *James* the Firſt, intituled, *An Act for Limitation of Actions, and for avoiding Suits in Law*, being pleaded, inſiſted on, or taken Advantage of, by any Perſons claiming under the Will of *Richard Norton* Eſquire, of *Southwick*, deceaſed, againſt any Claim, Title or Demand, which *Thomas Norton* Eſquire, hath to or upon the Manor of *Old Alresford*, and Lands in the County of *Southampton*, ſettled by Indenture of the fifth of *March* one thouſand ſix hundred and fifty-ſeven, or the Rents and Profits thereof.

PRIVATE ACTS.

Anno 10 *Georgii* II.

1. AN Act to enable *Anthony James* Eſquire, and his Heir Male, and other Perſons therein mentioned, to take and uſe the Surname of *Keck*, purſuant to the Will of *Anthony Keck* Gentleman, deceaſed.
2. An Act for naturalizing *Joſeph Pouchon*.
3. An Act for naturalizing *Nicholas Magens*, *John Timmerman*, *Theodore Davell*, and others.
4. An Act for Sale of the Capital Meſſuage of *Gunnerſbury*, and other Lands and Hereditaments, late the Eſtate of Sir *John Maynard* Knight, Serjeant at Law, and for purchaſing another Eſtate to be ſettled to the Uſes of his Will.
5. An Act for Sale of a certain Leaſehold Eſtate of *Thomas Cook* Eſquire, in the County of *Glouceſter*, and for ſettling ſome Freehold and Copyhold Eſtates of Inheritance of greater Value to the ſame Uſes in lieu thereof.
6. An Act to enable the Truſtees and Teſtamentary Guardians named in the Will of *Thomas Hesketh*, late of *Rufford* in the County of *Lancaſter*, Eſquire, deceaſed, to perform the ſame, and make Leaſes for Lives in his ſettled Eſtate, for paying his Debts during his Son's Minority, in Eaſe of an Eſtate deviſed by him to be ſold.
7. An Act for incloſing and dividing certain Common Paſture Grounds called *Purton Common* and *Purton Stoke Common*, within the Pariſh of *Purton*, otherwiſe *Puriton*, in the County of *Wilts*.
8. An Act for enabling Sir *Jacob Des Bouverie* Baronet, and *John Des Bouverie* Eſquire, and their reſpective Iſſue, and *Elizabeth Des Bouverie*, Siſter of the ſaid *John*, to take and uſe the Surname of *Bouverie*, purſuant to the Deſire of *Jacob Des Bouverie* Eſquire, and Sir *Chriſtopher Des Bouverie* deceaſed.
9. An Act to enable *John Harvey* Eſquire, now called *John Thurſby*, to take and uſe the Surname and Arms of *Thurſby*, in purſuance of the Will of *William Thurſby* Eſquire, deceaſed.
10. An Act to enable the Truſtees in the laſt Will of *Thomas Kellow* Gentleman, deceaſed, to ſell the Rectory impropriate of *Berwick Saint James* in the County of *Wilts*, for the Payment of his Debts.
11. An Act to enable Truſtees, during the reſpective Minorities of *George Talbot* Eſquire, and his younger Brothers, to grant Leaſes of the Eſtates of the ſaid Infants in the Counties of *Salop*, *Worceſter*, *Berks*, *Cheſter*, *Stafford*, *Oxford*, and *Wilts*.
12. An Act for Sale of the Manor and Capital Meſſuage of *Swallowfield*, late the Eſtate of *Thomas Pitt* Eſquire, deceaſed, and for purchaſing another Eſtate to be ſettled to the Uſes of Will.
13. An Act for naturalizing *Godfrey Wichelhauſen*, *John Francis Noppe*, *John Stephen Maſſon*, *Thomas Barbaud*, and *John Dillman*.
14. An Act for Sale of Part of the Eſtate of *Daniel* late Earl of *Winchelſea* and *Nottingham*, deceaſed, for Payment of Debts and Incumbrances charged upon and affecting the ſame, and for other Purpoſes therein mentioned.
15. An Act for eſtabliſhing and confirming a Partition of the Eſtates of Sir *Robert Furneſe* Baronet, deceaſed, among his three Daughters and Coheirs, and for ſettling their ſeveral ſpecifick Shares and Allotments to ſuch Uſes as their ſeveral undivided third Parts thereof ſtood limited before ſuch Partition, and for other Purpoſes therein mentioned.
16. An Act for inrolling of certain Indentures of Leaſe and Releaſe, executed by Sir *William Dudley* and Dame *Elizabeth* his Wife, and for making the Exemplification and atteſted Copies of ſuch Indentures, and alſo of an Act of Parliament and certain Articles of Agreement therein referred to, Evidence in all Courts of Law and Equity in *Ireland*.
17. An Act for Sale of the Manor of *Kippax* in the County of *York*, Part of the ſettled Eſtate of Sir *Reginald Graham* Baronet, and for ſettling his Eſtates at *Norton* and *Nunwick* in the ſame County, being of greater Value, to the ſame Uſes, and for making a Partition of the Manor of *Whitwell* between him and his Brother *Richard Graham* Eſquire.
18. An Act to eſtabliſh an Agreement made by the Deviſees of Sir *Samuel Ongley* Knight, deceaſed, with Sir *Roger Hudſon* Knight, for the Sale of two Meſſuages on the Eaſt Side of *Biſhopſgate Street* in the City of *London*, and for the Purchaſe of two Meſſuages on the North Side of *Threadneedle Street* in the ſaid City, with Part of the Money ariſing from the ſaid Sale, and for other Purpoſes therein mentioned.
19. An Act for confirming an Agreement between the Rector of the Pariſh Church of *Saint Mary Woolnoth* and of the United Pariſhes of *Saint Mary Woolnoth* and *Saint Mary Woolchurch* in the City of *London*, and the Mayor, Commonalty, and Citizens of the ſaid City, with the Conſent of the Patron and Ordinary, for the Grant of a Parcel of Ground therein mentioned lying in *Stocks Market*, to the ſaid Mayor, Commonalty, and Citizens, in Conſideration of a Rent of ten Pounds a Year, payable to the ſaid Rector and his Succeſſors for ever.
20. An Act to enable *Peter Legh* of *Lyme*, Eſquire, to revoke or alter ſome of the Uſes and Eſtates limited in a Settlement

Settlement formerly made by him, and to impower certain Tenants for Life therein, to make Jointures and Proviſion for Daughters and younger Sons in the Lifetime of the ſaid *Peter Legh* the Elder, and with his Conſent.

21. An Act to enable *Peter Shakerley*, and *George Shakerley*, Sons of *George Shakerley*, to make ſuitable Jointures for their Wives, and Proviſion for their Daughters and younger Sons out of the Eſtates of the ſaid *George Shakerley* the Father, lying in the Counties of *Cheſter* and *Lancaſter*.

22. An Act to enable the Guardians of *Anthony Langley Swymmer*, an Infant, to join in making Leaſes of certain Mines in the County of *Flint*, with the other Owners thereof, during the Minority of the ſaid Infant.

23. An Act to veſt the Eſtates of *Frederick Trench* Eſquire, in the Counties of *Weſt Meath* and *Meath* in the Kingdom of *Ireland*, in Truſtees, to raiſe Money for the Payment of Debts, and after diſcharging the ſaid Debts, to the Uſe of the ſaid *Frederick Trench*, and his Heirs, and for reſettling other Lands therein mentioned to the Uſes of his Marriage Settlement.

24. An Act for Sale of Part of the ſettled Eſtate of *George Cary* Eſquire, lying in the County of *Devon*, for diſcharging ſeveral Debts and Incumbrances of his late Father and Grandfather, and for ſettling an Eſtate in the County of *Middleſex* to the Uſes of his Marriage Settlement.

25. An Act to enable *George Seton* of *Barnes*, to ſue or maintain any Action or Suit, notwithſtanding his Attainder, and to remove any Diſability in him, by reaſon of his ſaid Attainder, to take or inherit any Real or Perſonal Eſtate, that may or ſhall hereafter deſcend or come to him.

26. An Act to enable *James Rollo*, only Son of *Robert Rollo*, late of *Powhouſe*, deceaſed, to ſue or maintain any Action or Suit, notwithſtanding his Attainder, and to remove any Diſability in him, by reaſon of his ſaid Attainder, to take or inherit any Real or Perſonal Eſtate that may or ſhall hereafter deſcend or come to him.

27. An Act to enable *Jordan Langdale* of *Cliff* in the County of *York*, to ſue or maintain any Action or Suit, notwithſtanding his Outlawry, and to remove any Diſability in him, by reaſon of his ſaid Outlawry, to take or inherit any Real or Perſonal Eſtate that may or ſhall hereafter deſcend or come to him, and alſo ſuch Real Eſtate as he was intitled unto in Reverſion or Remainder before his ſaid Outlawry.

28. An Act for dividing and incloſing certain open and common Fields within the Lordſhip and Pariſh of *Stallingborough* in the County of *Lincoln*.

29. An Act to enable *Edward Mountfort*, and his Iſſue Male by *Mary* his now Wife, to take and uſe the Surname of *Groſvenor*.

30. An Act for naturalizing *Bartholomew Barratty*, *Bartholomew Gallatin*, *Francis Perrier*, and *James Solier*.

PUBLICK ACTS.

Anno 11 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-eight.

2. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

3. An Act for repairing the Road leading from the *Trent Bridge* in the County of the Town of *Nottingham*, through *Coſtock*, otherwiſe *Cortlingſtock Lane*, to the Bridges, commonly known by the Name of *Cotes Bridges* in the County of *Leiceſter*.

4. An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, vended, tapped, or ſold within the Town of *Aberbrothock*, and Liberties thereof.

5. An Act for taking down and rebuilding the Church of the Pariſh of *All Saints* in the City of *Worceſter*.

6. An Act for enlarging the Term and Powers granted by two Acts of Parliament, one of the third and the other of the tenth Year of the Reign of his late Majeſty King *George* the Firſt, *For repairing the Highways from that Part of* Counters Bridge *which lies in the Pariſh of* Kenſington *in the County of* Middleſex, *leading through the Towns of* Brentford *and* Hounſlow, *to the* Powder Mills *in the Road to* Staines, *and to* Cranford Bridge *in the ſaid County, in the Road to* Colnbrooke.

7. An Act for continuing the Term and Powers granted and given by the Acts paſſed in the eleventh and twelfth Years of the Reign of King *William* the Third, and in the ninth and tenth Years of the Reign of his late Majeſty King *George*, for repairing the Harbour of *Dover* in the County of *Kent*; and for reſtoring the Harbour of *Rye* in the County of *Suſſex* to its ancient Goodneſs.

8. An Act for continuing the Terms and Powers granted and given by the Acts paſſed in the twelfth and thirteenth Year of the Reign of his late Majeſty King *William*, and the tenth Year of her late Majeſty Queen *Anne*, *For recovering, ſecuring, and keeping in Repair the Harbour of* Minehead *in the County of* Somerſet.

9. An Act for the Relief of ſuch Priſoners for Debt as have by unavoidable Accidents loſt the Benefit of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for Relief of Inſolvent Debtors*; and for the Indemnity of ſuch Sheriffs and Gaolers as have incurred any Penalties on Account of ſuch Priſoners not being diſcharged; and for extending the Benefit of the ſaid Act to Creditors whoſe Debtors were committed to Priſon ſince the firſt Day of *January* one thouſand ſeven hundred and thirty, and were detained there upon the firſt Day of *January* one thouſand ſeven hundred and thirty-ſix, and have choſe to continue there.

10. An Act for enlarging the Term and Powers granted and given by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George*, *For repairing the Roads from* Lemsford Mill *in the County of* Hertford, *to* Welwyn, *and from thence to* Cory's Mill, *and from* Welwyn *through* Codicot, *to* Hitchen *in the ſaid County; and alſo for repairing the Roads from* Cory's Mill *to* Hitchen *aforeſaid*.

11. An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers, Deviſees, and Leſſees.

12. An Act for continuing of an Act made in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for the better Regulation of Laſtage and Ballaſtage in the River* Thames.

13. An Act to enlarge the Term and Powers granted by an Act of Parliament made and paſſed in the third Year of the Reign of his late Majeſty King *George*, intituled, *An Act to enable the Pariſhioners of the Pariſh of* Saint Mary Rotherhith *in the County of* Surrey, *by certain*

tain Funeral Rates therein mentioned, to finiſh the ſaid Pariſh Church; and to enable the ſaid Pariſhioners to raiſe ſuch further Sums of Money as ſhall be neceſſary for purchaſing a convenient Piece of Ground for an additional Burying Ground, and for other the Purpoſes therein mentioned.

14. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-eight.

15. An Act to empower the Court of Lord Mayor and Aldermen of the City of *London* to ſet the Price upon all Coals, commonly called *Sea Coals*, imported into the Port of *London* from *Newcaſtle* and the Ports adjacent thereunto, for the Space of one Year; and to oblige, for the Term therein mentioned, Fitters and others vending and loading Ships with Sea Coals at *Newcaſtle* and the Ports adjacent thereunto, to deliver ſuch Coals to any Maſters of Ships applying for the ſame; and for further obliging Buyers and Sellers of Sea Coals at *Billingſgate* or other Place of Sale within the Bills of Mortality, to ſign their Contracts for Coals; and for the Admeaſurement of all Carriages whatſoever uſed in loading Ships with Coals in the Port of *Newcaſtle*, and Members thereunto belonging.

16. An Act for continuing the Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, on each Pint of Ale and Beer that ſhall be vended or ſold within the Town of *Inverneſs*, and Privileges thereof, for paying the Debts of the ſaid Town, and other Purpoſes therein mentioned.

17. An Act for ſecuring the Eſtates of Papiſts conforming to the Proteſtant Religion, againſt the Diſabilities created by ſeveral Acts of Parliament relating to Papiſts; and for rendering more effectual the ſeveral Acts of Parliament made for veſting in the two Univerſities in that Part of *Great Britain* called *England*, the Preſentations of Benefices belonging to Papiſts.

18. An Act to continue two ſeveral Acts therein mentioned; one for encouraging the Growth of Coffee in his Majeſty's Plantations in *America*, and the other for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*.

19. An Act for the more effectual ſecuring the Payment of Rents, and preventing Frauds by Tenants.

20. An Act for the more effectual ſecuring the Payments of certain Sums of Money directed by an Act made in the forty-third Year of the Reign of Queen *Elizabeth*, intituled, *An Act for Relief of the Poor*, to be paid by the reſpective Treaſurers of every County in *England* and *Wales*, for the Relief of the poor Priſoners in the *King's Bench* and *Marſhalſea* Priſons.

21. An Act to empower the preſent Truſtees under the laſt Will and Teſtament of *John Marſhall* Gentleman, deceaſed, to lay out a certain Sum of Money, now in their Hands, for pulling down and rebuilding the Pariſh Church of *Chriſt Church* in the County of *Surrey*; and for incloſing a Piece of Ground lately purchaſed, for an additional Church-yard to the ſaid Church.

22. An Act for puniſhing ſuch Perſons as ſhall do Injuries and Violencies to the Perſons or Properties of his Majeſty's Subjects, with Intent to hinder the Exportation of Corn.

23. An Act to explain and amend an Act paſſed in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act for rebuilding the Pariſh Church of* Saint Leonard Shoreditch *in the County of* Middleſex.

24. An Act to amend an Act paſſed in the twelfth and thirteenth Year of the Reign of King *William* the Third, intituled, *An Act for preventing any Inconveniencies that may happen by Privilege of Parliament.*

25. An Act for building a Bridge croſs the River *Thames* from the *Woolſtaple*, or thereabouts, in the Pariſh of *Saint Margaret* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*.

26. An Act for enforcing the Execution of an Act made in the ninth Year of his preſent Majeſty's Reign, intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licenſing the Retailers thereof.*

27. An Act for granting to his Majeſty the Sum of two millions for the Service of the Year one thouſand ſeven hundred and thirty-eight; and for paying to the Governor and Company of the Bank of *England* one million, for redeeming an Annuity of forty thouſand Pounds payable to them; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

28. An Act for the better regulating the Manufacture of Narrow Woollen Cloths in the *Weſt Riding* of the County of *York*.

29. An Act for repairing the Road from *Shoreditch Church* through *Hackney*, to *Stanford Hill*, and croſs *Cambridge Heath*, over *Bethnal Green*, to the Turnpike at *Mile End* in the County of *Middleſex*.

30. An Act for explaining and amending an Act of the eighth Year of his preſent Majeſty's Reign, intituled, *An Act for the Application of the Rents and Profits of the Eſtates forfeited by the Attainders of* James *late Earl of* Derwentwater, *and* Charles Radcliffe.

31. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices, or to read the Prayers and make the Declarations and Subſcriptions required within the reſpective Times limited by Law; and for allowing further Time for thoſe Purpoſes.

32. An Act for enlarging the Time granted by an Act paſſed in the third Year of the Reign of his late Majeſty King *George*, intituled, *An Act for enlarging the Time granted by an Act paſſed in the eighth Year of the Reign of her late Majeſty Queen* Anne, intituled, *An Act for making a convenient Dock or Baſon at* Liverpool, *for the Security of all Ships trading to and from the ſaid Port of* Liverpool; and for enlarging the ſame, by making an additional Dock, and building a Pier in the open Harbour there; and for enlightening the ſaid Dock.

33. An Act for repairing the Roads from the Town of *Loughborough* in the County of *Leiceſter* to the Town of *Derby* in the County of *Derby*, and from the ſaid Town of *Derby* to the Town of *Braſſington* in the ſaid County of *Derby*, and from the ſaid Town of *Derby*, through the Town of *Aſhborne* in the ſaid County of *Derby*, to *Hurdloe Houſe* in the Pariſh of *Hartington* in the ſaid County.

34. An Act for the effectual Draining and Preſervation of certain Fens called *Cawdle Fen*, *Waterden*, and *Redmoor*, and one Piece of Fen Ground called *The Holts* in the *Iſle of Ely* in the County of *Cambridge*.

35. An Act for the better enlightening the open Places, Streets, Lanes, Paſſages, and Courts, and for the better regulating the Nightly Watch and Bedels within the Pariſh of *Chriſt Church* in the County of *Middleſex*.

36. An Act for enlarging the Terms and Powers granted by two Acts of Parliament, one of the fourth, and the other of the ſixth Year of the Reign of his late Majeſty King *George* the Firſt, for the repairing the Roads from the

the *Stones End* in *Kent Street*, in the Parish of *Saint George* in *Southwark* in the County of *Surrey* (leading to the *Lime Kilns* in *East Greenwich*) to the first *Mill Pond* at *South End*, in the Parish of *Lewisham* in the County of *Kent*; and for amending the Road from *Westminster Ferry* at *Lambeth* in the said County of *Surrey* to *New Cross* in *Deptford* in the said County of *Kent*; and for amending and making the said Acts more effectual; and for amending the Roads from the *Lime Kilns* aforesaid to the Town of *Dartford* in the said County; and from a Place called *Saint Thomas a Waterings*, in the said Parish of *Saint George*, to the *Stones End* in *Bermondsey Street* in the said County of *Surrey*.

37. An Act for enlarging the Term and Powers granted in and by an Act made in the tenth Year of her late Majesty Queen *Anne*, *For enlarging, amending, and maintaining the Road between* Northfleet, Gravesend, *and* Rochester, *in the County of* Kent; and also another Act made in the eleventh Year of his late Majesty King *George* the First, *For enlarging the Term granted by the said former Act, and for other Purposes therein mentioned*, and for explaining and amending the said Acts; and also for repairing the Highway from *Northfleet* aforesaid to *Dartford* in the said County.

38. An Act for vesting the Real and Personal Estate of *Hugh Naish* Esquire, who was late a Prisoner in his Majesty's Prison of the *Fleet*, and escaped out of the same, in Trustees, for the Benefit of his Creditors.

39. An Act to enable the Adventurers, Owners, and Proprietors of the taxable Lands, and the Owners and Proprietors of the Free Lands in *Deeping Fens*, and other Fens in the County of *Lincoln* therein mentioned, to raise a competent Sum of Money for the effectual draining and future Preservation of all the said Fens, according to their Agreement in that Behalf, and to carry the said Agreement into Execution, and for other the Purposes therein mentioned.

PRIVATE ACTS.

Anno 11 *Georgii* II.

1. AN Act for naturalizing *Abraham Blydesteyn*.

2. An Act for vesting the Manor of *Goldborn*, Part of the settled Estate of *William* Duke of *Devonshire*, in the County of *Lancaster*, in the said Duke and his Heirs, and for settling the Manor of *Blackwall* in the County of *Derby* in lieu thereof, to the like Uses.

3. An Act for vesting divers Lands and Hereditaments in the Counties of *Kent*, *Sussex*, *Essex*, *Hereford*, and *Monmouth*, and the City of *London*, entailed by the Will of *Elizabeth* late Duchess of *Bedford*, in *John* Duke of *Bedford* in Fee Simple, and for settling other Estates in the Counties of *Bucks* and *Hertford* of greater Value to the like Uses, in lieu thereof.

4. An Act for vesting certain Lands and Hereditaments in the Kingdom of *Ireland*, Part of the settled Estate of *Richard* Earl of *Burlington* and *Corke*, in Trustees to be sold for Payment of Debts, and for settling other Lands and Hereditaments of greater Value to the same Uses.

5. An Act for explaining and amending a certain Trust and Power contained in the Settlement made on the Marriage of *Richard* Lord Viscount *Molyneux* of the Kingdom of *Ireland*, with *Mary* Lady *Molyneux* his now Wife, for raising Portions for the Daughters of the said Marriage, and for the better ascertaining and more effectually securing the said Portions.

6. An Act to dissolve the Marriage of Sir *William Morice* Baronet, with Lady *Lucy Wharton*, and to enable him to marry again, and for other Purposes therein mentioned.

7. An Act to enable Sir *Bryan Broughton* Baronet, an Infant, to enter into Marriage Articles, notwithstanding his Infancy.

8. An Act for exchanging Part of the Glebe Lands and Hereditaments belonging to the Rector of *Stratford Toney* in the County of *Wilts*, for other Lands belonging to the Lord of the Manor.

9. An Act to enable Trustees to grant building Leases of certain Messuages in the Parishes of *Saint Martins in the Fields*, and *Saint Clement Danes* in the County of *Middlesex*, late the Estate of *Henry May* Esquire, deceased.

10. An Act for confirming the Sale of the Leasehold Estate late of *Barnaby Coles* Gentleman, deceased, and for vesting his Freehold Estates in Trustees, to be sold for Payment of his Debts.

11. An Act to enable the Guardian of *Amy Symes* and *Catherine Symes*, Infants, to join in making Leases of Lands in the Counties of *Somerset* and *Devon* with the other Owners thereof, during the Minority of the said Infants.

12. An Act for confirming and establishing an Agreement between *William Studholm* Gentleman, and *Cuthbert Hodgson* Gentleman, in relation to the Will and Estate of *Michael Studholm* Esquire, deceased.

13. An Act for Sale of Part of the Estate late of *Robert Packer* Esquire, deceased, in the County of *Berks*, for discharging Incumbrances thereupon.

14. An Act for vesting certain Mills, Lands and Hereditaments in the Parishes of *Ware* and *Great Amwell* in the County of *Hertford* (being Part of the Estate of *Thomas Plummer Byde* Esquire, an Infant, and comprized in his Grandfather's Marriage Settlement) in the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*, and their Successors, and for securing a perpetual Rent Charge in lieu thereof, for the Benefit of the Persons claiming under the said Settlement.

15. An Act for enabling *John Sowton* to make a Lease or Leases of certain Messuages and Tenements, and a Wharf therein mentioned, situate in the Parish of St. *Andrew Wardrobe* in the City of *London*.

16. An Act to enable *Dorothea Clerk* to sell Lands in the County of *Dumfries*, for Payment of Debts charged thereupon, and to purchase other Lands to be settled to the same Uses, as the Estate to be sold is settled.

17. An Act to enable *John Nairn* to sue or maintain any Action or Suit, notwithstanding his Attainder; and to remove any Disability in him, by Reason of his said Attainder, to take or inherit any Real or Personal Estate that may or shall hereafter descend or come to him.

18. An Act to enable *William Douglas*, eldest lawful Son to Sir *Robert Douglas* of *Glenbervie*, Baronet, to sue or maintain any Action or Suit, notwithstanding his Attainder; and to remove any Disability in him, by Reason of his said Attainder, to take or inherit any Real or Personal Estate that may have descended or come to him since his late Majesty's most gracious Pardon, dated the sixth Day of *February* in the sixth Year of his Reign, or that shall hereafter descend or come to him.

19. An

19. An Act for reducing the Stint of the Horſe and Beaſt Paſtures and Sheep Commons within the Manor, Town and Pariſh of *Caſtle Donnington* in the County of *Leiceſter*.
20. An Act for incloſing and dividing the Common Fields, Waſtes and unincloſed Grounds within the Manor, Townſhip or Hamlet of *Aſhenden* in the County of *Bucks*, and for the making effectual certain Exchanges therein mentioned.
21. An Act for incloſing and dividing the Common Mead or Moor, called *Speen Mead* or *Speen Moor* in the County of *Berks*.
22. An Act for incloſing and dividing the Common Fields and Common Grounds in the Manor and Pariſh of *Binbroke* in the County of *Lincoln*.
23. An Act to enable *William Maſſingberd* Eſquire, heretofore called *William Meux*, and the Heirs Male of his Body, to take and uſe the Surname of *Maſſingberd*, purſuant to a Settlement made by Sir *William Maſſingberd* Baronet, deceaſed.
24. An Act to enable *Thomas May* Eſquire, and his Sons, and the Heirs Male of their Bodies, to take and uſe the Surname of *Knight*, purſuant to the Will of *Elizabeth Knight* deceaſed.
25. An Act for naturalizing *John Juſtin Bruningk*, *Peter Untzellman*, *Henry Klencke*, and others.
26. An Act for naturalizing *Philip Rigail*.
27. An Act to naturalize *Herman Bernard* and *John Boſquain*.
28. An Act to naturalize *Frederick Vander Meulen*.

PUBLICK ACTS.

Anno 12 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-nine.
2. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
3. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-nine.
4. An Act to enable the Inhabitants of the Pariſh of Saint *Nicholas* in the City of *Worceſter*, to raiſe Money for diſcharging the Debts they have contracted in rebuilding their Pariſh Church.
5. An Act to continue the Duties for Encouragement of the Coinage of Money.
6. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing farther Time for that Purpoſe.
7. An Act to enable the Pariſhioners of the Pariſh of *Ealing* in the County of *Middleſex*, to raiſe Money by Rates upon themſelves, for finiſhing the Church of the ſaid Pariſh.
8. An Act for repairing the Road between *Stamford* and *Grantham*, in the County of *Lincoln*.
9. An Act for applying a Sum of Money, given by the Will of *Daniel Wiſeman* Eſquire, deceaſed, for finiſhing the New Church at *Woolwich* in the County of *Kent*; and for raiſing an Annuity by an Aſſeſſment on the Pariſh of *Woolwich*, during the Lives of *Mary Wiſeman* and *Elizabeth Crouch*, and the Life of the Survivor of them, purſuant to the ſaid Will.
10. An Act for repairing the Roads from the North-weſt Parts of the County of *Lincoln*, through *Nettlam-fields*, *Wragby-lane*, and *Baumber-fields*, to the *Wolds* or North-eaſt Part of the ſaid County.
11. An Act for enlarging the Term and Powers granted by an Act paſſed in the ſixth Year of the Reign of his preſent Majeſty, for repairing the Road from *Fyfield* in the County of *Berks*, to Saint *John's Bridge* in the County of *Glouceſter*; and for repairing the Roads from an Inn called *The Hind's Head* in the Pariſh of *Kingſton Bagpuze* in the ſaid County of *Berks*, to that Part of *Newbridge* which ſtands in the ſaid County of *Berks*.
12. An Act for repairing the Roads from *Bakewell* to *Cheſterfield* in the County of *Derby*, and from *Cheſterfield* to *Workſopp* in the County of *Nottingham*, and from *Cheſterfield* to the Place where the Northern Road meets the *Cheſterfield* Road, which leads to *Manſfield* in the ſaid County of *Nottingham*.
13. An Act for continuing the Act made in the Eighth Year of the Reign of her late Majeſty Queen *Anne*, to regulate the Price and Aſſize of Bread; and for continuing, explaining and amending the Act made in the ſecond Year of the Reign of his preſent Majeſty, for the better Regulation of Attornies and Solicitors.
14. An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers, Deviſees and Leſſees.
15. An Act to enable his Majeſty to ſettle an Annuity of fifteen thouſand Pounds on his Royal Highneſs the Duke of *Cumberland*, and the Heirs of his Body, and alſo one other Annuity of twenty-four thouſand Pounds on their Royal Highneſſes the Princeſs *Amalie*, the Princeſs *Caroline*, the Princeſs *Mary*, and the Princeſs *Loviſa*.
16. An Act for enlarging the Term and Powers granted by an Act paſſed in the firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing the Road from the* Powder Mills *on* Hounſlow Heath *in the County of* Middleſex, *to a Place called* Baſingſtone, *near the Town of* Bagſhot *in the Pariſh of* Windleſham *in the County of* Surrey.
17. An Act to enable the Pariſhioners of the Pariſh of Saint *Catharine Coleman* in *Fenchurch Street*, in the City of *London*, to rebuild the Church of the ſaid Pariſh.
18. An Act for repairing the Road or Highway from the *Dun Cow* in the Town of *Dunchurch*, through the Pariſh of *Bilton* over *Dunſmore Heath* to the Town of *Hill Morton* in the County of *Warwick*; and from thence through the ſeveral Pariſhes of *Creek*, *Weſt Haddon*, and *Eaſt Haddon*, in the County of *Northampton*, to Saint *James's End* in the Pariſh of *Duſton* in the ſaid County of *Northampton*.
19. An Act for granting to his Majeſty the Sum of five hundred thouſand Pounds out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-nine; and for enabling his Majeſty to raiſe the further Sum of five hundred thouſand Pounds out of the growing Produce of the ſaid Fund; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for giving Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.
20. An Act for enlarging the Term and Powers granted by two Acts of Parliament, one made in the ſixth Year of

of the Reign of her late Majeſty Queen *Anne*, and the other in the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, for repairing and enlarging the Highways between the Top of *Kingſdown Hill* and the City of *Bath*; and for amending ſeveral other Highways leading to the ſaid City; and for cleanſing, paving and enlightening the Streets, and regulating the Chairmen there; and for keeping a regular nightly Watch within the ſaid City and Liberties thereof.

21. An Act for taking off the Duties upon Woollen and Bay Yarn imported from *Ireland* to *England*, and for the more effectual preventing the Exportation of Wooll from *Great Britain*, and of Wooll, and Wooll manufactured from *Ireland* to foreign Parts.

22. An Act to rectify a Miſtake in an Act made in the ſixth Year of the Reign of his late Majeſty King *George* for preventing Frauds and Abuſes in the publick Revenues of Exciſe, Cuſtoms, Stamp Duties, Poſt-office, and Houſe-money, relating to the Condition of Bonds taken from Maſters of Ships; and to indemnify Perſons who have acted under the ſaid Miſtake; and alſo to obviate a Doubt which has ariſen upon an Act made in the ſeventh Year of his ſaid late Majeſty's Reign, for the further preventing his Majeſty's Subjects from trading to the *Eaſt Indies* under foreign Commiſſions; and for encouraging and further ſecuring the lawful Trade thereto, with regard to Proſecutions in *Ireland* in a ſummary Way, for the fraudulent Importation of *Eaſt India* Goods into that Kingdom.

23. An Act for providing a Reward to *Joanna Stephens*, upon a proper Diſcovery to be made by her, for the Uſe of the Publick, of the Medicines prepared by her for the Cure of the Stone.

24. An Act to impower the High Court of *Chancery* to lay out, upon proper Securities, any Monies, not exceeding a Sum therein limited, out of the common and general Caſh in the Bank of *England*, belonging to the Suitors of the ſaid Court, for the Eaſe of the ſaid Suitors, by applying the Intereſt ariſing therefrom for anſwering the Charges of the Office of the Accountant General of the ſaid Court.

25. An Act to obviate ſome Doubts which have ariſen upon the Conſtruction of an Act made in the firſt Year of the Reign of King *Willam* and Queen *Mary*, intituled, *An Act for explaining Part of an Act made in the firſt Year of the Reign of King* James *the Firſt, concerning tanned Leather*; and for rendering more effectual a Clauſe in the ſaid laſt mentioned Act, which obliges Curriers to curry Leather; and for repealing two Clauſes in the ſaid laſt mentioned Act.

26. An Act for the better preventing Frauds and Abuſes in Gold and Silver Wares.

27. An Act for explaining and amending an Act made in the eighth Year of the Reign of King *Richard* the Second, intituled, *No Man of Law ſhall be Juſtice of Aſſize or Gaol Delivery in his own Country*; and another Act made in the thirty-third Year of the Reign of King *Henry* the Eighth, intituled, *An Act that none ſhall be Juſtice of Aſſize in his own Country*, &c.

28. An Act for the more effectual preventing of exceſſive and deceitful Gaming.

29. An Act for the more eaſy aſſeſſing, collecting and levying of County Rates.

30. An Act for granting a Liberty to carry Sugars, of the Growth, Produce or Manufacture of any of his Majeſty's Sugar Colonies in *America*, from the ſaid Coloniſes directly to foreign Parts, in Ships built in *Great Britain*, and navigated according to Law.

31. An Act for eſtabliſhing and well-governing an Hoſpital or Infirmary in the City of *Bath*.

32. An Act for aſcertaining, preſerving and improving the Navigation of the River *Lee*, from the Town of *Hertford* to the Town of *Ware* in the County of *Hertford*; and for preſerving and improving the ſaid River, from the ſaid Town of *Ware* to the new Cut or River made by the Mayor, Commonalty and Citizens of *London*; and for enabling the Governor and Company of the *New River* the better to ſupply the Cities of *London* and *Weſtminſter*, and the Liberties and Suburbs thereof, with good and wholeſome Water.

33. An Act to enlarge the Powers of the Commiſſioners for building a Bridge croſs the River *Thames* from the *Woolſtaple* or thereabouts, in the Pariſh of Saint *Margaret* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*; and to enable them by a Lottery to raiſe Money for the ſeveral Purpoſes therein mentioned; and to enlarge the Time for exchanging Tickets unclaimed in the laſt Lottery for the ſaid Bridge; and to make Proviſion for Tickets in the ſaid Lottery, loſt, burnt or otherwiſe deſtroyed.

34. An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Road from *Spittlegate Hill* near *Grantham* in the County of *Lincoln*, to *Little Drayton* in the County of *Nottingham*.

35. An Act for enlarging the Term and Powers granted by an Act paſſed in the eighth Year of the Reign of his late Majeſty King *George* the Firſt, for amending the Highways leading from *Brampton Bridge* to *Walford Bridge* in the County of *Northampton*; and alſo the great Poſt Road, from *Morter-pit Hill*, in the ſaid County, through *Brixworth*, *Lamport*, *Maidwell*, *Kelmarſh*, and *Oxenden-magna*, to *Chain Bridge*, leading into *Market Harborough* in the County of *Leiceſter*.

36. An Act for prohibiting the Importation of Books reprinted Abroad, and firſt compoſed or written, and printed in *Great Britain*; and for repealing ſo much of an Act made in the eighth Year of the Reign of her late Majeſty Queen *Anne*, as impowers the limiting the Prices of Books.

PRIVATE ACTS.

Anno 12 *Georgii* II.

1. AN Act for naturalizing *Jacob Hoffham Muriſon*, *Nathaniel Voogd*, *Samuel Cley* and others.

2. An Act for naturalizing *James Nadal William Rene Morin*, and *Charles Delon*.

3. An Act for Sale of Part of the Eſtate late of *Richard Berney* Eſquire deceaſed, for diſcharging Incumbrances thereupon.

4. An Act for veſting a Meſſuage and Lands in *Twickenham*, late the Eſtate of the Honourable *William Townſhend* Eſquire, deceaſed, in Truſtees, in Truſt to ſell the ſame, purſuant to an Article entered into by the ſaid *William Townſhend* in his Life-time, and for applying the Money ariſing by ſuch Sale for the Benefit of *Charles Townſhend*, his only Son and Heir, an Infant.

5. An Act for veſting in *Archibald Hamilton* Eſquire, commonly called Lord *Archibald Hamilton*, and his Heirs, the Lands, Tenements and Hereditaments, in the County of *Berks*, therein mentioned, in Truſt, to convey the ſame to Sir *William Irby* Baronet, and his Heirs, and for laying out the Purchaſe-money in the

Purchaſe

Purchaſe of Lands, Tenements and Hereditaments, to be ſettled to the Uſes and upon the Truſts therein mentioned.

6. An Act for diſcharging the Eſtate of *John Sherwin* Eſquire, in the County of *Hertford*, from the Uſes, Truſts and Covenants in his Marriage Settlement, and for ſettling an Eſtate in the County of *Nottingham*, and Town and County of the Town of *Nottingham*, of greater Value, in lieu thereof, to the like Uſes.

7. An Act to enable Sir *James Mackenzie* of *Royſton*, to ſell Lands and Hereditaments in the Sheriffdom of *Edinburgh*, for Payment of Debts and Incumbrances charged upon and affecting the ſame.

8. An Act for veſting the ſettled Eſtate of *Stamp Brookſbank* Eſquire, in the Counties of *Suffolk* and *Cambridge*, in him and his Heirs; and for ſettling the Manor of *Helaugh*, and divers Lands and Hereditaments in *Helaugh*, in the County of the City of *York*, of greater Value, in lieu thereof.

9. An Act for ſelling and diſpoſing of Part of the Eſtate of *John Worth* Eſquire, a Lunatick, for diſcharging the Debts, Portions and Incumbrances, charged upon, and affecting the ſame.

10. An Act for confirming certain Articles of Agreement between the Lord of the Manor of *Hunmanby*, and the Vicar and Freeholders of *Hunmanby* in the County of *York*, for incloſing Part of the Moor of *Hunmanby* aforeſaid.

11. An Act to enable *John Mould* Eſquire, and his Iſſue Male, to take and uſe the Surname and Arms of *Moore*, purſuant to the Will of *John Moore* Eſquire, deceaſed.

12. An Act to enable *John Crouch* Eſquire, eldeſt Son of *Pyke Crouch* Eſquire, deceaſed, and the Heirs Male of his Body, to take and uſe the Surname of *Pyke*, purſuant to the Will of *John Pyke* Eſquire, deceaſed.

13. An Act to enable *Charles Gregory* Eſquire, now called *Charles Gregory Wade*, and his Iſſue Male, to uſe the Surname of *Wade*.

14. An Act to enable *Riſley Brewer*, and his Heirs, to take and uſe the Surname and Arms of *Riſley*, purſuant to the Will of *Paul Riſley* Eſquire, deceaſed.

15. An Act for naturalizing *James Tracy*, *Chriſtian Burckhard Reyhlen*, *Zacharias Nieman*, and *Suſannah Hubert*.

16. An Act to enable *Edward* Duke of *Norfolk* to grant building Leaſes for ninety-nine Years, of all or any Part of his Lands in or near the Townſhip of *Sheffield* in the County of *York*.

17. An Act for confirming and eſtabliſhing an Exchange, agreed to be made between *Thomas Holles* Duke of *Newcaſtle*, and Sir *Miles Stapleton* Baronet, of their ſettled Eſtates in the County of *York*; and for ſettling the Lands given in Exchange to each Party, to ſuch Uſes as the Lands, for which the ſame are exchanged, ſtood ſettled.

18. An Act to enable the moſt Noble *William* Duke of *Portland* to grant building Leaſes of certain Meſſuages, Pieces and Parcels of Ground in *Soho Fields* in the County of *Middleſex*, for a further Term than he is impowered to grant by his Marriage Settlement.

19. An Act for diſcharging ſeveral Lands in *Noſeley* in the County of *Leiceſter*, purchaſed by the Executors of *Philip* Earl of *Cheſterfield*, deceaſed, from the Uſes and Limitations contained in the Will of the ſaid Earl; and for veſting the ſame Lands in Truſtees to be ſold; and with the Money ariſing thereby to purchaſe other Lands to be ſettled to the ſame Uſes.

20. An Act for diſcharging Part of the ſettled Eſtate of *William* Earl *Cowper*, in the County of *Hertford*, from the Uſes and Limitations of a former Settlement; and for ſettling and ſecuring an Equivalent for the ſame, to the like Uſes.

21. An Act for Sale of Part of the Eſtate of *William* Earl of *Inchiquin* in the Kingdom of *Ireland*, for Payment of the Debts and Incumbrances charged thereupon; and for ſettling ſuch Part thereof as ſhall remain unſold, according to his Marriage Agreement.

22. An Act to eſtabliſh and confirm an Agreement made between Sir *William Courtenay* Baronet, and his Brother *Henry Reginald Courtenay* Eſquire, and to render the ſame effectual for the ſeveral Uſes and Purpoſes therein mentioned.

23. An Act to eſtabliſh a Jointure on Dame *Elizabeth Daſhwood*, Wife of Sir *James Daſhwood* Baronet; and for other Purpoſes therein mentioned.

24. An Act for the Exchange of certain Lands in the ſeveral Pariſhes of *Wroughton* and *Liddyard Treagooze* in the County of *Wilts*, between the Governors of the Hoſpitals commonly called the *Charter-Houſe*, and *Thomas Benet* of *Salthrop* in the ſaid County of *Wilts*, Eſquire.

25. An Act to enable the acting Executors and Teſtamentary Guardians named in the Will of *Edward Warren*, late of *Pointon* in the County of *Cheſter*, Eſquire, deceaſed, by ſelling Part, and leaſing other Parts of his ſettled Eſtate, to raiſe Money for diſcharging the Incumbrances thereon, and to provide a ſufficient Maintenance for his Son during his Minority, in eaſe of an Eſtate directed to be ſold by the Will of *John Warren* Eſquire, deceaſed.

26. An Act for confirming certain Articles of Agreement made between *Edward Weſtall* and his Wife, and *Robert Corr* an Infant, and others; and to enable the ſaid *Robert Corr* to perform a Contract for Sale of certain Lands therein mentioned.

27. An Act for Sale of Part of the Eſtate of *Jordan Langdale* Eſquire, in the County of *York*, for Payment of Debts and Incumbrances affecting the ſame.

28. An Act for Sale of Part of the Eſtate late of Sir *John Lear* Baronet, deceaſed, in the County of *Devon*, for Payment of his Debts; and for other Purpoſes therein mentioned.

29. An Act for veſting divers Lands and Hereditaments in the County of *Somerſet*, being Part of the ſettled Eſtate of *Thomas Fownes* Eſquire, in Truſt to be ſold; and for ſettling other Lands in the County of *Devon*, of greater Value, to the ſame Uſes, in lieu thereof.

30. An Act for incloſing Part of certain Common Fields in the Townſhip of *Pailton* in the County of *Warwick*.

31. An Act for incloſing Part of a Common, or Waſte Grounds, called *Hill-ſide*, otherwiſe *Lambden Common*, in the Manor and Pariſh of *Odiham* and County of *Southampton*.

32. An Act for dividing and incloſing the Common Fields lying in the Manor of *Shipton Moyne*, within the Pariſh of *Shipton Moyne* and *Dovel* in the County of *Glouceſter*, commonly called the *North* and *South Common Fields*.

33. An Act to enable *John Bell* Eſquire, and his Iſſue, to take and uſe the Surname of *Lane*, and the Arms of *James* Lord Viſcount *Laneſborough*, deceaſed, purſuant to his Will.

34. An Act for naturalizing *Adrian Coltee Ducarel*.

35. An Act for naturalizing *John Deſhons*.

The TITLES of the STATUTES.

PUBLICK ACTS.

Anno 13 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty.
2. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty.
3. An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships, and other trading Ships and Privateers.
4. An Act for the more effectual ſecuring and encouraging the Trade of his Majeſty's *Britiſh* Subjects to *America*, and for the Encouragement of Seamen to enter into his Majeſty's Service.
5. An Act for making more effectual three ſeveral Acts of Parliament, one of the ſixth Year of the Reign of her late Majeſty Queen *Anne*, and another of the eleventh Year of the Reign of his late Majeſty King *George*, *For repairing the Highways from* Old Stratford *in the County of* Northampton, *to* Dunchurch *in the County of* Warwick; and the Third made in the tenth Year of his preſent Majeſty's Reign, for making more effectual the ſaid two former Acts.
6. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments, within the Time limited by Law, and for allowing further Time for that Purpoſe.
7. An Act for naturalizing ſuch foreign Proteſtants, and others therein mentioned, as are ſettled, or ſhall ſettle, in any of his Majeſty's Colonies in *America*.
8. An Act to explain and amend an Act made in the firſt Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the more effectual preventing the Abuſes and Frauds of Perſons employed in the working up the Woollen, Linnen, Fuſtian, Cotton, and Iron Manufactures of this Kingdom*; and for extending the ſaid Act to the Manufactures of Leather.
9. An Act for repairing the Road between *Hockcliffe* in the County of *Bedford*, and *Stony Stratford* in the County of *Buckingham*.
10. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
11. An Act for the more effectual improving the Navigation of the River *Dun*, from a Place called *Wilſickhouſe*, in the Pariſh of *Bramby-dun* in the County of *York*, to *Fiſhlock-ferry* in the ſame County.
12. An Act for making a Chapel lately built by *Robert Downes* Goldſmith, and others, in the Town of *Sheffield* in the County of *York*, a perpetual Cure and Benefice; and for making a Proviſion for the Maintenance of the Curate or Miniſter of the ſaid Chapel, purſuant to an Agreement for that Purpoſe.
13. An Act for providing a Marriage Portion for the Princeſs *Mary*.
14. An Act for making more effectual two Acts of Parliament paſſed in the ſeventh and tenth Years of her late Majeſty Queen *Anne*, *For preſerving and enlarging the Harbour of* Whitehaven *in the County of* Cumberland; and for repairing and amending the High Roads leading to the ſaid Harbour and Town of *Whitehaven*.
15. An Act for continuing and making more effectual an Act paſſed in the fifth Year of the Reign of his late Majeſty King *George* the Firſt, *For repairing the Roads from the Top of* Stoken-church Hill *to* Enſlow-bridge, *and the Road from* Wheatley-bridge *through the City of* Oxon, *by* Begbrook, *to* New-Woodſtock *in the County of* Oxon (*except the Mile-way on each Side of the ſaid City*) and for repairing the Road from the *Crown* Alehouſe to the Turnpike on *Stoken-church Hill* aforeſaid.
16. An Act to give further Powers to the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore in the County of *Surrey*; and to enable them to raiſe a further Sum of Money towards finiſhing the ſaid Bridge, and to perform the other Truſts repoſed in them.
17. An Act for the Increaſe of Mariners and Seamen to navigate Merchant Ships, and other trading Ships or Veſſels.
18. An Act to continue ſeveral Laws therein mentioned; for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by Authority of Parliament for making Rivers navigable; for preventing Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Weſtward, and for aſcertaining the Rates of Water Carriage upon the ſaid River; and for preventing frivolous and vexatious Arreſts; and for better ſecuring the lawful Trade of his Majeſty's Subjects to and from the *Eaſt Indies*, and for the more effectual preventing all his Majeſty's Subjects trading thither under foreign Commiſſions; and for limiting the Time for ſuing forth Writs of *Certiorari* upon Proceedings before Juſtices of the Peace, and for regulating the Time and Manner of applying for the ſame; for the better and more ſpeedy Execution of Proceſs within particular Franchiſes or Liberties; and for extending the Powers and Authorities of Juſtices of the Peace of Counties, touching County Rates, to the Juſtices of the Peace of ſuch Liberties and Franchiſes as have Commiſſions of the Peace within themſelves.
19. An Act to reſtrain and prevent the exceſſive Increaſe of Horſe Races; and for amending an Act made in the laſt Seſſion of Parliament, intituled, *An Act for the more effectual preventing of exceſſive and deceitful Gaming*.
20. An Act for more effectually preventing fraudulent Qualifications of Perſons to vote as Freeholders in the Election of Members to ſerve in Parliament, for ſuch Cities and Towns as are Counties of themſelves, in that Part of *Great Britain* called *England*.
21. An Act for further and more effectually preventing the wilful and malicious Deſtruction of Collieries and Coal Works.
22. An Act for enlarging the Term and Powers granted and given by an Act paſſed in the tenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Road leading from* Dunchurch *in the County of* Warwick, *to the Bottom of* Meriden Hill *in the ſame County*; and for making the ſaid Act more effectual.
23. An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and forty; and for enabling his Majeſty to raiſe the further Sum of two hundred thouſand Pounds out of the growing Produce of the ſaid Fund; and for granting to his Majeſty the Sum of twenty-one thouſand Pounds one Shilling and eight

eight Pence Half-penny, remaining in the Receipt of his Majeſty's Exchequer, ariſen by Sale of Lands in the Iſland of Saint *Chriſtopher*'s; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

24. An Act for amending and enforcing the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and for reducing the ſame into one Act of Parliament; and alſo for amending the Laws for erecting, providing, and regulating Houſes of Correction.

25. An Act for the more effectual Maintenance and Well-keeping of *Staines Bridge* and *Egham* Cauſeway, being the Highway from *London* to the Weſt Parts of *England*.

26. An Act to revive, explain and amend an Act made in the ſixteenth and ſeventeenth Years of the Reign of his late Majeſty King *Charles* the Second, intituled, *An Act for making the River of* Medway *navigable, in the Counties of* Kent *and* Suſſex.

27. An Act for prohibiting Commerce with *Spain*.

28. An Act for continuing the ſeveral Laws therein mentioned, relating to the Premiums upon the Importation of Maſts, Yards, and Bowſprits, Tar, Pitch, and Turpentine; to *Britiſh*-made Sail Cloth, and the Duties payable on Foreign Sail Cloth; to the *Greenland*, and to the Whale Fiſhery; for granting a further Bounty for all Ships employed in the Whale Fiſhery during the preſent War; for exempting Harponeers and others employed in the *Greenland* Fiſhery Trade, from being impreſſed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

29. An Act for confirming and enlarging the Powers granted by his Majeſty to the Governors and Guardians of the Hoſpital for the Maintenance and Education of expoſed and deſerted young Children, by his moſt Gracious Charter, bearing Date the ſeventeenth Day of *October* in the Year of our Lord one thouſand ſeven hundred and thirty-nine, and to enable them to execute the good Purpoſes of the ſaid Charter.

30. An Act for further enlarging the Term granted by an Act of the ninth and tenth Years of the Reign of King *William* the Third, *For cleanſing and making navigable the Channel from the Hithe at* Colcheſter *to* Wivenhoe; and for making the ſaid Act, and another Act of the fifth Year of the Reign of his late Majeſty King *George* the Firſt, *For enlarging the Term granted by the ſaid Act of the ninth and tenth Years of the Reign of King* William *the Third*, more effectual.

PRIVATE ACTS.

Anno 13 *Georgii* II.

1. AN Act for naturalizing *John-Georg Liebenrood, Bartholomew-Chriſtopher Lutyens*, and others.

2. An Act for explaining ſeveral Powers contained in the Will of *William* late Lord *Craven*, for making Jointures and Leaſes, and for rendering the ſame Powers more effectual for the Purpoſes thereby intended.

3. An Act for confirming and eſtabliſhing an Exchange, agreed upon between the Lord of the Manor, and the Rector of the Pariſh Church of *Great Bircham* in the County of *Norfolk*; and for promoting and facilitating an Incloſure, intended to be made of divers Commons, Common Paſture, and Waſte Grounds, lying in the ſaid Pariſh of *Great Bircham*.

4. An Act to enable *William Grierſon*, the eldeſt Son of Sir *Robert Grierſon* of *Lag*, Baronet, to ſue or maintain any Action or Suit, notwithſtanding his Attainder; and to remove any Diſability in him, by reaſon of his ſaid Attainder, to take or inherit any Real or Perſonal Eſtate, that may have deſcended or otherwiſe come to him, ſince his late Majeſty's moſt Gracious Pardon, dated the twenty-ninth Day of *June* in the eleventh Year of his Reign, or that ſhall hereafter deſcend or otherwiſe come to him.

5. An Act to enable *Thomas Betteſworth* Eſquire, and his Heirs Male, to take and uſe the Surname of *Bilſon*, purſuant to the Will of *Leonard Bilſon* Eſquire, deceaſed.

6. An Act for naturalizing *Amalie Sophie de Wallmoden*.

7. An Act for naturalizing *Anthony Vazeille, Stephen Saint Andre*, and others.

8. An Act for naturalizing *Iſaac Olier, Chriſtian Schutte, John-Daniel Cotton*, and *Henry Lyell*.

9. An Act to explain and enlarge the ſeveral Powers for appointing Portions and ſettling Jointures, which are contained in certain Letters Patent bearing Date the twenty-ſecond Day of *October* in the twenty-ſixth Year of the Reign of King *Charles* the Second, whereby certain yearly Penſions, iſſuing out of the hereditary Revenue of Exciſe, do now ſtand limited to *William* Duke of *Cleveland*, and *Charles* Duke of *Grafton*, and the Heirs Male of their Bodies reſpectively.

10. An Act for veſting the Inheritance of Part of the Eſtate of *George* late Earl of *Halifax*, deceaſed, in Truſtees, for Payment of his Debts, Daughters Portions, and Legacies.

11. An Act for confirming and eſtabliſhing certain Articles of Agreement made between *Maurice Conyers* Eſquire, Lord of the Manor of *Ruſthall* in the County of *Kent*, and the Right Honourable *William* Lord *Abergavenny*, and other Freehold Tenants of the ſaid Manor, relating to certain Buildings and Incloſures made and erected in and upon Part of the Waſtes of the ſaid Manor, and for making the ſaid Agreement more effectual, for the Purpoſes thereby intended.

12. An Act to enable Sir *William Morice* Baronet, to grant to the Incumbent of the Pariſh Church of *Werington* in the County of *Devon*, and his Succeſſors, and the Pariſhioners of the ſaid Pariſh, a Piece of Ground belonging to the Capital Meſſuage of *Werington* in the ſaid County.

13. An Act for eſtabliſhing and confirming an Agreement between *William Gore* Eſquire, Executor of *Edward Gore* Eſquire, deceaſed, and *Mary Gore*, Widow of *Thomas Gore* Eſquire, deceaſed, for herſelf, and on the Behalf of *Charles Gore* an Infant, relating to the Sum of three thouſand Pounds, paid by *Francis Freeman* Gentleman, to the ſaid *Edward Gore*.

14. An Act for exchanging ſeveral Lands and Grounds belonging to *Thomas Inwen* Eſquire, in the Pariſh of *Wootton* in the County of *Bedford*, for other Lands of equal Value in the ſame Pariſh, belonging to the Maſter, Fellows, and Scholars of *Sidney-Suſſex College* in *Cambridge*.

15. An Act for ſelling Part of the ſettled Eſtate of *Henry Talbot* Eſquire, in the Counties of *Warwick* and *Derby*; and for ſettling another Eſtate in the County of *Rutland*, of greater Value, to the ſame Uſes.

16. An Act for making Diviſions, Incloſures, and Allotments of the open Corn Fields, and Common Paſture, in the Lordſhip of *Bewholm*, otherwiſe *Bewham*, in the

the Parish of *Nunkeeling* in the County of *York*; and for settling and establishing the Payment of a yearly Sum to the Impropriators of the Rectory of *Nunkeeling* aforesaid, and their Heirs, in lieu of Tithes arising within the said Lordship, pursuant to an Agreement between the said Impropriators, and the Propriators of the said Lands.

17. An Act for confirming and establishing Articles of Agreement, and an Award, for dividing and inclosing of a Common Down, and for dividing, inclosing, and exchanging of Lands lying in the Tithing of *Charlton* in the Parish of *Andover* in the County of *Southampton*.

18. An Act for dividing and inclosing the Common Fields in the Parish of *Stivichall*, alias *Stichall*, in the County of the City of *Coventry*.

19. An Act for inclosing and dividing the Common Fields, Common Pastures, and Waste Grounds, lying within the Manor and Township of *Gunnerton*, in the County of *Northumberland*.

PUBLICK ACTS.

Anno 14 *Georgii* II.

1. AN Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and forty-one.

2. Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thousand seven hundred and forty-one.

3. An Act to prohibit, for a Time therein limited, the Exportation of Corn, Grain (Rice excepted) Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, and Bacon.

4. An Act to impower *Joseph Porter*, *James Bourdieu*, and *Abraham Desmarette*, to import a certain Quantity of Raw Silk of the Growth of *Spain* from *Leghorn*.

5. An Act for making the Chapelry of *Nether Knutsford* in in the Parish of *Rosthern* and County of *Chester*, a separate and distinct Parish; and for erecting a Parish Church therein, endowing the same, settling the Right of Presentation thereto, and other Purposes.

6. An Act to render the Laws more effectual for preventing the stealing and destroying of Sheep, and other Cattle.

7. An Act for licensing the Importation of Victual from *Ireland*, and other Parts beyond the Seas, into *Scotland*, in Time of Dearth and Scarcity.

8. An Act for incorporating the Undertakers of the Navigation of the River *Dee*.

9. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

10. An Act to explain and amend an Act made in the third Year of the Reign of King *James* the First, intituled, *An Act for the recovering of small Debts, and for the relieving of poor Debtors, in* London.

11. An Act for supplying the City of *Gloucester* with fresh Water.

12. An Act for enlarging the Terms and Powers granted by two Acts of Parliament, *For repairing the Roads leading from* Seven-oaks, *to* Woodsgate *and* Tunbridge-wells, *and from* Woodsgate *to* Kipping's-cross *in the County of* Kent; *and also for repairing the Roads from* Kipping's-cross *aforesaid, to* Lamberhurst Pound, *and* Pullen's Hill *in the said County*; *and to* Flimwell Vent *in the County of* Sussex.

13. An Act to enlarge the Terms and Powers granted by three several Acts made in the ninth and twelfth Years of the Reign of her late Majesty Queen *Anne*, and in the thirteenth Year of the Reign of his late Majesty King *George* the First, *For amending the Highways leading from* Royston *in the County of* Hertford, *to* Wansford Bridge *in the County* of Huntingdon, so far as the same relate to the Roads lying in the Middle and South Divisions of the said Highways.

14. An Act to enlarge the Terms and Powers granted by an Act made in the first Year of his present Majesty's Reign, intituled, *An Act for repairing the Road leading from* Chatteris Ferry *(which divides the Isle of* Ely *from the County of* Huntingdon) *to* Hammonds Eau, *and from thence to* Somersham Bridge *at* Somersham *Town's End in the said County*.

15. An Act for finishing and compleating the Parish Church of *Gainsborough* in the County of *Lincoln*.

16. An Act for enlarging the Term and Powers granted by an Act made in the twelfth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for repairing the Roads in the Parishes of* Kensington Chelsea, *and* Fulham, *and other Parishes therein mentioned, in the County of* Middlesex; and for repairing some other Roads in the Parish of Saint *George Hanover Square*, and the said Parishes of *Kensington* and *Chelsea*.

17. An Act to prevent Inconveniencies arising from Delays of Causes after Issue joined.

18. An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose.

19. An Act for repairing the Roads from a Place called *Redhouse* near *Doncaster* to *Wakefield*; and through the said Town of *Wakefield*, by *Dewsbury*, *Hightown*, and *Lightcliff*, to the Town of *Halifax*, in the West Riding of the County of *York*.

20. An Act to amend the Law concerning Common Recoveries, and to explain and amend an Act made in the twenty-ninth Year of the Reign of King *Charles* the Second, intituled, *An Act for Prevention of Frauds and Perjuries*, so far as the same relates to Estates *pur auter Vie*.

21. An Act to indemnify Protestant Purchasers of Estates of Papists, against the Penalties of Forfeitures Papists are liable to, for not having inrolled their Estates, in Pursuance of an Act of the third Year of the Reign of his late Majesty King *George* the First, for that Purpose.

22. An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of seven Years; and for allowing Rock Salt to be used in making of Salt from Sea Water at the Salt Works at *Neath* in the County of *Glamorgan*.

23. An Act for repairing the Road from *Wakefield* to *Pontefract*, and from thence to a Place called *Weeland* in the Township of *Hensall*, and from *Pontefract* to *Wentbridge* in the Township of *Darrington*, in the West Riding of the County of *York*.

24. An Act for the effectual Draining and Preservation of *Waterbeach Level* in the County of *Cambridge*, and to establish an Agreement made between the Lord of the Manor of *Waterbeach cum Deny*, and the Commoners within the said Manor.

25. An

25. An Act for repairing the Road leading from *Eland* to the Town of *Leeds* in the Weſt Riding of the County of *York*.
26. An Act for making a Chapel lately built by *John Coppin* Eſquire, at *Market Street* in the Pariſh of *Cadington* in the County of *Hertford*, a perpetual Cure and Benefice; and for other Purpoſes therein mentioned.
27. An Act to enable the Pariſhioners of the Pariſh of Saint *Botolph* without *Aldgate*, in the City of *London*, and County of *Middleſex*, to rebuild the Church of the ſaid Pariſh.
28. An Act for repairing the Roads from *Doncaſter* through *Ferry-bridge*, to the South Side of *Tadcaſter Croſs*; and alſo from *Ferry-bridge* to *Weatherby*, and from thence to *Borough-bridge* in the County of *York*.
29. An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing and widening the Road from* Horſley Upright Gate, *leading down* Bowden Hill *in the County of* Wilts, *to the Top of* Kingſdown Hill *in the Pariſh of* Box *in the ſaid County*.
30. An Act for appointing new Commiſſioners and Truſtees for putting in Execution an Act paſſed in the eighth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for veſting the Eſtate and Effects of* John Coggs, *and* John Dann, *Goldſmiths and Copartners, in Truſtees, for the ſpeedier Payment of their Creditors, and for determining Differences thereupon*.
31. An Act for repairing the Road from *Doncaſter* (through the Pariſh of *Peniſton*) in the County of *York*, to *Salter's Brook* in the County of *Cheſter*; and alſo the Road from *Rotherham* in the ſaid County of *York*, to *Hartcliffe Hill* in the ſaid Pariſh of *Peniſton*.
32. An Act for repairing and enlarging the Roads from the Town of *Selby* in the Weſt Riding of the County of *York*, to the Town of *Leeds*; and from thence (in two ſeveral Branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibſey*) to the Town of *Halifax* in the ſame Riding.
33. An Act to ſupply ſome Defects in the Laws for repairing and rebuilding County Bridges, for repairing, enlarging, erecting, and providing Houſes of Correction, and for paſſing Rogues and Vagabonds.
34. An Act to continue an Act for Relief of Debtors with reſpect to the Impriſonment of their Perſons, and two ſubſequent Acts for explaining and amending the ſame; and alſo to continue an Act for the free Importation of Cochineal and Indico.
35. An Act for continuing an Act paſſed in the ſeventh Year of the Reign of his preſent Majeſty, *To explain and amend a former Act paſſed in the eleventh Year of the Reign of his late Majeſty King* George *the Firſt, For the better regulating the Manufacture of Cloth in the Weſt Riding of the County of* York, and for making the ſaid Acts more effectual.
36. An Act for opening a Trade to and from *Perſia* through *Ruſſia*.
37. An Act for reſtraining and preventing ſeveral unwarrantable Schemes and Undertakings in his Majeſty's Colonies and Plantations in *America*.
38. An Act for the Encouragement and Increaſe of Seamen, and for the better and ſpeedier Manning his Majeſty's Fleet.
39. An Act for ſurveying the Chief Ports and Head Lands on the Coaſts of *Great Britain* and *Ireland*, and the Iſlands and Plantations thereto belonging, in order to the more exact Determination of the Longitude and Latitude thereof.
40. An Act to enable the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*, to raiſe a further Sum of Money towards finiſhing the ſaid Bridge, and to perform the other Truſts repoſed in them, and for exchanging of Tickets unclaimed in the *Weſtminſter Bridge* Lottery of the twelfth Year of his preſent Majeſty's Reign, and for making Proviſion for Tickets in the ſaid Lottery, loſt, burnt, or otherwiſe deſtroyed.
41. An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, and for applying other Sums therein mentioned, for the Service of the Year one thouſand ſeven hundred and forty-one; and for allowing a Drawback of the Duties upon Coals uſed in Fire Engines for draining Tin and Copper Mines in the County of *Cornwall*; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders, loſt, burnt, or otherwiſe deſtroyed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.
42. An Act for the Preſervation of the Publick Roads in that Part of *Great Britain* called *England*.
43. An Act to enable *Thomas Smith* Eſquire, Lord of the Manor of *Farlington*, in the County of *Southampton*, to ſupply the Town of *Portſmouth*, and Parts adjacent, with good and wholeſome Water, at his own proper Coſts and Charges.

PRIVATE ACTS.

Anno 14 *Georgii* II.

1. AN Act for naturalizing *John De Peſters*, Eſq;
2. An Act for enabling *Robert* Duke of *Manchеſter* to make a Jointure on his preſent Dutcheſs, and to make Leaſes of certain Parts of his Eſtate, and for other Purpoſes therein mentioned.
3. An Act for veſting the Seat and Eſtates of *Nicholas* late Earl of *Scarſdale*, deceaſed, in the ſeveral Counties of *Derby* and *Nottingham*, compriſed in his Settlement and Will, and the Furniture there at his Death, in Truſtees, to be ſold for ſpeedier Payment of his Debts, and preſerving the Surplus, to go according to his ſaid Settlement and Will.
4. An Act for veſting in *William Wildman*, Lord Viſcount *Barrington* in the Kingdom of *Ireland*, for Life, certain Meſſuages and Tenements in the City of *London*, late the Eſtate of *Mary* Lady Viſcounteſs *Barrington*, his Wife, upon the Terms mentioned in their Marriage Settlement.
5. An Act for enabling Sir *John Jennings*, and *George Jennings* Eſq; his Son (a Minor) to convey certain Eſtates in *Surrey* and *Hertfordſhire*, for the Benefit of the ſaid *George Jennings*, and ſuch Wife as he ſhall marry, and the Iſſue of ſuch Marriage.
6. An Act for veſting Part of the Tithes of *Ryegate*, in the County of *Surrey*, in *Robert Scawen*, Eſq; and his Heirs, and for ſettling another Eſtate to the Uſes limited of the ſaid Tithes by the Will of Sir *William Scawen* Knt. deceaſed.
7. An Act for veſting the Freehold and Leaſehold Eſtates late of *Thomas Lewis* of *Soberton* Eſq; deceaſed, in Truſtees,

The TITLES of the STATUTES.

Truſtees, to be ſold for raiſing Money to diſcharge his Debts and Legacies.

8. An Act for veſting certain Manors, Lands, and Tenements of *William Hudleſton* Eſq; in Truſtees, to be ſold for Payment of his Debts.

9. An Act for Sale of the Eſtate of *John Neale* Eſq; in the County of *Bucks*, and for ſettling another Eſtate in the County of *Warwick* in lieu thereof.

10. An Act for veſting the ſettled Eſtate of *Thomas Weſtern* Eſq; in the County of *Buckingham*, in him and his Heirs, and for ſettling another Eſtate in the County of *Cambridge*, of greater Value, to the Uſes of his Marriage Settlement, and alſo for rendering a Power of Revocation contained in that Settlement, more effectual for the Purpoſes thereby intended.

11. An Act for dividing and incloſing ſeveral open Fields, Paſtures, and Commons, in the Townſhips of *Great Driffield* and *Little Driffield* in the County of *York*, and for ſettling certain yearly Payments to the Prebendary of *Driffield* for the Time being, in lieu of his Tithes, purſuant to an Agreement and an Award made for thoſe Purpoſes.

12. An Act for confirming and eſtabliſhing Articles of Agreement, and an Award, for dividing and incloſing certain Common Fields, and a Common called *Chawton Common*, in the Pariſh of *Chawton* in the County of *Southampton*.

13. An Act for dividing and incloſing the Common Fields, lying in the Manor and Pariſh of *Sherſton Magna* in the County of *Wilts*.

14. An Act for incloſing and dividing the Common Fields, Common Paſtures, Common Meadows, and Waſte Grounds, in the Manor and Pariſh of *Brincklow* in the County of *Warwick*.

15. An Act to enable *John Rice*, and his Heirs, to take and uſe the Surname of *Tutt*, purſuant to the Will of *John Tutt* Gentleman, deceaſed.

16. An Act for enabling *Edward Burnaby*, an Infant, and the Heirs Male of his Body, to take the Surname of *Greene*, purſuant to the Will of *Thomas Greene* Eſquire, deceaſed, and for other Purpoſes therein mentioned.

17. An Act to enable *Francis Thiſtlethwaite* Eſquire, and the Heirs Male of his Body, to take and uſe the Surname of *Whithed*, purſuant to the Will and Codicil of *Richard Whithed* Eſquire, deceaſed.

18. An Act for veſting Part of the ſettled Eſtate of *Thomas Edmunds* Eſquire, in Truſtees, to be ſold for raiſing Money to diſcharge the Debts of himſelf and his late Father deceaſed, and for ſettling another Eſtate of greater Value in lieu thereof.

19. An Act for naturalizing *John Richard Brinckman* Eſquire.

20. An Act for naturalizing *Martin Kuyck Van Mierop*.

21. An Act for naturalizing *Gedeon Bourdillon*, *John David Billon*, and *Matthew Houſman*.

22. An Act for naturalizing *Eve Superiori*, alias *Smith*.

23. An Act for naturalizing *Erneſt Barnerd*.

24. An Act for naturalizing *Everard John Ludewig*.

25. An Act for eſtabliſhing and confirming a Partition agreed to be made, between *Henry* Duke of *Beaufort*, and *William* Duke of *Portland*, of the ſeveral Manors, Meſſuages, Lands, Tenements and Hereditaments, in the Counties of *Southampton* and *Wilts*, whereof they are ſeized as Tenants in common; and for ſettling their ſpecifick Shares and Allotments to ſuch Uſes as their undivided Moieties thereof now ſtand limited; and for other Purpoſes therein mentioned.

26. An Act to enable *William* Earl of *Strafford*, an Infant of about the Age of nineteen Years, to make a Settlement of his Eſtate upon his Marriage with the Lady *Anne Campbell*.

27. An Act for explaining and making more effectual an Act made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for diſcharging Part of the ſettled Eſtate of* William *Earl* Cowper *in the County of* Hertford, *from the Uſes and Limitations of a former Settlement, and for ſettling and ſecuring an Equivalent for the ſame, to the like Uſes*.

28. An Act for enabling the Right Honourable *Charles* Earl of *Arran*, to raiſe Money by Sale or Mortgage of Part of his Eſtate in the Kingdom of *Ireland*, for Payment of Debts, and for other Purpoſes.

29. An Act to enable *George* Viſcount of *Garnock*, or the ſucceeding Heirs of Entail, to ſell Lands in the Counties of *Dunbarton* and *Air*, for Payment of Debts charged thereupon, and to purchaſe other Lands, to be ſettled to the ſame Uſes as the Eſtate to be ſold is ſettled.

30. An Act for vacating a Term of one hundred Years, in a voluntary Settlement made by Sir *Hugh Clopton*, Knight, and for creating a new Term of one thouſand Years, in lieu thereof, for the Purpoſes therein mentioned.

31. An Act for veſting Part of the Eſtate of *Francis Pemberton* Eſquire, in the County of *Cambridge*, in Truſtees, to be ſold for diſcharging the Incumbrances thereon; and for ſettling another Part of his Eſtate to the Uſes and for the Purpoſes of his Marriage Settlement.

32. An Act for impowering *Gwyn Vaughan* Eſquire, and his Wife, and their Sons, to make Leaſes of the Manor of *Kingſton Seymour* in the County of *Somerſet*, for Years determinable on Deaths, according to the Uſage of the Country.

33. An Act for naturalizing *Francis D'Abbadie*.

PUBLICK ACTS.

Anno 15 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-two.

2. An Act to repeal ſo much of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the Preſervation of the publick Roads in that Part of* Great Britain *called* England, as obliges Perſons not traveling for Hire to make uſe of Waggons with Wheels bound with Streaks or Tyre of a certain Breadth, or the ſaid Streaks to be faſtened with Nails of a certain Size.

3. An Act for granting to his Majeſty a certain Sum out of the Sinking Fund, towards the Supply for the Year one thouſand ſeven hundred and forty-two.

4. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

5. An Act for continuing and making more effectual an Act made in the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Road from* Wendover *to the Town of* Buckingham *in the County of* Bucks; and for building a Bridge at *Padbury*, and making it a County Bridge.

6. An

6. An Act for enlarging the Term and Powers granted by two Acts of Parliament, one of the eighth Year of the Reign of her late Majesty Queen *Anne*, and the other of the ninth Year of the Reign of his late Majesty King *George* the First, for repairing the Highways between the House commonly called the *Horshoe House*, in the Parish of *Stoke Goldington* in the County of *Bucks*, and the Town of *Northampton*, and the Road from the North Bridge of *Newport Pagnel* in the County of *Bucks*, to the *Horshoe House*.

7. An Act for enlarging the Term and Powers granted by an Act passed in the thirteenth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for repairing the Roads leading from the Town of* Bromsgrove *to the Town of* Dudley *in the County of* Worcester; *and from the said Town of* Bromsgrove *to the Town of* Birmingham *in the County of* Warwick; so far as the said Act relates to repairing the Roads leading from the Town of *Dudley* to the Town of *Bromsgrove* in the County of *Worcester*; and for making the same more effectual.

8. An Act for laying a Duty of two Pennies *Scots*, or one sixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer which shall be brewed for Sale, brought into, tapped, or sold within the Town of *Kirkcaldy*, and Liberties thereof.

9. An Act for enlarging the Term and Powers granted by two Acts of Parliament, one of the first, and the other of the twelfth Year of the Reign of his late Majesty King *George* the First, for repairing the Highways between *Tyburn* and *Uxbridge* in the County of *Middlesex*; and for amending the Road leading from *Brent Bridge*, over *Hanwell Heath*, through the Parishes of *Hanwell*, *New Brentford*, and *Ealing*, to the great Western Road in the said County.

10. An Act for explaining, amending, and making more effectual two Acts of Parliament; one passed in the ninth and tenth Years of the Reign of his late Majesty King *William* the Third, for erecting Workhouses, and Houses of Correction, in the Town of *Kingston* upon *Hull*, for the Employment and Maintenance of the Poor there; and the other passed in the eighth Year of the Reign of her late Majesty Queen *Anne*, for the more effectual Provision of the Poor in the said Town.

11. An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and forty-two.

12. An Act to explain and amend an Act passed in the twelfth Year of his present Majesty's Reign, intituled, *An Act to enable the Parishioners of* Saint Catherine Coleman, *in* Fenchurch Street, *in the City of* London, *to rebuild the Church of the said Parish*; and for making the said Act more effectual for the Purposes thereby intended.

13. An Act for establishing an Agreement with the Governor and Company of the Bank of *England*, for advancing the Sum of one million six hundred thousand Pounds, towards the Supply for the Service of the Year one thousand seven hundred and forty-two.

14. An Act to explain and amend two Acts of Parliament, one made in the ninth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for repairing the Highways from* Sheet Bridge *in the Parish of* Petersfield, *to the Town of* Portsmouth *in the County of* Southampton; and another Act made in the twelfth Year of the Reign of his late Majesty King *George* the First, for enlarging the Term in and by the said Act granted, and for other Purposes therein mentioned, and for enlarging the Term and Powers by the said last mentioned Act granted.

15. An Act for enlarging the Term and Powers granted by an Act passed in the thirteenth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for repairing the Roads leading from* Cirencester *Town's-end to* Saint John's Bridge *in the County of* Gloucester.

16. An Act for continuing the Powers granted by three several Acts of Parliament, one for repairing the Road from *Stump-cross* to *Newmarket-heath*, and the Town of *Cambridge*; another for repairing the Road from *Foulmire* to *Cambridge*; and the third for explaining, amending, and rendering more effectual, the said two former Acts; and for enlarging the Terms granted by the said two former Acts.

17. An Act for enlarging the Term and Powers granted by an Act passed in the seventh Year of the Reign of his late Majesty King *George* the First, for repairing the several Roads leading from the Town of *Ledbury* in the County of *Hereford*, to the several Places therein mentioned; and for making the said Act more effectual.

18. An Act to render more effectual an Act made in the ninth and tenth Years of the Reign of his late Majesty King *William* the Third, intituled, *An Act for erecting Hospitals and Workhouses within the Town of* Colchester *in the County of* Essex, *for the better employing and maintaining the Poor thereof*.

19. An Act for granting to his Majesty the Sum of eight hundred thousand Pounds, to be raised by Annuities transferrable at the Bank of *England*; and for ascertaining the Customs and Duties upon Quicksilver taken as Prize during the present War; and for the further appropriating the Supplies granted in this Session of Parliament.

20. An Act to prevent the counterfeiting of Gold and Silver Lace; and for settling and adjusting the Proportions of fine Silver and Silk; and for the better making of Gold and Silver Thread.

21. An Act to indemnify Persons who have omitted to qualify themselves for Offices, Employments, and Promotions, within the Time limited by Law, and for allowing further Time for that Purpose.

22. An Act to exclude certain Officers from being Members of the House of Commons.

23. An Act for securing to *John Byrom*, Master of Arts, the sole Right of publishing, for a certain Term of Years, the Art and Method of Short-hand, invented by him.

24. An Act to impower the Justices of the Peace of a Liberty or Corporation, to commit Offenders to the House of Correction of the County, Riding or Division, in which such Liberty or Corporation is situate.

25. An Act to impower the Importers or Proprietors of Rum or Spirits of the *British* Sugar Plantations to land the same before Payment of the Duties of Excise charged thereon, and to lodge the same in Warehouses at their own Expence; and for the Relief of *Ralph Barrow*, in Respect to the Duty on some Rock Salt, lost by the overflowing of the Rivers *Weaver* and *Dane*.

26. An Act for the better enabling the Commissioners for building a Bridge cross the River *Thames*, from the City of *Westminster*, to the opposite Shore in the County of *Surrey*, to finish the said Bridge, and to perform the other

other Truſts repoſed in them, and for enlarging the Time for exchanging of Tickets unclaimed in the laſt Lottery for the ſaid Bridge, and to make Proviſion for Tickets in the ſaid Lottery, loſt, burnt or otherwiſe deſtroyed.

27. An Act for the more effectual preventing any Cloth, or Woollen Goods remaining upon the Rack, or Tenters, or any Woollen Yarn, or Wooll left out to dry, from being ſtolen, or taken away in the Night-time.

28. An Act for the more effectual preventing the counterfeiting of the current Coin of this Kingdom, and the uttering or paying of falſe or counterfeit Coin.

29. An Act for granting to his Majeſty an additional Duty on foreign Cambricks, imported into *Great Britain*; and for allowing thereout, a Bounty upon certain Species of *Britiſh* and *Iriſh* Linens exported.

30. An Act to prevent the Marriage of Lunaticks.

31. An Act for further regulating the Plantation Trade; and for Relief of Merchants importing Prize Goods from *America*, and for preventing colluſive Captures there; and for obliging the Claimers of Veſſels ſeized for Exportation of Wooll, or any unlawful Importation, to give Security for Coſts; and for allowing *Eaſt India* Goods to be taken out of Warehouſes, in order to be cleaned and refreſhed.

32. An Act for preventing the Miſchiefs which may happen by keeping dangerous Quantities of Gunpowder in or near the Cities of *London* and *Weſtminſter*.

33. An Act to revive ſeveral Acts for the Puniſhment of Perſons deſtroying Turnpikes, or Locks or other Works erected by Authority of Parliament, and for other Purpoſes therein mentioned; and to continue ſeveral Acts relating to Rice, to Frauds in the Cuſtoms, to the clandeſtine running of Goods, and to Copper Ore of the *Britiſh* Plantations; and for extending the Liberty given by the Act of the twelfth Year of the Reign of his preſent Majeſty, for carrying Sugar of the Growth of the *Britiſh* Sugar Colonies in *America*, to Ships belonging to any of his Majeſty's Subjects reſiding in *Great Britain*, and navigated according to Law; and for the more effectual preventing the cutting of Star or Bent.

34. An Act to explain an Act made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to render the Laws more effectual for preventing the ſtealing and deſtroying of Sheep and other Cattle.*

35. An Act to continue ſeveral Laws for the Encouragement of the making of Sail Cloth in *Great Britain*, and of the Silk Manufactures of this Kingdom; and for allowing a Drawback on the Exportation of Copper Bars; and to explain a Clauſe of an Act made in the laſt Seſſion of Parliament, to prohibit the Exportation of Corn, and other Things therein mentioned; and to give further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

PRIVATE ACTS.

Anno 15 *Georgii* II.

1. AN Act to enable *Alexander Popham* Eſquire, and his Heirs, to take and uſe the Surname of *Luſcombe*, according to the Directions of the laſt Will and Teſtament of *Richard Luſcombe* Eſquire deceaſed.

2. An Act for naturalizing *John Chriſtoph Gohl*, *Hans Bardewieck* and others.

3. An Act for confirming and eſtabliſhing certain Articles of Agreement and an Indenture between the Right Honourable *Francis* Earl *Godolphin* and the Dean and Chapter of *Ely* for making a Partition and Diviſion of a certain Heath, or Heath-ground, in the County of *Cambridge*, and for rendring the ſame Agreement and Indenture more effectual, for the Purpoſes therein mentioned.

4. An Act for diſſolving and diſannexing from the Crown, and the Patrimony thereof, the Earldom of *Orkney*, and Lordſhip of *Zetland*; and for veſting the ſame irredeemably in *James* Earl of *Morton*, and his Heirs, diſcharged from any Power or Right of Redemption in his Majeſty, his Heirs or Succeſſors.

5. An Act for veſting the ſettled Eſtate of *Henry* Lord *Montfort*, in the County of *Worceſter*, in Truſtees, in Truſt to ſell the ſame, and to lay out and apply the Money ariſing by ſuch Sale, in the Purchaſe of Lands and Hereditaments in the Counties of *Cambridge* and *Suffolk* or one of them.

6. An Act for explaining a Clauſe contained in an Act made in the eleventh and twelfth Year of the Reign of his late Majeſty King *William* the Third, intituled, *An Act for granting an Aid to his Majeſty by Sale of the forfeited and other Eſtates and Intereſts in* Ireland, *and by a Land Tax in* England, *for the ſeveral Purpoſes therein mentioned*, whereby ſeveral Grants made by his Majeſty to Sir *Thomas Prendergaſt* Baronet, deceaſed, of ſeveral Lands, Tenements and Hereditaments, Part of the ſaid forfeited Eſtates and Intereſts in *Ireland*, were ratified and confirmed.

7. An Act to enable Sir *Clement Cottrell* Knight, and other the Deviſees of the real Eſtate of Lieutenant General *James Dormer* deceaſed, to take and uſe the Surname of *Dormer*, purſuant and according to the Tenor and Purport of the Will of the ſaid *James Dormer*.

8. An Act for making the Exemplification of the laſt Wills of *John Pigott* the Elder, late of *Brockley* in the County of *Somerſet* Eſquire, and of *John Pigott* Eſquire his Son, Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*; and to enable *John Biggs Pigott* Eſquire, formerly called *John Biggs*, and his Progeny and Deſcendants, to take and Uſe the Surname and Arms of *Pigott* only, purſuant to the Will of the ſaid *John Pigott* the Son.

9. An Act to enable *John Rolle* Eſquire, and his Heirs, to take and uſe the Surname and Arms of *Walter*, according to the Direction of the laſt Will and Teſtament of Sir *Robert Walter* Baronet, deceaſed.

10. An Act to enable *Buckland Bluett* Eſquire, and his Heirs, to take and uſe the Name of *Nutcombe*, according to the Settlement made by *Richard Nutcombe* Eſquire, deceaſed.

11. An Act for naturalizing *John Boucher*.

12. An Act for naturalizing *Iſaac Nicholas Duqueruy*, and *Michael Henry Duqueruy*, and others.

13. An Act for the more effectually carrying into Execution certain Articles of Agreement made before and in Conſideration of the Marriage of the Honourable *Philip Yorke* Eſquire, with the moſt Honourable *Jemima* Marchioneſs *Grey*; and for other Purpoſes therein mentioned.

14. An Act to enable *George Warren* Eſquire, his Heirs and Aſſigns, to make a Sluice or Tunnel through Part of the Glebe belonging to the Rectory of *Stockport*, in the County of *Cheſter*, and to uſe and enjoy the ſame, for conveying Water to *Stockport* Mills.

15. An

15. An Act for making Articles of Agreement entered into by *Amos Meredith* Eſquire, and *Johanna* his Wife, as well in her own Behalf as in Behalf of their ſeven Children, all Infants, and by *Thomas Aſheton* Eſquire, in Behalf of his Son an Infant, touching the Partition of the Eſtate of *Robert Cholmondeley*, late of *Holdford* in the County of *Cheſter*, Eſquire, deceaſed, now remaining unſold, obligatory on the ſaid Infants, and rendering the ſaid Partition effectual and binding to all Parties.

16. An Act to eſtabliſh and confirm Articles of Agreement relating to the Tithes and certain Glebe Lands, within the Pariſh of *Leigh*, in the County of *Worceſter*.

17. An Act to enable *Percy Wyndham* Eſquire, and other the Deviſees of *Henry* Earl of *Thomond* and Viſcount *Tadcaſter*, deceaſed, to take and uſe the Surname of *Obrien*, purſuant to the Will of the ſaid Earl of *Thomond* and Viſcount *Tadcaſter*.

18. An Act for enabling *William Morden* Eſquire, and his Heirs Male, to take and uſe the Surname and Arms of *Harbord*, purſuant to the Deſire of *Harbord Harbord* Eſquire, deceaſed.

19. An Act for exemplifying the laſt Will of *Arthur*, late Earl of *Angleſey*, and for making the ſame Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.

20. An Act for naturalizing *Daniel Beaufort*, *John Girardot de Chancourt*, and *John Cahuac*.

21. An Act for the Sale of certain Pieces or Parcels of Ground, Meſſuages, and Buildings, at *Park-place*, in the Pariſh of *Saint James*, in the County of *Middleſex*, Part of the ſettled Eſtate of *Charles* Duke of *Grafton*; and for ſettling other Lands to the ſame Uſes, in lieu thereof.

22. An Act for repealing a Power in the Marriage Settlement of *Thomas* Duke of *Leeds*, with *Mary* his now Wife, and for creating a new Power inſtead thereof; and for other Purpoſes therein mentioned.

23. An Act for the Sale of two Cloſes of Meadow Ground in *Weſt Harnam* in the County of *Wilts*, being the ſettled Eſtate of *John Horne*, unto the Right Honourable *Henry* Earl of *Pembroke*, and his Heirs; and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of another Eſtate, to be ſettled in lieu thereof.

24. An Act to impower *Henry* Earl of *Carliſle* to make Leaſes of Coal Mines and Coal Works, lying within his ſettled Eſtates in the County of *Northumberland*, for any Term not exceeding ninety-nine Years.

25. An Act for veſting all the Manors, Towns, Lands, Chiefries, Fee-farm Rents, and other Hereditaments whatſoever, in the ſeveral Counties of *Lowth*, *Meath*, and *Sligoe*, and elſewhere, in the Kingdom of *Ireland*, late the Eſtate of *Francis* Earl of *Carlingford*, deceaſed, in Truſtees, to be ſold for the Payment of his Debts, and other the Purpoſes therein mentioned.

26. An Act for veſting the ſeveral Caſtles, Manors, Towns, Lands, and Hereditaments of *Mountague*, Lord Viſcount *Blundell*, of the County of *Downe* in the Kingdom of *Ireland*, in Truſtees, for raiſing (after the Death of the ſaid Viſcount) the Sum of ten thouſand Pounds for the Portion of *Mary*, Lady *Raymond*, his Daughter; and for other Purpoſes therein mentioned.

27. An Act to enable *James Cavendiſh* Eſquire, commonly called Lord *James Cavendiſh*, to take in *Great Britain*, the Oath of Office, as Auditor General of his Majeſty's Revenues in the Kingdom of *Ireland*, and to qualify himſelf for the Enjoyment of the ſaid Office.

28. An Act to prevent Sir *Joh Brooke* Baronet, a Lunatick, from marrying during his Lunacy.

29. An Act for confirming certain Eſtates in the County of *Hertford*, heretofore mortgaged by Sir *Charles Buck* Baronet, deceaſed, to the Truſtees of *Fulke Greville* Eſquire, during his Minority, to him and his ſaid Truſtees, diſcharged from the Equity of Redemption, which the Infant Son and Heir of the ſaid Sir *Charles Buck* now hath therein, and in full Satisfaction for Principal and Intereſt due thereon; and for other Purpoſes therein mentioned.

30. An Act to impower the Truſtees named in the Will of Sir *William Pole* Baronet, deceaſed, to make Leaſes of Part of his Eſtate, during the Minority of his Son Sir *John Pole*.

31. An Act for veſting Part of the Marriage Portion of *Mary*, late Wife of *John Walcot* Eſquire, and alſo Part of his ſettled Eſtate in Truſtees for raiſing Money to pay Debts; and for ſecuring an Equivalent for the ſame, for the Benefit of his Heir Male.

32. An Act for Sale of ſeveral ſettled Eſtates of *Walter Radcliffe* Eſquire, lying in the County of *Devon*; and for laying out the Monies ariſing from ſuch Sale, in the Purchaſe of other Lands in the ſaid County of *Devon*, of equal Value, to be ſettled to the ſame Uſes, in lieu thereof.

33. An Act for Sale of certain Eſtates of *Valentine Knightly* Eſquire, in the County of *Northampton*; and for ſettling another Eſtate in the ſame County, to the ſame Uſes, in lieu thereof.

34. An Act for veſting the ſettled Eſtate of *Michael Harvey* Eſquire, in the County of *Leiceſter*, in Truſtees, to be ſold; and for applying the Money ariſing by ſuch Sale for diſcharging the Incumbrances affecting his Eſtate in the County of *Surrey*; and for ſettling that Eſtate in lieu of the *Leiceſterſhire* Eſtate, and to the ſame Uſes.

35. An Act for confirming a Conveyance from the ſurviving Truſtees of the Charity eſtabliſhed by the Will of *John Bentley* Eſquire, deceaſed, of the undivided ſixth Part of *Ficket's Field* in the County of *Middleſex*, to the ſurviving Aſſignees under the Commiſſion of Bankruptcy awarded againſt *William Hammond*, late of *Change Alley*, *London*, Goldſmith and Banker, deceaſed.

36. An Act for ſettling certain Meſſuages, Lands, and Hereditaments, in *Great Driffield* in the County of *York*, Part of the Eſtate of *James Manual*, late of *New Malton* in the ſame County, deceaſed, to the Uſes mentioned in certain Articles of Agreement made between the Widow and the Daughters and Coheirs of the ſaid *John Manual*.

37. An Act for veſting Part of the ſettled Eſtate of *Robert Lucas* Eſquire, and *Mary* his Wife, in Truſtees, to be ſold; and for applying Part of the Money ariſing by ſuch Sale, in the Purchaſe of an Eſtate contracted for, in order to be ſettled together with other Lands of the ſaid *Robert Lucas*, as an Equivalent for the ſaid ſettled Eſtate, and to the like Uſes.

38. An Act to enable *William Northey*, an Infant, to ſettle Lands, Tenements, and Hereditaments in the County of *Wilts*, for the Benefit of himſelf, and any Woman he ſhall marry, and their Iſſue, notwithſtanding

ſtanding his Infancy; and for other Purpoſes therein mentioned.

39. An Act for dividing and incloſing the common Fields, Lawnd, Waſtes and unincloſed Grounds within the Manor and Pariſh of *Wotton Underwood* in the County of *Bucks*; and for the making effectual certain Exchanges therein mentioned.

40. An Act for confirming and eſtabliſhing an Exchange agreed to be made of certain Lands in the Pariſh of *Sutton*, in the County of *Bedford*, between Sir *Roger Burgoyne* Baronet, Lord of the Manor, and Doctor *Crane*, Rector of the Church of *Sutton*, in order to promote and facilitate the Incloſure of the common Fields and common Grounds in the ſaid Pariſh; and for ſecuring to the ſaid Rector an Equivalent for his Tythes ariſing in the ſaid Pariſh of *Sutton*.

41. An Act to enable *John Daſhwood* and *William Payne* Eſquires, and their reſpective Iſſue Male, and other the Deviſees of the Eſtate of *John King*, Doctor in Divinity, deceaſed, to take and uſe the Surname of *King* only, according to the Direction of the Codicil to the Will of the ſaid Doctor *King*.

42. An Act for dividing and incloſing, ſetting out and allotting, certain common Fields and Incloſures, within the Manor and Pariſh of *Aſton-Cantlow* in the County of *Warwick*.

43. An Act for Sale of the Eſtates late of *James Walſingham* Eſquire, deceaſed, lying in the Counties of *Surrey*, *Eſſex*, *Norfolk* and *Cambridge*, for raing Money to diſcharge the Incumbrances affecting the ſame, and other Purpoſes therein mentioned.

44. An Act for Sale of Part of the Eſtates of *Edward Bayntun Rolt* Eſquire, to raiſe Money for the Payment of Debts affecting the ſame, and of Portions for his younger Brothers and Siſter, charged thereon by the Settlement of their Uncle *John Bayntun* Eſquire, deceaſed, and for other Purpoſes therein mentioned.

45. An Act to enable *John Probyn*, Eſquire, lately called *John Hopkins*, and his Deſcendants, to take and uſe the Surname of *Probyn*, purſuant to the Will of Sir *Edward Probyn* Knight, deceaſed.

46. An Act for naturalizing *Peter Holſten*.

PUBLICK ACTS.

Anno 16 *Georgii* II.

1. AN Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-three.

2. Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-three.

3. An Act for repairing the Road from *Bowes*, in the County of *York* to *Brough under Stainmore* in the County of *Weſtmoreland*.

4. An Act for enlarging the Term and Powers granted by an Act paſſed in the firſt Year of the Reign of his preſent Majeſty for the more effectual amending the Highway between *Hockliffe* and *Woburn* in the County of *Bedford*; and for repairing the Road leading through *Woburn* to *Tickford Bridge* in *Newport Pagnel* in the County of *Bucks*.

5. An Act for enlarging the Term and Powers granted by an Act paſſed in the thirteenth Year of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the ſeveral Roads leading from the Town of* Warminſter *in the County of* Wilts.

6. An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Charterhouſe Square* in the County of *Middleſex*, to make a Rate for raiſing Money effectually to incloſe, pave, watch, clean and improve the ſaid Square, and to continue the ſame in Repair.

7. An Act for repairing the High Road from *Borough Bridge* in the County of *York*, to *Catherick* in the ſame County, and from thence to *Piers Bridge* on the River *Tees*.

8. An Act for repealing certain Duties on Spirituous Liquors, and on Licences for retailing the ſame, and for laying other Duties on Spirituous Liquors, and on Licences to retail the ſaid Liquors.

9. An Act to enable the Pariſhioners of the Pariſh of *Saint Botholph* without *Aldgate*, in the City of *London*, to raiſe a certain Sum of Money, for Payment of Debts already contracted for the Relief and Maintenance of the Poor of the ſaid Pariſh.

10. An Act for repairing the Roads leading from *Marlborough* through *Weſt Kennet* to *Shepherd's Shord*; and from the *Hare and Hounds* in *Beckhampton*, to the Top of *Cherill-Hill*; and from the Town of *Avebury* to the Croſs-way at *Beckhampton* in the County of *Wilts*.

11. An Act to explain and amend the Laws touching the Elections of Members to ſerve for the Commons in Parliament, for that Part of *Great Britain* called *Scotland*, and to reſtrain the Partiality, and regulate the Conduct of Returning Officers at ſuch Elections.

12. An Act for repealing the ſeveral Rates and Duties upon Victuallers and Retailers of Beer and Ale, within the Cities of *London* and *Weſtminſter*, and the weekly Bills of Mortality; and of transferring the Exchequer Bills unſatisfied thereupon, to the Duties for Licences to ſell Spirituous Liquors and Strong Waters by Retail; and alſo for enabling his Majeſty to raiſe a certain Sum of Money for the Service of the Year one thouſand ſeven hundred and forty-three, to be further charged on the ſaid Duties for Licences.

13. An Act for raiſing by Annuities and a Lottery in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three Pounds *per Centum per Annum*, for the Service of the Year one thouſand ſeven hundred and forty-three.

14. An Act to puniſh Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

15. An Act for the more eaſy and effectual Conviction of Offenders found at large within the Kingdom of *Great Britain*, after they have been ordered for Tranſportation.

16. An Act for enlarging the Term and Powers granted by an Act paſſed in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual repairing the Roads leading from* Wade's Mill *in the County of* Hertford, *to* Barley *and* Royſton *in the ſaid County*.

17. An Act for the Relief of Inſolvent Debtors.

18. An Act to empower Juſtices of the Peace to act in certain Caſes, relating to Pariſhes and Places, to the Rates and Taxes of which they are rated or chargeable,

19. An

19. An Act for enlarging the Term and Powers granted by an Act paſſed in the tenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing and amending the Highways from the North Part of* Harlow-buſh Common *in the Pariſh of* Harlow, *to* Woodford *in the County of* Eſſex.

20. An Act to explain and amend an Act paſſed in the twelfth Year of the Reign of his preſent Majeſty, for repairing the Road from the *Dun Cow* in *Dunchurch*, to *Hillmorton* in the County of *Warwick*, and from thence to *Saint James's End* in the Town of *Northampton*.

21. An Act for continuing and making more effectual an Act paſſed in the ninth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Highways from the City of *Glouceſter* to the Top of *Birdlip-hill*, being the Road to *London*; and from the Foot of the ſaid Hill to the Top of *Crickley-hill*, being the Road to *Oxford*.

22. An Act for repairing the Road leading from the Town of *Cirenceſter* in the County of *Glouceſter*, to a Place called the *Monument upon Lanſdown* in the ſame County.

23. An Act for continuing an Act made in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for amending and repairing the Roads from* Luton *in the County of* Bedford, *to* Weſtwoodgate *in the ſaid County, and for repairing the Roads from* Luton *to* Saint Alban's *in the County of* Hertford.

24. An Act for rectifying Miſtakes in the Names of the Commiſſioners for the Land Tax for the Year one thouſand ſeven hundred and forty-two, and for the appointing other Perſons, together with thoſe named for the ſaid Year, to put in Execution an Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-three.*

25. An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, and for applying a further Sum therein mentioned, for the Service of the Year one thouſand ſeven hundred and forty-three; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

26. An Act for continuing ſeveral Laws relating to the Allowance upon the Exportation of *Britiſh* made Gunpowder; to the Importation of Naval Stores from the *Britiſh* Colonies in *America*; to the additional Number of one hundred Hackney Chairs; and to the Powers given for regulating Hackney Coaches and Chairs; for puniſhing the Venders of unſtamped News Papers; for allowing the Importation of Hemp or Flax manufactured in *Ireland*, though not ſworn to be of the Growth of *Ireland*; and for the Relief of *Bryan Blundell*, in reſpect to the Duty on ſome White Salt loſt in a Storm at Sea.

27. An Act to continue an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the committing of Frauds by Bankrupts.*

28. An Act to make the Hamlet of *Bethnal Green* in the Pariſh of *Saint Dunſtan Stepney*, in the County of *Middleſex*, a ſeparate and diſtinct Pariſh, and for erecting a Pariſh Church therein.

29. An Act for allowing Carts to be drawn with four Horſes.

30. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpoſe; and alſo for amending ſo much of an Act made in the twenty-fifth Year of the Reign of King *Charles* the Second, intituled, *An Act for preventing Dangers which may happen from Popiſh Recuſants*, as relates to the Time for receiving the Sacrament of the Lord's Supper now limited by the ſaid Act.

31. An Act for the further Puniſhment of Perſons who ſhall aid or aſſiſt Priſoners to attempt to eſcape out of lawful Cuſtody.

32. An Act for allowing further Time for Inrollment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers, Deviſees, and Leſſees.

PRIVATE ACTS.

Anno 16 *Georgii* II.

1. AN Act for naturalizing *Daniel Vialars*, *Peter Thomegay*, and others.

2. An Act for veſting divers Lands and Hereditaments in *Sturton* and *Walkeringham*, in the County of *Nottingham*, entailed by the Will of *Evelyn* late Duke of *Kingſton*, deceaſed, in *Evelyn* now Duke of *Kingſton* in Fee Simple, diſcharged of the Uſes, Truſts, and Limitations of the ſaid Will; and for ſettling, in lieu thereof, other Lands and Hereditaments, of greater Value, to the like Uſes.

3. An Act for confirming and eſtabliſhing a Partition, made between the Coheirs of the late Marquis of *Halifax*, of divers Eſtates therein mentioned, and other Purpoſes in this Act expreſſed.

4. An Act to empower two of the Truſtees named in the Marriage Settlement of the late Lord *Petre*, deceaſed, to grant Leaſes, without the Concurrence of the other Truſtee named in the ſaid Settlement.

5. An Act for reſtoring *Francis* Duke of *Buccleugh*, to the Dignities and Titles of Earl of *Doncaſter* and Baron *Scot* of *Tindal*.

6. An Act for exchanging Part of the Glebe Lands and Hereditaments belonging to the Vicarage of *Nuneaton*, in the County of *Warwick*, for the Rectorial Tythes, and certain Lands in the Pariſh of *Nuneaton*, belonging to the Impropriator.

7. An Act for Sale of the Manor of *Bath-hampton*, being the Eſtate of *Charles Holder* Eſquire, for Payment of Incumbrances affecting the ſame, and for other Purpoſes therein mentioned.

8. An Act for making perpetual an Agreement for the Exchange of Lands for Tythes made between *Evelyn Chadwicke* Eſquire, Lord of the Manor of *Weſt Leake* in the County of *Nottingham*, and *Granville Wheeler* Clerk, Rector of the Pariſh Church there.

9. An Act to enable Truſtees named in the Settlement and Will of *Robert Trefuſis* Eſquire, deceaſed, during the Minority of his Son *Robert Cotton Trefuſis*, to make Leaſes of Part of his Eſtate in the County of *Cornwall*.

10. An Act for impowering *Thomas Fitzherbert* the younger, Eſquire, to make Jointures during the Lifetime of *Thomas Fitzherbert* Eſquire, his Father, and alſo to grant Annuities to his younger Sons, in ſuch Manner as is therein mentioned.

11. An Act for Sale of the ſettled Eſtates of *William Gore* Eſquire, deceaſed, in the County of *Middleſex* and City of *London*, for Payment of his Debts and Legacies; and for rendering a Power, contained in his Will, more effectual.

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12. An Act for enabling *Thomas Gape* and *Joſeph Gape*, Eſquires, to make Jointures, and Leaſes, of the Eſtates deviſed to them reſpectively by the Will of *William Gape* Eſquire, their late Father, deceaſed.
13. An Act to impower *Anna Norris* Widow, Mother and Guardian to *John Norris* an Infant, to grant one or more Building Leaſe or Leaſes of certain Meſſuages, and a Piece or Parcel of Ground in *Fenchurch-ſtreet*, in the Pariſh of *Saint Benedict*, *Gracechurch*, *London*.
14. An Act for dividing and incloſing certain common Fields within the Pariſh of *Great Brington* in the County of *Northampton*.
15. An Act for confirming and rendering more effectual certain Articles of Agreement, and an Award, for incloſing and dividing certain common Fields and common Downs, within the Manor and Pariſh of *Aſton Tirrold* in the County of *Berks*.
16. An Act for the incloſing and dividing the common Fields and waſte Grounds, lying within the Manor of *Dummer*, in the Pariſh of *Dummer*, in the County of *Southampton*.
17. An Act for confirming, eſtabliſhing, and making effectual certain Articles of Agreement made and entered into for incloſing and dividing ſeveral common Fields lying in *Earley*, in the Pariſh of *Soning* in the County of *Berks*, and for exchanging ſeveral ancient Incloſures in *Earley* aforeſaid.
18. An Act for incloſing and dividing the Common or Moor called *Elvington Moor*, within the Manor and Pariſh of *Elvington* in the County of *York*.
19. An Act for making the Exemplification of the Settlement made by *James* Earl of *Angleſey*, on his Marriage with *Katherine* now Ducheſs Dowager of *Buckinghamſhire* and *Normanby*, Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.
20. An Act for making the Exemplication of the laſt Will of *Henry* late Earl of *Thomond* and Viſcount *Tadcaſter*, Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.
21. An Act for veſting the Remainder in Fee of ſeveral Lands in *Ireland*, the Eſtate of *Arthur Plunket* Eſquire, in Truſtees, in order to ſell ſuch Lands to Proteſtant Purchaſers.
22. An Act to enable *Henry Willis* Eſquire, now called *Henry Compton*, and his Iſſue Male and Deſcendants, to take and uſe the Surname of *Compton*, purſuant to the Will of *Eleanor Bave* Widow, deceaſed.
23. An Act to enable *Edward Rookes* Eſquire, to take and uſe the Surname of *Leeds* only, purſuant to the laſt Will and Teſtament of *Robert Leeds*, late of *North Milforth* in the County of *York*, Eſquire, deceaſed.
24. An Act to enable *Crayle Bellamy* Eſquire, to take and uſe the Surname of *Crayle*.
25. An Act for veſting in *John Elwick* Eſquire, the ſole Property of an Engine for making Stone Pipes, and to enlarge the Term granted by Letters Patent for that Purpoſe.
26. An Act for naturalizing *John Bockholt*, and *Swain Roſe*.
27. An Act for naturalizing *Paul Torras*, *John Godfrey Zurhorſt*, and others.
28. An Act for naturalizing *James Serces* Clerk.
29. An Act for Sale of a Tenement, adjoining to *Northumberland Houſe* in the *Strand*, Part of the Eſtate of Sir *William Dodwell* Knight, deceaſed; and for laying out the Money ariſing thereby in the Purchaſe of Lands, to be ſettled to the ſame Uſes.
30. An Act for veſting divers Lands and Hereditaments in *Ravenſworth* and *Whaſhton*, in the County of *York*, in *Andrew Perrot* Gentleman, diſcharged of the Uſes and Truſts of the Marriage Settlement of *James Cooke* the younger, and for ſettling in lieu thereof other Lands and Hereditaments, of greater Value, to the ſame Uſes.
31. An Act for eſtabliſhing an Agreement between *Margaret Savage* Spinſter, and *Elizabeth Byrche* Widow, two of the Daughters and Coheirs of *Thomas Savage* Eſquire, deceaſed, relating to the Settlement and Diſpoſition of the Real and Perſonal Eſtate of the ſaid *Thomas Savage*.

PUBLICK ACTS.

Anno 17 *Georgii* II.

1. AN Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-four.
2. An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-four.
3. An Act to oblige Overſeers of the Poor to give publick Notice of Rates made for the Relief of the Poor, and to produce the ſame.
4. An Act for enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty, for repairing and widening the Road from that Part of *Chatham* which lies next to the City of *Rocheſter*, to *Saint Dunſtan's Croſs* near the City of *Canterbury* in the County of *Kent*.
5. An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction.
6. An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government.
7. An Act for taking and ſwearing Affidavits to be made Uſe of in any of the Courts of the County Palatine of *Lancaſter*.
8. An Act to prevent the committing of Abuſes in the weighing and packing of Butter, in the Town and Borough of *New Malton* in the County of *York*.
9. An Act for repairing and widening the Road leading from a Place called *Harlow Buſh Common*, in the Pariſh of *Harlow* in the County of *Eſſex*, to *Stump Croſs*, in the Pariſh of *Great Cheſterford* in the ſaid County.
10. An Act for enlarging the Term and Powers granted by an Act paſſed in the fourth Year of the Reign of his preſent Majeſty for repairing the Road leading from *Chappel on the Heath* in the County of *Oxon*, to the Quarry above *Bourton on the Hill* in the County of *Glouceſter*.
11. An Act for raiſing and eſtabliſhing a Fund for a Proviſion for the Widows and Children of the Miniſters of the Church of *Scotland*, and of the Heads, Principals, and Maſters, of the Univerſities of *Saint Andrews*, *Glaſgow*, and *Edinburgh*.
12. An Act for enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing the Roads leading from a Gate called* Shipſton Toll-gate,

at Bridge-town, *in the Pariſh of* Old Stratford, *in the County of* Warwick, *through* Alderminſter *and* Shipſton upon Stower, *to the Top of* Long Compton Hill *in the ſaid County*; and to make the ſame more effectual.

13. An Act for continuing the Term and Powers granted by an Act paſſed in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for repairing and amending ſeveral Roads leading to and from the Borough of* Eveſham *in the County of* Worceſter; and for making the ſame more effectual.

14. An Act for continuing and enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty for repairing the Road leading from *Galley Corner*, adjoining to *Enfield Chaſe* in the Pariſh of *South Mims* in the County of *Middleſex*, to *Lemsford Mill* in the County of *Hertford*.

15. An Act for the ſpeedy and effectual recruiting of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and forty-four.

16. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

17. An Act for granting to his Majeſty the Surplus or Remainder of the Monies ariſen, or to ariſe by the Duties on Spirituous Liquors, granted by an Act of the laſt Seſſion of Parliament; and for explaining and amending the ſaid Act in relation to the Retailers of ſuch Liquors; and for eſtabliſhing an Agreement with the United Company of Merchants of *England* trading to the *Eaſt Indies*.

18. An Act for raiſing by Annuities, and a Lottery, in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds at three Pounds *per Centum per Annum* for the Service of the Year one thouſand ſeven hundred and forty-four.

19. An Act for continuing and enlarging the Term and Powers granted by an Act of Parliament, paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Road from *Cranford Bridge* in the County of *Middleſex*, to that End of *Maidenhead Bridge* which lies in the County of *Bucks*.

20. An Act for continuing and making more effectual an Act made in the eleventh Year of his preſent Majeſty's Reign, for repairing ſeveral Roads leading to and from the Town of Derby in the County of *Derby*.

21. An Act for laying a Duty of two Pennies Scots, or a ſixth Part of a Penny Sterling, upon every Scots Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped, or ſold within the Town of *Burrowſtounneſs* and Liberties thereof, in the County of *Linlithgow*, for repairing the Harbour of the ſaid Town.

22. An Act for repairing the Road leading from the End of *Middleton Tyas Lane* over *Gatherley Moor* to *Greatabridge*, and from thence to *Bows* in the North Riding of the County of *York*.

23. An Act for more effectually repairing the Road from *Cherill* (through *Calne*) to *Studley Bridge*, and from *Cherill* to the *Three Mile Borough*, at the Top of *Cheril Hill* in in the County of *Wilts*.

24. An Act for more effectually repairing the Roads from *Coleſhill* in the County of *Warwick*, through the City of *Litchfield*, to *Stone* in the County of *Stafford*, and from thence to the City of *Cheſter*, and for amending other Roads therein mentioned.

25. An Act for repairing the Road between the Town of *Kingſton* upon *Hull* and the Town of *Beverley* in the Eaſt Riding of the County of *York*.

26. An Act to rectify a Miſtake in an Act made this Seſſion of Parliament, intituled, *An Act for the ſpeedy and effectual recruiting of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and forty-four*.

27. An Act for continuing an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, ſo far as the ſame relates to the repairing the Road from *Studley Bridge* to *Chippenham* in the County of *Wilts*, and for amending the Road from *Chippenham* to *Pickwick* in the ſaid County.

28. An Act for explaining and amending an Act paſſed in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act to recover and preſerve the Navigation of the River* Dee *in the County Palatine of* Cheſter; and another Act paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, *An Act for incorporating the Undertakers of the Navigation of the River* Dee; and for repealing the Tonnage Rates payable to the ſaid Undertakers; and for granting to them other Tonnage or Keelage Rates in lieu thereof; and for other Purpoſes therein mentioned.

29. An Act for making more effectual Proviſion for enlightening the Streets of the City of *London*.

30. An Act for the more effectual preventing of the affixing of counterfeit Stamps to foreign or other Linens.

31. An Act for repealing the Duties payable upon Glaſs Beads, and for granting other Duties in lieu thereof; and for allowing the ſame Drawbacks on the Exportation of refined Borax and Camphire, which are allowed on the Exportation of unrefined Borax and Camphire; and for preventing the fraudulent Exportation of *Britiſh* and *Iriſh* Linens, for the ſake of the Bounty allowed by an Act made in the fifteenth and ſixteenth Years of his preſent Majeſty's Reign; and for explaining and amending the ſaid Act as to the Perſons who are to receive the ſaid Bounty.

32. An Act to explain and make more effectual ſeveral Acts of Parliament paſſed in the Reign of his preſent Majeſty, for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore in the County of *Surrey*; and for the better enabling the Commiſſioners for building the ſaid Bridge, to finiſh the ſame, and to perform the other Truſts repoſed in them; as alſo for granting further Time for exchanging the Tickets unclaimed in the laſt Lottery for the ſaid Bridge; and to make Proviſion for Tickets in the ſaid Lottery, loſt, burnt, or otherwiſe deſtroyed.

33. An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, and for applying a Sum remaining in the Exchequer, ariſen by the Coinage Duty for the Service of the Year one thouſand ſeven hundred and forty-four; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Annuity Orders, and other Orders, loſt, burnt, or otherwiſe deſtroyed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices; and to enable the Reverſioners of certain Annuities, therein mentioned, to receive ſuch Annuities, if the ſame ſhall not be demanded within a certain Time by the Annuitants

for

for Life, until Proof be made, that ſuch Annuitants are living.

34. An Act for the better Encouragement of Seamen in his Majeſty's Service, and Privateers, to annoy the Enemy.

35. An Act to explain, amend, and enlarge an Act made in the ſixteenth and ſeventeenth Year of the Reign of King *Charles* the Second, intituled, *An Act for regulating the Meaſures and Prices of Coals.*

36. An Act for permitting certain Goods therein enumerated, to be imported during the War in *Britiſh* built Shipping, the Property of Foreigners; and for Relief of *William Ord*, and others; and for obviating a Doubt which hath ariſen upon the Act of the twelfth Year of the Reign of King *Charles* Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*, as to the Importation on the Account of Aliens, of Goods of the Growth or Production of the Plantations of *Spain* and *Portugal*, in *Engliſh* Ships duly navigated.

37. An Act to prevent Diſputes touching the Pariſhes or Places where improved Waſtes, and drained and improved Marſh Lands, ſhall be charged to Parochial Rates.

38. An Act for remedying ſome Defects in the Act made in the forty-third Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the Relief of the Poor.*

39. An Act to make it High Treaſon to hold Correſpondence with the Sons of the Pretender to his Majeſty's Crown; and for attainting them of High Treaſon, in caſe they ſhall land or attempt to land in *Great Britain*, or any of the Dominions thereunto belonging; and for ſuſpending the Operation and Effect of a Clauſe in the Act of the ſeventh Year of the late Queen *Anne*, for improving the Union of the two Kingdoms, relating to Forfeitures for High Treaſon, until after the Deceaſe of the Sons of the ſaid Pretender.

40. An Act to continue the ſeveral Laws therein mentioned for preventing Theft and Rapine on the Northern Borders of *England*; for the more effectual puniſhing wicked and evil-diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice; for continuing two Clauſes to prevent the cutting or breaking down the Bank of any River or Sea Bank; and to prevent the malicious cutting of Hop-binds; and for the more effectual Puniſhment of Perſons maliciouſly ſetting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal; and of Perſons unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaces, or beating or wounding the Keepers or other Officers in Foreſts, Chaces or Parks; and for granting a Liberty to carry Sugars of the Growth, Produce or Manufacture of any of his Majeſty's Sugar Colonies in *America*, from the ſaid Colonies directly to foreign Parts in Ships built in *Great Britain*, and navigated according to Law; and to explain two Acts relating to the Proſecution of Offenders for embezilling Naval Stores, or Stores of War; and to prevent the retailing of Wine within either of the Univerſities in that Part of *Great Britain* called *England* without Licence.

41. An Act for making more effectual ſeveral Acts paſſed for repairing the Road leading from the Stones End in the Pariſh of Saint *Leonard Shoreditch* in the County of *Middleſex*, to the furthermoſt Part of the Northern Road in the Pariſh of *Enfield* in the ſame County, next to the Pariſh of *Cheſhunt* in the County of *Hertford*; and for amending the Road from the Watch-houſe in *Edmonton*, to the Market Place in *Enfield.*

42. An Act for amending and making more effectual an Act made in the laſt Seſſion of Parliament, for continuing an Act made in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Roads from *Luton* in the County of *Bedford*, to *Weſtwood Gate* in the ſaid County; and from *Luton* to *Saint Alban*'s in the County of *Hertford.*

43. An Act for repairing the Road from the Town of *Buckingham* in the County of *Bucks*, to *Warmington* in the County of *Warwick.*

PRIVATE ACTS.

Anno 17 *Georgii* II.

1. AN Act for naturalizing *Andrew Lindegren* and *Abraham Spalding*, of *London*, Merchants.

2. An Act to diſſolve the Marriage of *Henry* Duke of *Beaufort*, with *Frances Scudamore* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

3. An Act to enable his Majeſty to grant the Inheritance of Part of the Foreſt of *Shotover* and *Stowood* in the County of *Oxford*, to Truſtees, in Truſt for *Auguſtus Schutz* Eſquire, and his Heirs, upon a full and valuable Conſideration to be paid for the ſame.

4. An Act to enable Mr. *John Carre*, of *Cavers*, Advocate, to ſell Lands in the County of *Roxburgh*, for Payment of Debts charged thereon, and with the Surplus Money (if any) to purchaſe other Lands, to be ſettled to the ſame Uſes as the Lands to be ſold are ſettled.

5. An Act for dividing and incloſing the common Fields, called the *North Field* and *South Field*, in the Pariſh of *Weſtonbirt*, in the County of *Glouceſter.*

6. An Act to enable *Edward Stewart*, lately called *Edward Clarke*, and *James Stewart Stewart*, lately called *James Stewart Clarke*, to take and uſe the Surname of *Stewart*, purſuant to the Will of *James Stewart* deceaſed.

7. An Act to enable *Randle Hopley* of *Overton* in the County of *Cheſter*, Gentleman, and his Iſſue, to take and uſe the Surname of *Dod*, purſuant to the Will of *William Dod* Eſquire, deceaſed.

8. An Act to enable *John Caſwell*, Gentleman, now called *Giles Whitehall*, to take and uſe the Chriſtian and Surname of *Giles Whitehall*, and alſo to enable his firſt and other Sons, and their Heirs Male, to take and uſe the Surname of *Whitehall*, in purſuance of the Will of *Giles Whitehall* deceaſed.

9. An Act for naturalizing *Mary* Counteſs of *Holderneſſe*, Wife of *Robert* Earl of *Holderneſſe.*

10. An Act for naturalizing *Andrew Templeman*, *John Darlon*, *Chriſtian Moller*, *John Friderick Fries*, and *Peter de la Rive*, of *London* Merchants.

11. An Act to naturalize *Lorentz Baſtian Ritter.*

12. An Act for naturalizing *John Rudoiff Thunn*, of *London*, Merchant.

13. An Act for ſettling a Capital Meſſuage, Lands and Hereditaments in *Eaſt Grinſtead*, in the County of *Suſſex*, to divers Uſes therein mentioned, for the Benefit of *William* Lord *Abergavenny*, and his Family, as an Equivalent

Equivalent for a Sum of Money appointed by a former Act, to be laid out in the Purchaſe of Lands for that Purpoſe.

14. An Act for dividing and incloſing certain common Fields in the Hamlet of *Shipton*, in the Pariſh of *Winſlow* in the County *Bucks*.

15. An Act for incloſing the common and Waſte Ground called *Baſſledon Heath* in the County of *Berks*.

16. An Act for incloſing and dividing the common Fields, called *Flecknoe*, in the Pariſh of *Wolfhampcoat* in the County of *Warwick*.

17. An Act for confirming an Agreement made to exchange certain Rights of common, in the Pariſh, Townſhips, or Hamlets of *Eaſt Langton*, *Weſt Langton*, *Church Langton*, and *Thorpe Langton*, in the County of *Leiceſter*; and for ſettling an yearly Sum to be paid to the Rector of the ſaid Pariſh, and his Succeſſors, in lieu of Tythes.

18. An Act for incloſing and dividing the Common called the *Severals*, and the *Moor*, lying in the Manor and Pariſh of *Mareham le Fenn*, in the County of *Lincoln*.

19. An Act for Sale of the Capital Meſſuage at *Roughampton*, and divers Lands and Hereditaments in the County of *Surrey*, late the Eſtate of *Joſeph Bagnall* Eſquire, deceaſed, and for purchaſing another Eſtate to be ſettled to the Uſes of his Will.

20. An Act for the Sale of certain Houſes and Ground in *Woolwich*, Part of the ſettled Eſtate of *Edward Bowater* Eſquire, purſuant to an Agreement with the Commiſſioners of the Navy, and for applying the Money ariſing by ſuch Sale, in the Purchaſe of another Eſtate, to be ſettled to the Uſes of his Marriage Settlement.

21. An Act for veſting Part of the ſettled Eſtate of *Edward Powys* Eſquire, and *Katherine* his Wife, in Truſtees, for raiſing Money to pay Debts, and for ſecuring an Equivalent for the ſame, for the Benefit of his ſaid Wife, and their Iſſue, and of *Thomas Powys* Eſquire, and his Heirs and Aſſigns.

22. An Act for confirming to the Honourable *Henry Hervey* Clerk, his Wife, and their Iſſue Male, the Surname and Arms of *Aſton*, purſuant to a Settlement made by Sir *Thomas Aſton* Baronet, deceaſed.

23. An Act for confirming the Jointure made on the Marriage of *Francis Scot* Eſquire, commonly called Earl of *Dalkeith*, eldeſt Son and Heir Apparent to *Francis* Duke of *Buccleuch*, with Lady *Caroline Campbell*, and for impowering the Heirs of Entail ſucceeding to the Eſtate of *Francis* late Earl of *Buccleuch*, to make Jointures, in ſuch Manner, as is therein mentioned.

24. An Act to impower the Guardians of *Other Lewis*, Earl of *Plimouth*, an Infant, to purchaſe the Eſtate of his Grandfather *Thomas Lewis* Eſquire, in the County of *Glamorgan*.

25. An Act for Sale of Part of the Eſtate of *Thomas* Lord Baron of *Caher* in the Kingdom of *Ireland*, towards diſcharging the Debts and Incumbrances affecting the ſame.

26. An Act for veſting the ſettled Eſtate of Sir *Robert Sutton* in the County of *Nottingham*, in Truſtees, to be ſold, for diſcharging ſeveral Mortgages and Incumbrances, and for laying out the Surplus of the Money ariſing by ſuch Sale in the Purchaſe of other Lands, to be ſettled, together with his Eſtate in the County of *Lincoln*, to the Uſes therein mentioned.

27. An Act to enlarge the Time limited by the Will of Sir *Francis Leiceſter* Baronet, deceaſed, for Sale of the Real Eſtate late of Sir *John Byrne* Baronet, deceaſed, in the Kingdom of *Ireland*, and alſo to enable Sir *Peter Byrne* Baronet, and his Iſſue, to take and uſe the Surname of *Leiceſter* only, purſuant to the ſaid Will.

28. An Act for impowering *John Thornhagh* Eſquire, to make a Jointure and Proviſion for his younger Children out of an Eſtate, compriſed in a voluntary Settlement made by *Saint Andrew Thornhagh* Eſquire, his late Father, deceaſed.

29. An Act for veſting divers Lands and Hereditaments, deviſed by the Will of *Richard Cliffe* Eſquire, deceaſed, in Truſtees, to be ſold, for paying the Debts and Legacies charged thereupon by the ſaid Will, and for laying out the Surplus of the Money ariſing by ſuch Sale (if any) in purchaſing other Lands, to be ſettled to the Uſes of the ſame Will.

30. An Act for Sale of Part of the ſettled Eſtate of *John Ayſhcombe* Gentleman, lying in the ſaid County of *Warwick*, and for ſettling another Eſtate in the ſame County, of greater Value, to the ſame Uſes, in lieu thereof, and for other Purpoſes therein mentioned.

31. An Act for veſting the Eſtate late of *George Downes* Eſquire, deceaſed, in the County of *Wilts*, in *Edward Gale* Gentleman, and his Heirs, in Truſt, to convey the ſame to *Robert Neale* Eſquire, and his Heirs (purſuant to Articles of Agreement made for Sale thereof) towards Payment of the Incumbrances charged thereupon, and for other Purpoſes therein mentioned.

32. An Act for veſting Part of the ſettled Eſtate of *John Cullum* Eſquire, in Truſtees, to be ſold, towards diſcharging Incumbrances affecting the ſame, and for ſecuring and providing an Equivalent for the ſame, out of other Part of his Eſtate, for the Uſes and Purpoſes of his Marriage Settlement.

33. An Act to enable *William Moore* Eſquire, to ſell an Eſtate purchaſed under the Will of *William Smythe* Eſquire, and to lay out the Money thereby ariſing, with other Money therein mentioned, in the Purchaſe of another Eſtate, to be ſettled to the Uſes of the ſaid Will.

34. An Act for veſting the ſettled Eſtate of *Thomas Fownes* Eſquire, in Truſtees, to be ſold, together with his Fee Simple Eſtate, for the Payment of the Debts of his Father and himſelf, and for laying out the Surplus Money in the Purchaſe of another Eſtate, to be ſettled to the Uſes of his Marriage Settlement.

35. An Act for veſting the ſettled Eſtate of *Peter Hawker* Eſquire, in the County of *Dorſet*, in Truſtees, to be ſold, and for providing and ſecuring an Equivalent to be ſettled to the ſame Uſes.

36. An Act for confirming Agreements made for incloſing and dividing Part of *North Stoneham Common*, in the County of *Southampton*.

37. An Act for extinguiſhing a Right of Common claimed by and belonging to the Owners and Proprietors of ancient Burgages and Tenements in *Ripon*, *Littlethorpe*, and *Bondgate*, in the County of *York*, and for ſettling and providing an Equivalent for the ſaid Common Right.

38. An Act for naturalizing *Bernhard Joachim Boetefeur*.

39. An Act for naturalizing *Stephen Naville*.

The TITLES of the STATUTES.

PUBLICK ACTS.

Anno 18 *Georgii* II.

1. AN Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-five.
2. An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-five.
3. An Act to enable the Pariſhioners of the Pariſh of Saint *Margaret*, within the Borough of *King's Lynn*, in the County of *Norfolk*, to raiſe Money, by Rates upon themſelves, for finiſhing the Church of the ſaid Pariſh.
4. An Act for repairing the Road leading from the Town of *Kingſton upon Hull*, to and through the Town of *Anlaby*, and from thence to the Town of *Kirk-Ella*, in the County of the ſaid Town of *Kingſton upon Hull*.
5. An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſix Years; and for declaring that the Duties on Salt, which ariſe and are payable in that Part of *Great Britain* called *Scotland*, ſhall be ſubject to the ſame Charges thereon, as the ſame Duties were liable to by the Act of the fifth Year of the Reign of his late Majeſty King *George* the Firſt.
6. An Act for repairing the Road leading from a Gate commonly called *Sacred Gate*, on the South Eaſt Side of the Town of *Hedon*, in the Eaſt Riding of the County of *York*, through the ſaid Town, to *Hull North Bridge*.
7. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
8. An Act for repairing the High Road leading from *Boroughbridge* in the County of *York*, through *North Allerton* in the ſame County, to *Croftbridge* on the River *Tees*; and from thence through *Darlington* in the County of *Durham*, to the City of *Durham*.
9. An Act for granting to his Majeſty ſeveral additional Duties upon all Wines imported into *Great Britain*; and for raiſing a certain Sum of Money by Annuities, and a Lottery, in Manner therein mentioned, to be charged on the ſaid additional Duties.
10. An Act for the ſpeedy and effectual Recruiting of his Majeſty's Regiments of Foot ſerving in *Flanders*, *Minorca*, *Gibraltar*, and the Plantations, and the Regiments of Marines.
11. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpoſe.
12. An Act for continuing and enlarging the Term and Powers granted by an Act made in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, *For repairing the Highways from* Speenhamland, *adjoining to* Newbury, *in the County of* Berks, *to* Marlborough, *in the County of* Wilts.
13. An Act for more effectually Cleanſing, Deepening, Widening, and Preſerving a Creek called *Beverley* Beck, running into the River *Hull*; and for more effectually Repairing the Staiths near the ſaid Beck, and the Roads leading from the ſaid River to the Town of *Beverley*; and for Cleanſing the Streets of the ſaid Town; and for regulating the Carriages to and from the ſaid Beck, and the River *Hull*.
14. An Act for enlarging the Terms and Powers granted by ſeveral Acts of Parliament for repairing the Highways between *Sheppards Shord* and the *Devizes*, and the Top of *Aſhlington Hill* and *Rowd Ford*, in the County of *Wilts*.
15. An Act for making the Surgeons of *London* and the Barbers of *London* two ſeparate and diſtinct Corporations.
16. An Act to repair the Road leading from *Tadcaſter Bridge* within the County of the City of *York*, to a Place near the ſaid City, called *Hobmoor Lane End*.
17. An Act for giving a publick Reward to ſuch Perſon or Perſons, his Majeſty's Subject or Subjects, as ſhall diſcover a North Weſt Paſſage through *Hudſon's Streights*, to the Weſtern and Southern Ocean of *America*.
18. An Act to explain and amend the Laws touching the Elections of Knights of the Shire to ſerve in Parliament for that Part of *Great Britain* called *England*.
19. An Act for repairing the Road from *Birmingham*, in the County of *Warwick* (through *Elmdon*) to a Lane leading by the End of *Stone Bridge*, in the ſaid County.
20. An Act to amend and render more effectual an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for the further Qualification of Juſtices of the Peace*.
21. An Act to continue an Act, made in the ſixth Year of the Reign of his preſent Majeſty, for the better Regulation of Laſtage and Ballaſtage in the River *Thames*.
22. An Act for granting to his Majeſty the Sum of eight hundred thouſand Pounds out of the Sinking Fund; and for granting a Sum remaining in the Exchequer, ariſen by the Surplus of the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and forty-five; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices, and for the further enforcing the Payment of the ſaid Duties.
23. An Act to repair and widen the Road leading from *Godmancheſter* in the County of *Huntingdon*, through *Fen Stanton* and *Cambridge*, to the *Firſt Rubbing Houſe* on *Newmarket Heath* in the County of *Cambridge*.
24. An Act for effectually preventing the Exportation of Foreign Linens, under the Denomination of *Britiſh* or *Iriſh* Linens.
25. An Act for allowing certain additional Bounties on the Exportation of *Britiſh* and *Iriſh* Linens.
26. An Act for repealing the preſent Inland Duty of four Shillings *per* Pound Weight upon all Tea ſold in *Great Britain*, and for granting to his Majeſty certain other Inland Duties in lieu thereof; and for better ſecuring the Duty upon Tea, and other Duties of Exciſe; and for purſuing Offenders out of one County into another.
27. An Act for the more effectually preventing the ſtealing of Linen, Fuſtian, and Cotton Goods and Wares, in Buildings, Fields, Grounds, and other Places

Places uſed for Printing, Whitening, Bleaching, or Drying the ſame.

28. An Act to indemnify Perſons who have been guilty of the unlawful importing, landing, or running of prohibited, uncuſtomed, or other Goods or Merchandize.

29. An Act for granting further Powers to the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore, in the County of *Surrey*; and for the better enabling them to finiſh the ſaid Bridge, and to perform the other Truſts repoſed in them.

30. An Act to amend an Act made in the eleventh Year of the Reign of King *William* the Third, intituled, *An Act for the more effectual Suppreſſion of Piracy.*

31. An Act for the more effectual recovering and collecting of certain Duties granted towards the Support of the Royal Hoſpital at *Greenwich*; and to oblige Agents for Prizes, to regiſter their Letters of Attorney.

32. An Act for continuing, amending, and making more effectual, an Act made in the twelfth Year of the Reign of King *George* the Firſt, for repairing the Roads leading from *Birmingham* to *Edghill*, in the County of *Warwick*.

33. An Act to repeal a Clauſe in an Act made in the third Year of the Reign of King *William* and Queen *Mary*, relating to Carts uſed by Perſons inhabiting within the Limits of the Weekly Bills of Mortality; and to allow ſuch Carts to be drawn with three Horſes; and to prevent the Misbehaviour of the Drivers of Carts in Streets, within the ſaid Limits.

34. An Act to explain, amend, and make more effectual the Laws in Being, to prevent exceſſive and deceitful Gaming; and to reſtrain and prevent the exceſſive Increaſe of Horſe Races.

35. An Act for the further regulating and better Government of his Majeſty's Navies, Ships of War, and Forces by Sea; and for regulating the Proceedings upon Courts Martial in the Sea Service.

36. An Act for prohibiting the Wearing and Importation of Cambricks and *French* Lawns.

37. An Act for impowering the ſurviving Commiſſioners and Truſtees for forfeited Eſtates to execute proper Conveyances of the late Lord *Widdrington*'s Eſtate, in the County of *Northumberland* (contracted for by the *York Buildings* Company) to Truſtees for the Creditors of the ſaid Company, upon Payment of a Sum of Money therein mentioned into his Majeſty's Exchequer.

38. An Act for rendering more effectual the ſeveral Acts paſſed for the erecting of Hoſpitals and Workhouſes within the City of *Briſtol*, for the better employing and maintaining of the Poor thereof.

PRIVATE ACTS.

Anno 18 *Georgii* II.

1. AN Act for naturalizing Sir *John Charles Le Blon*.

2. An Act for naturalizing *Chriſtian Heineken*, *Dominick Joſeph Lieutaud*, *Henry Geutjes*, and others.

3. An Act for confirming and eſtabliſhing on *John Pate* Eſquire, and his Iſſue Male, the Surname of *Roſe*.

4. An Act to enable *George Vanden Bempde*, Marquis of *Annandale*, to uſe the Surname and Arms of *Vanden Bempde*, purſuant to the Will of *John Vanden Bempde* Eſquire, deceaſed.

5. An Act to enable *George* Earl *Cholmondeley*, and *Pattee* Viſcount *Torrington*, to take in *Great Britain*, the Oath of Office as Vice Treaſurer and Receiver General, and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*, and to qualify themſelves for the Enjoyment of the ſaid Offices.

6. An Act for exchanging divers Lands and Hereditaments in *Hantſhire*, belonging to Sir *John Peachey* Baronet, for other Lands and Hereditaments in *Suſſex*, belonging to *Thomas Knight* Eſquire; and for ſettling the ſeveral Eſtates, ſo taken in Exchange, to the Uſes limited of the Eſtates given in Exchange for the ſame reſpectively.

7. An Act for naturalizing *Dorothy Penton*, Wife of *Henry Penton* Eſquire, and for qualifying and enabling her to hold and enjoy a Rent Charge, limited to her upon her Marriage, in the Name of her Jointure.

8. An Act for confirming to *William Beauchamp* Eſquire, and his Heirs, the Surname of *Proctor*, according to the Direction of the laſt Will and Teſtament of *George Proctor* Eſquire, deceaſed.

9. An Act for uniting the Vicarage of *Fincham Saint Martins* to the Rectory of *Fincham Saint Michaels*, in the County of *Norfolk*, and for ſettling the Right of Preſentation to the ſame.

10. An Act for regulating and making more effectual a certain Charity, given by the Will of *Richard Churchaer* Merchant, deceaſed, for the Benefit of the Town and Borough of *Petersfield* in the County of *Southampton*.

11. An Act for naturalizing *Mark Cramer*, *Samuel Meſtrezat*, and others.

12. An Act for naturalizing *Anthony Benjamin Morin*.

13. An Act for veſting certain Lands and Hereditaments, Part of the ſettled Eſtate of Sir *Philip Boteler* Baronet, in the ſeveral Counties of *Bedford* and *Kent*, in the ſaid Sir *Philip Boteler*, and his Heirs; and for ſettling other Eſtates in the ſeveral Counties of *Kent* and *Hereford*, of greater Value, to the like Uſes, in lieu thereof.

14. An Act for appropriating the Sum of ſix thouſand Pounds, Part of the Portion agreed on to be paid on the Marriage of Sir *Francis Skipwith* Baronet, with Dame *Urſula* his Wife, and for Sale of Part of his ſettled Eſtate, for diſcharging his Debts, and ſecuring an Equivalent to his Iſſue Male in reſpect thereof.

15. An Act for raiſing Money out of the Eſtate entailed by the Will of Sir *William Myddleton* Baronet, for purchaſing an Eſtate, lying near *Chirk Caſtle*, in the County of *Denbigh*, to be ſettled to the Uſes of the ſame Will.

16. An Act for veſting Part of the Eſtate of Sir *Marmaduke Greſham* Baronet, deceaſed, in Truſtees, to be ſold for Payment of his Debts, and a Legacy of three thouſand Pounds affecting the ſame.

17. An Act for rectifying a Miſtake in a Settlement made by Sir *Robert Sutton* Knight of the *Bath*, and alſo in an Act paſſed the laſt Seſſion of Parliament, for Sale of the ſettled Eſtate of the ſaid Sir *Robert Sutton*, in the County of *Nottingham*, for diſcharging Incumbrances.

18. An Act for Sale of the Eſtates, late of *William Robinſon* Eſquire, and Dame *Dorothy Jeffreys*, in the ſeveral Counties of *Denbigh*, *Flint*, *Cheſter*, *Salop*, and *Angleſea*, for Payment of their reſpective Debts and Incumbrances.

19. An Act for Sale of certain Leaſehold Eſtates, late of *Sarah Eaton*, deceaſed, and by her deviſed to the

Provoſt, Fellows, and Scholars of *Worceſter College* in the Univerſity of *Oxford*; and for laying out the Money ariſing thereby in the Purchaſe of Fee Simple Eſtates, and for other Purpoſes therein mentioned.

20. An Act for charging, ſelling, and applying Part of the ſettled Eſtate of *Anthony Keck* Eſquire, for raiſing Money towards the Purchaſe of the Manors of *Dalby* and *Broughton*, in the County of *Leiceſter*, contracted for purſuant to the Will of *Anthony Keck*, his Grandfather, and for other Purpoſes therein mentioned.

21. An Act for empowering Truſtees to ſecure and diſpoſe of certain Effects, mentioned in the Will of *Nicholas Hooper* Eſquire, deceaſed, for the Benefit of the Children of *John Baſſett* Eſquire, to whom they are bequeathed.

22. An Act for Sale of the ſettled and unſettled Eſtates of *William Parry* Eſquire, and for purchaſing another Eſtate of equal Value with the ſettled Eſtate, to be ſettled to the ſame Uſes, and for other Purpoſes therein mentioned.

23. An Act for impowering *Edward Gould* Eſquire, and *William Gould* Clerk, to make Jointures upon their reſpective Marriages, out of the Eſtate deviſed to them by the Will of Sir *Edward Gould* Knight, deceaſed.

24. An Act for veſting an undivided Moiety of certain Lands in the County of *Wilts*, comprized in the Marriage Settlement of *Robert Wright* Clerk, in Truſtees, to ſell the ſame, for raiſing Money to purchaſe an entire Farm in the County of *Suffolk*, to be ſettled to the Uſes of the ſame Settlement.

25. An Act for Sale of the Freehold and Copyhold Eſtates of *Rodolph Hobbes* Gentleman, deceaſed, in the County of *Bucks*, for diſcharging Incumbrances affecting the ſame, and for making Proviſion for his Widow and Infant Children.

26. An Act for veſting Part of the Eſtate late of *Richard Luſcombe* Eſquire, deceaſed, in the County of *Devon*, in Truſtees, to be ſold for Payment of his Debts and Legacies.

27. An Act for incloſing and dividing the Common Fields in *Faxton*, within the Pariſh of *Lamport*, in the County of *Northampton*; and for giving a Recompence to the Rector of the ſaid Pariſh, in lieu of his Tythes of the ſaid Common Fields.

28. An Act to diſſolve the Marriage of *Daniel Mathew* Eſquire, with *Penelope Smith* his now Wife, and to enable him to marry again; and for other Purpoſes therein mentioned.

29. An Act for naturalizing *Peter Bartholomew Julian*, *Peter Sapte*, and *Thomas Sapte*.

PUBLICK ACTS.

Anno 19 *Georgii* II.

1. AN Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government.

2. An Act to raiſe the Militia of that Part of *Great Britain* called *England*, although the Month's Pay formerly advanced hath not yet been repaid; and to raiſe ſuch Part of the ſaid Militia, as ſhall be judged moſt proper, ready, and convenient.

3. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-ſix.

4. Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-ſix.

5. An Act to enable his Majeſty to make Rules, Orders, and Regulations, more effectually to prevent the ſpreading of the Diſtemper which now rages amongſt the Horned Cattle in this Kingdom.

6. An Act for eſtabliſhing an Agreement with the Governor and Company of the Bank of *England*, for cancelling certain Exchequer Bills upon the Terms therein mentioned; and for obliging them to advance the Sum of one million upon the Credit of the Land Tax and Malt Duties granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and forty-ſix.

7. An Act for adjourning the Court of Seſſion in *Scotland*; and for remedying the Inconveniencies ariſing from the Surceaſe of Juſtice in that Part of the Kingdom.

8. An Act for repealing ſo much of an Act paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for regulating Elections within the City of* London; *and for preſerving the Peace, good Order, and Government of the ſaid City*; as relates to the making or paſſing of Acts, Orders, or Ordinances in Common Council.

9. An Act for the more eaſy and ſpeedy Trial of ſuch Perſons as have levied, or ſhall levy War againſt his Majeſty; and for the better aſcertaining the Qualifications of Jurors in Trials for High Treaſon, or Miſpriſion of Treaſon, in that Part of *Great Britain* called *Scotland*.

10. An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, *for repairing the Road from* Market-Harborough *to* Loughborough, *in the County of* Leiceſter; and for making the ſaid Act more effectual.

11. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

12. An Act for granting to his Majeſty ſeveral Rates and Duties upon Glaſs, and upon Spirituous Liquors; and for raiſing a certain Sum of Money by Annuities, and a Lottery, to be charged on the ſaid Rates and Duties; and for obviating ſome Doubts about making out Orders at the Exchequer for the Monies advanced upon the Credit of the Salt Duties, granted and continued to his Majeſty by an Act of the laſt Seſſion of Parliament.

13. An Act to enlarge the Time for Juſtices of the Peace to take and ſubſcribe the Oath directed by an Act made in the laſt Seſſion of Parliament, intituled, *An Act to amend and render more effectual an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled*, An Act for the further Qualification of Juſtices of the Peace.

14. An Act to continue the Duties for Encouragement of the Coinage of Money.

15. An Act for enabling the Inhabitants of the Hamlet of *Bethnal Green*, in the County of *Middleſex*, to complete their Church, and to pay Debts already contracted for the Relief of the Poor of the ſaid Hamlet.

16. An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers, Deviſees and Leſſees.

17. An

17. An Act for continuing an Act of this preſent Seſſion of Parliament, intituled, *An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government.*

18. An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Road from the City of *Glouceſter* to *Stone*, and other Roads therein mentioned; and for making the ſaid Act more effectual.

19. An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, *for repairing and enlarging the Road from* Liverpoole *to* Preſcot, *and other Roads therein mentioned, in the County Palatine of* Lancaſter; and for amending the Road leading from *Preſcot*, to the Chapel of *Saint Helen* in the ſaid County.

20. An Act to indemnify ſuch Perſons as have acted in Defence of his Majeſty's Perſon and Government, and for the Preſervation of the publick Peace of this Kingdom, during the Time of the preſent unnatural Rebellion, and Sheriffs and others who have ſuffered Eſcapes occaſioned thereby, from vexatious Suits and Proſecutions.

21. An Act more effectually to prevent profane Curſing and Swearing.

22. An Act for the better Preſervation of Havens, Roads, Channels, and navigable Rivers, within that Part of *Great Britain* called *England*.

23. An Act to continue two Acts of Parliament; one for encouraging the Growth of Coffee in his Majeſty's Plantations in *America*; and the other for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*.

24. An Act to impower *Lora Pitt*, Widow, to erect a Bridge or Bridges over the River *Froome*; and to make a Cauſeway to the Eaſt End of the Town of *Dorcheſter*, over *Forthington Moor*, in the County of *Dorſet*.

25. An Act for calling any ſuſpected Perſon or Perſons, whoſe Eſtates or principal Reſidence are in *Scotland*, to appear at *Edinburgh*, or where it ſhall be judged expedient, to find Bail for their good Behaviour.

26. An Act to attaint *Alexander* Earl of *Kellie*, *William* Viſcount of *Strathallan*, *Alexander* Lord *Pitſligo*, *David Wemyſs* Eſquire, commonly called Lord *Elcho*, eldeſt Son and Heir Apparent of *James* Earl of *Wemyſs*; *James Drummond* Eſquire, eldeſt Son and Heir Apparent of *William* Viſcount of *Strathallan*; *Simon Fraſer* Eſquire, eldeſt Son and Heir Apparent of *Simon* Lord *Lovat*; *George Murray* Eſquire, commonly called Lord *George Murray*, Brother to *James* Duke of *Athol*; *Lewis Gorden* Eſquire, commonly called Lord *Lewis Gordon*, Brother to *Coſmo George* Duke of *Gordon*; *James Drummond*, taking upon himſelf the Title of Duke of *Perth*; *James Graham*, late of *Duntroon*, taking on himſelf the Title of Viſcount of *Dundee*; *John Nairn*, taking upon himſelf the Title or Stile of Lord *Nairn*; *David Ogilvie*, taking upon himſelf the Title of Lord *Ogilvie*; *John Drummond*, taking upon himſelf the Stile or Title of Lord *John Drummond*, Brother to *James Drummond*, taking on himſelf the Title of Duke of *Perth*; *Robert Mercer* Eſquire, otherwiſe *Nairn*, of *Aldie*; Sir *William Gordon* of *Park*, *John Murray* of *Broughton*, Eſquire; *John Gorden* the elder, of *Glenbucket*; *Donald Cameron* the younger, of *Lochiel*; Doctor *Archibald Cameron*, Brother to *Donald Cameron* the younger, of *Lochiel*; *Ludovick Cameron* of *Tor Caſtle*, *Alexander Cameron* of *Dungallon*; *Donald Mac Donald* of *Clanronald*, junior, Son to *Rhonald Mac Donald* of *Clanronald*, *Donald Mac Donald* of *Lochgarie*, *Alexander Mac Donald* of *Keppoch*, *Archibald Mac Donald*, Son of *Col Mac Donald* of *Bariſdale*; *Alexander Mac Donald* of *Glencoe*, *Evan Mac Pherſon* of *Clunie*, *Lauchlan Mac Lauchlan* of *Caſtle Lauchlan*, *John Mac Kinnon* of *Mac Kinnon*, *Charles Stewart* of *Ardſhiel*, *George Lockhart*, eldeſt Son and Heir Apparent of *George Lockhart* of *Carnwath*; *Lawrence Oliphant* the elder, of *Gaſk*; *Lawrence Oliphant* the younger, of *Gaſk*; *James Graham* the younger, of *Airth*; *John Stewart*, commonly called *John Roy Stewart*; *Francis Farquharſon* of *Monalterye*, *Alexander Mac Gillivrae* of *Drumagloſh*; *Lauchlan Mac Intoſh*, Merchant at *Inverneſs*; *Malcolm Roſs*, Son of *Alexander Roſs* of *Pitcalny*; *Alexander Mac Leod*, Son to Maſter *John Mac Leod* Advocate; *John Hay*, Portioner of *Reſtalrig*, Writer to the Signet; *Andrew Lumſdale*, otherwiſe *Lumſdain*, Son to *William Lumſdale*, otherwiſe *Lumſdain*, Writer in *Edinburgh*; and *William Fidler*, Clerk in the Auditor's Office in the Exchequer of *Scotland*; of High Treaſon, if they ſhall not render themſelves to one of his Majeſty's Juſtices of the Peace, on or before the twelfth Day of *July* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, and ſubmit to Juſtice.

27. An Act for the more effectual ſecuring the Duties now payable on Foreign made Sail Cloth imported into this Kingdom; and for charging all Foreign made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged at their firſt ſetting out to Sea, to be furniſhed with one complete Set of Sails made of *Britiſh* Sail Cloth.

28. An Act for the better regulating of Elections of Members to ſerve in Parliament, for ſuch Cities and Towns in that Part of *Great Britain* called *England*, as are Counties of themſelves.

29. An Act for ſettling an additional Revenue of twenty-five thouſand Pounds upon his Royal Highneſs *William* Duke of *Cumberland*, and the Heirs Male of his Body, for the ſignal Services done by his Royal Highneſs to his Country.

30. An Act for the better Encouragement of the Trade of his Majeſty's Sugar Colonies in *America*.

31. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and forty-ſix; and alſo for enabling his Majeſty to raiſe a further Sum of Money for the Uſes and Purpoſes therein mentioned; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Receipts, Annuity Orders, or other Orders, loſt, burnt, or otherwiſe deſtroyed.

32. An Act for amending the Laws relating to Bankrupts.

33. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices, Employments, and Promotions within the Time limited by Law; and for allowing further Time for that Purpoſe.

34. An Act for the further Puniſhment of Perſons going armed or diſguiſed, in Defiance of the Laws of Cuſtoms or Exciſe; and for indemnifying Offenders againſt thoſe Laws, upon the Terms in this Act mentioned;

tioned; and for the Relief of Officers of the Cuſtoms in Informations upon Seizures.

35. An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of *Weſtminſter*, and that Part of the Dutchy of *Lancaſter* adjoining thereto, and the ſeveral Pariſhes of Saint *Giles in the Fields*, Saint *Mary le Bon*, and ſuch Part of the Pariſh of Saint *Andrew, Holborn*, as lies in the County of *Middleſex*.

36. An Act to allow the Purchaſe, for his Majeſty's Uſe, of Naval Stores brought into this Kingdom on Board Neutral Ships, by any of his Majeſty's Ships, and to allow ſuch Stores to be landed and entered during the Continuance of the preſent Wars with *France* and and *Spain*, or either of them.

37. An Act to regulate Inſurance on Ships belonging to the Subjects of *Great Britain*, and on Merchandizes or Effects laden thereon.

38. An Act more effectually to prohibit and prevent Paſtors or Miniſters from officiating in Epiſcopal Meeting houſes in *Scotland*, without duly qualifying themſelves according to Law; and to puniſh Perſons for reſorting to any Meeting-houſes where ſuch unqualified Paſtors or Miniſters ſhall officiate.

39. An Act for the more effectual diſarming the Highlands in *Scotland*; and for more effectually ſecuring the Peace of the ſaid Highlands; and for reſtraining the Uſe of the Highland Dreſs; and for further indemnifying ſuch Perſons as have acted in Defence of his Majeſty's Perſon and Government, during the unnatural Rebellion; and for indemnifying the Judges and other Officers of the Court of Juſticiary in *Scotland* for not performing the Northern Circuit in *May* one thouſand ſeven hundred and forty-ſix; and for obliging the Maſters and Teachers of Private Schools in *Scotland*, and Chaplains, Tutors, and Governors of Children or Youth, to take the Oaths to his Majeſty, his Heirs and Succeſſors, and to regiſter the ſame.

PRIVATE ACTS.

Anno 19 *Georgii* II.

1. AN Act for impowering *Francis Vincent* Eſquire, to make a Jointure, on any future Marriage, and Proviſion for his Daughters and younger Sons.

2. An Act to enable Sir *Wyndham Knatchbull* Baronet, and his Heirs Male, to take and uſe the Surname and Arms of *Wyndham*, purſuant to the Deſire of *Thomas* Lord *Wyndham* in the Kingdom of *Ireland*, deceaſed.

3. An Act to enable *Richard Leman* Eſquire, formerly called *Richard Alie*, and the Heirs Male of his Body, to take and uſe the Surname of *Leman*, purſuant to the Will of Sir *William Leman* Baronet, deceaſed.

4. An Act for naturalizing *Hermann Meyer*, *Herman Rudolph Klincke*, and *Peter Torras* junior.

5. An Act for naturalizing *John Daniel Dreyer*.

6. An Act for giving Power to the Sons of *William* Lord Viſcount *Grimſton*, to make Jointures on their reſpective Marriages, in lieu of a defective Power contained in the Settlement made on the Marriage of *Samuel Grimſtone* Eſquire, deceaſed.

7. An Act to veſt the Manor of *Ruxley*, in the County of *Kent*, and ſeveral Lands there, in Sir *Narbrough D'Aeth* Baronet, and his Heirs, diſcharged of the Uſes in his Marriage Settlement, other Lands in the ſaid County, of greater yearly Value, being ſettled in lieu thereof.

8. An Act for confirming and eſtabliſhing Articles of Agreement, and an Award for incloſing and dividing certain common Fields, within the Pariſh of *Inkpen*, in the County of *Berks*.

9. An Act for giving further Time to execute an Act made in the ſeventeenth Year of his preſent Majeſty's Reign, intituled, *An Act for extinguiſhing a Right of Common, claimed by, and belonging to, the Owners and Proprietors of ancient Burgages and Tenements in* Ripon, Littlethorpe, *and* Bondgate, *in the County of* York; *and for ſettling and providing an Equivalent for the ſaid Common Right*.

10. An Act for eſtabliſhing Articles of Agreement for an Incloſure and Diviſion of the common Fields, Waſte, and common Grounds in the Manor of *Kelfield*, in the County of *York*; and for impowering the Lord of the ſaid Manor to raiſe Money to complete the ſaid Incloſure.

11. An Act for rectifying and amending the Defects in a former Act of Parliament, made in the fifteenth Year of the Reign of his preſent Majeſty, for Sale of Part of the Eſtate of *Edward Bayntun Rolt* Eſquire; and for the better and more effectual Execution of the Truſts of the ſaid former Act.

12. An Act for Sale of Part of the Eſtate of *Thomas* Duke of *Leeds*; and for applying Part of the Money ariſing thereby in Payment of certain Debts owing by him, and the Reſidue in Diſcharge of Incumbrances affecting the reſt of the ſaid Duke's ſettled Eſtates; and for ſecuring an Equivalent to his Iſſue Male, in reſpect of what ſhould be ſo applied in Payment of the ſaid Debts.

13. An Act for veſting in *Simon* Lord Viſcount *Harcourt*, certain Lands in *Ducklington*, in the County of *Oxford*, diſcharged from the Truſts limited in the Marriage Settlement of *George Hart* with *Suſannah* his now Wife; and for purchaſing other Lands to be ſettled in lieu thereof.

14. An Act for veſting the Real and Leaſehold Eſtates late of *Edward Wright* Eſquire, deceaſed, in Truſtees, to be ſold for Payment of his Debts, and other Purpoſes.

15. An Act to enable *Henry Crabb*, and his Heirs Male, to take and uſe the Surname of *Boulton*, purſuant to the Will of *Richard Boulton* Eſquire, deceaſed.

16. An Act for veſting Part of the ſettled Eſtates of the moſt Noble *Henry* Duke of *Chandos*, in Truſtees, for raiſing Money to diſcharge Incumbrances affecting other Parts thereof, and for Payment of his Debts; and for ſecuring an Equivalent to the Right Honourable *James Brydges*, called Marquis of *Carnarvon*, an Infant, and his Iſſue; and for raiſing at twenty-one, or Marriage, the Portion charged on the ſaid ſettled Eſtates for the Lady *Caroline Brydges*, only Daughter of the ſaid Duke, and for ſecuring to her the Intereſt thereof in the mean Time.

17. An Act to impower the Guardians of *Other Lewis* Earl of *Plimouth*, an Infant, to make Leaſes of his Eſtate in the County of *Glamorgan*, during his Minority.

18. An Act to enable *George* Earl of *Cholmondeley*, and *William Pitt* Eſquire, to take in *Great Britain* the Oath of Office as Vice Treaſurer and Receiver General and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*, and to qualify themſelves for the Enjoyment of the ſaid Offices.

19. An Act for Sale of certain Eſtates of the late Earl of *Fingall*, in the County of *Cavan*, in the Kingdom of *Ireland*, for diſcharging Incumbrances charged thereon, and for other Purpoſes therein mentioned.

20. An Act for Sale of the Eſtate late of *Richard Lechmere* junior, and *Anne* his Wife, in the County of *Eſſex*, purſuant

purſuant to Articles entered into for the Purchaſe thereof, and for applying the Money ariſing by ſuch Sale for diſcharging Incumbrances affecting the ſaid Eſtate, and for other Purpoſes therein mentioned.

21. An Act for veſting divers Lands and Tenements in the County of *Northumberland*, late the Eſtate of *John Manners* Gentleman, deceaſed, in Truſtees, to enable them to make an effectual Conveyance thereof to the Purchaſers under a Decree of the Court of *Chancery*, for the Purpoſes therein mentioned.

22. An Act for Sale of certain Houſes and Tenements in *Wakefield*, in the County of *York*, Part of the ſettled Eſtate of *Joſeph Sill* Gentleman, for diſcharging a Bond Debt therein mentioned.

23. An Act to enable *Walter Hawkeſworth* Eſquire, formerly called *Walter Ramſden*, and the Heirs of his Body, to take and uſe the Surname of *Hawkſworth*, purſuant to the Will of Sir *Walter Hawkſworth*, Baronet, deceaſed.

24. An Act for naturalizing *Michael Baur*.

25. An Act for naturalizing *John Baptiſt Pellet*.

26. An Act for naturalizing *Charles Labellye*.

27. An Act to enable *George* Earl of *Cholmondeley*, and Sir *William Yonge* Baronet, Knight of the moſt Honourable Order of the Bath, to take in *Great Britain* the Oath of Office as Vice Treaſurer and Receiver General and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*, and to qualify themſelves for the Enjoyment of the ſaid Offices.

28. An Act to enable Sir *William Duckinfield Daniel* Baronet, to take and uſe the Surname, and bear the Arms of *Daniel*, purſuant to the Will of Sir *Samuel Daniel* Knight, deceaſed.

29. An Act for Sale of divers Lands and Hereditaments, in the Counties of *Suffolk* and *Middleſex*, entailed on the Daughters of *Thomas Bennet* Eſquire, in order to raiſe a Sum of Money in Preſent for their Portions, as an Equivalent for their reverſionary Intereſt in the ſaid Eſtates expectant on the Death of their Father.

30. An Act for the Exchange of an Eſtate in *Putney*, in the County of *Surrey*, held in Truſt for charitable Uſes, for another Eſtate of *Gerrard Van Neck* Eſquire, in the County of *Hertford*, and for Payment of a Sum of Money to the Truſtees, to be applied to the like Uſes.

31. An Act to enable *Daniel Carmichael*, of *Mauldſley*, or the ſucceeding Heirs of Entail, to ſell Lands in the Counties of *Lanark* and *Fife*, for Payment of Debts charged thereupon, and to purchaſe other Lands, to be ſettled to the ſame Uſes as the Eſtate to be ſold is ſettled.

THE

The TITLES of the STATUTES.

THE

STATUTES at Large, &c.

Anno Regni GEORGII II. tertio.

'AT the Parliament begun and holden at *Weſtminſter* the twenty-third Day of *January*, *Anno Domini* one thouſand ſeven hundred and twenty-ſeven, in the firſt Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the thirteenth Day of *January* one thouſand ſeven hundred and twenty-nine, being the third Seſſion of this preſent Parliament."

CAP. I.

An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty. EXP. 2s. *in the Pound.*

Surplus ariſing hereby, how to be applied, 3 Geo. 2. c. 16. ſect. 11.

CAP. II.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for providing a Maintenance for the Miniſter of the Pariſh Church of Saint *Mary Stratford Bow* in the County of *Middleſex*. PR.

Appointment of 3,500*l.* to purchaſe Lands, *&c.* for the Miniſter of St. *Mary Stratford Bow*. A Sum not exceeding 46*l. per Ann.* to be raiſed on the Pews. Churchwardens may make Vaults, *&c.* Churchwardens to pay 40*l. per Ann.* to the Rector. Veſtrymen to elect a Lecturer, and all Officers. The great Tithes continued to *Braſen Noſe* College. The two Portioniſts to receive each 10*l. per Ann.* during their Incumbencies. The new Church not to be held in *Commendam*.

CAP. IV.

An Act for making more effectual an Act paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, for repairing and widening the Road from *Sherbrook Hill* near *Buxton* and *Chapple in the Frith* in the County of *Derby*, to *Mancheſter* in the County of *Lancaſter*. PR.

The Tolls are continued for 21 *Years, from the firſt of* May 1730. *Continued by* 22 Geo. 2. c. 12.

CAP. V.

An Act to enable his Majeſty, to prohibit any Perſon or Perſons, his Majeſty's Subjects, or reſiding within this Kingdom, to advance or lend any Sum or Sums of Money to any foreign Prince, State or Potentate, without Licence obtained from his Majeſty under his Privy Seal, or ſome greater Authority. EXP.

His Majeſty may prohibit, by Proclamation, the advancing Money to foreign Princes without Licence. Not to reſtrain negotiating in foreign Funds, *&c.* Proſecution to commence in 12 Calendar Months. Continuation for two Years.

CAP. VI.

An Act for making more effectual an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Roads therein mentioned between *Crackley Bank* in the Pariſh of *Idſall* alias *Shifnall*, and the Town of *Shrewſbury*, in the County of *Salop*. P R.

The Act of 12 Geo. 1. c. 9. *which was to be in Force for* 21 *Years, from the firſt of* June 1726, *is continued for the further Term of* 14 *Years.*

CAP. VII.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty; for exempting from the ſaid Duties Cyder and Perry uſed for Diſtilling; for aſcertaining the Bounty for Malt exported; for better preventing Frauds in the malting of Corn for Exportation; for making good the Deficiency of a late Malt Act; and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.

Two Clauſes in the Act 6 Geo. 1. c. 21. ſect. 1, 2.

'XIII. AND whereas by an Act of Parliament made in the ſixth Year of his late Majeſty King GEORGE the Firſt, intituled, *An Act for preventing Frauds and Abuſes in the publick Revenues of Exciſe, Cuſtoms, Stamp Duties, Poſt Office and Houſe Money*, it is enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty, no Malſter or Maker of Malt for Exportation, ſhall cauſe or permit any Barley or other Corn or Grain by him, her or them making into Malt, to be ſteeped, wetted or watered upon the Couch or Floor, or in any other Place but in their reſpective Ciſterns duly entred for that Purpoſe; on Pain of forfeiting for every Buſhel of Malt, which ſhall be found to have been ſteeped, wetted or watered contrary to the true Intent and Meaning of the ſaid Act, the Sum of two Shillings and ſix Pence: And whereas in the before recited Act it is further enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty, no ſuch Malſter or Maker of Malt for Exportation ſhall cauſe or permit any Corn or Grain by them making into Malt, to be worked or made in ſuch Manner that the ſame ſhall accreſpire (that is to ſay) run out, grow or ſprout at that End of the Corn or Grain from which the Blade proceeds; and in caſe it ſhall appear upon Examination that more than one Part in fifteen of ſuch Corn or Grain is accreſpired, the entire Wetting of Malt, whereof ſuch Corn or Grain was Part, ſhall be deemed, taken and charged as accreſpired Malt, and the Malſter and Maker thereof ſhall be charged with the full Duty of ſix Pence a Buſhel for every Buſhel of Malt of that Wetting, and ſhall alſo forfeit and loſe for every Buſhel of the ſaid Malt, the further Sum of five Shillings: And whereas at the Time of making the ſaid Act all Malt was liable to and charged with the Duties impoſed thereon, but ſuch Malt, as ſhould afterwards be exported to foreign Parts, was to have the Benefit of drawing back the Duties paid on the making thereof; but ſince that Time, for ſome Years laſt paſt, and by this Act, all Malt made and entred for Exportation only, is not charged with any Duty on the making thereof, and on that Account hath not any Drawback on the Exportation thereof: And whereas the before recited Clauſes were chiefly intended to prevent any Frauds that might be committed in drawing back, on ſuch Exportation, more Money than was at firſt paid or charged for the Duties on the making ſuch Malt; but as no ſuch Drawbacks do now ſubſiſt, and as by frequent Experience it hath been found, the Method preſcribed by the ſaid Clauſes for preventing accreſpiring, hath in many Caſes been impracticable, and hath occaſioned great Vexations and Diſputes between the Makers of Malt and the Officers for inſpecting and managing the ſaid Duties, and is a great Obſtruction to the free and extenſive Exportation of malted Corn, whereby Foreigners are encouraged to malt Corn themſelves, to the great Prejudice of this Nation:' For the preventing theſe Miſchiefs and Inconveniencies, and for the better encouraging the Exportation of malted Corn, and at the ſame Time preventing any Abuſes in the Bounties or Allowances ſtill allowed by Law on Malt exported; Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, the ſaid two before recited Clauſes in the ſaid Act of the ſixth Year of his ſaid late Majeſty's Reign ſhall be and are hereby repealed, made null and void, to all Intents and Purpoſes, and from thenceforth ſhall not be put in Execution; any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

The two Clauſes repealed.

Allowances for Exportation of Malt.

XIV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, there ſhall be allowed to Malſters and Makers of Malt for Exportation, for every twenty Quarters of Barley or other Corn or Grain that ſhall be entred and made into Malt for Exportation, an Allowance of thirty Quarters, after the ſame ſhall be dried and made into Malt, and no more, upon the Exportation thereof, though by their ſteeping, wetting and watering the ſame, the ſaid twenty Quarters ſhall be run out to any greater Quantity, exceeding the ſaid thirty Quarters, according to an Act of Parliament made in the firſt Year of the Reign of their late Majeſties King WILLIAM and Queen MARY, intituled, *An Act for encouraging the Exportation of Corn*, and in ſuch Caſes where by the aforeſaid Act of Parliament they are intitled to the ſame, and ſo in Proportion for a greater or leſſer Quantity.

1 W. & M. ſeſſ. 1. c. 12.

XV. And

XV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, if any Perſon or Perſons who ſhall export any Malt into foreign Parts, ſhall produce a Certificate or Certificates from the Officer or Officers with whom the Entry of the Corn or Grain intended to be made into Malt ſhall have been made, of the particular Sum or Sums of Money that ſuch Perſon or Perſons is intitled to receive, according to the aforeſaid Allowance of thirty Quarters of Malt for every twenty Quarters of Corn or Grain, and ſo in Proportion for a greater or leſſer Quantity that ſhall have been entred to be made into Malt for Exportation, which Certificates the ſaid Officers are hereby upon Demand required to give *gratis*; and upon ſuch Perſon or Perſons giving ſufficient Security before the ſhipping thereof for Exportation, that the particular Quantity of Malt which ſhall be intended to be exported as aforeſaid, or any Part thereof, ſhall not be relanded or brought again into any Part or Parts of *Great Britain*, which Security the Cuſtomer or Collector of the Port, where the ſame is intended to be exported, is hereby directed and authorized to take in his Majeſty's Name, and to his Majeſty's Uſe; then the Collector or Chief Officer of the Port where ſuch Malt ſhall be exported, ſhall give to the Exporter thereof a Certificate or Debenture directed to the proper Perſon or Perſons, by whom the ſaid Allowance by the aforeſaid Act of Parliament is directed to be paid; which Certificate or Debenture being produced to ſuch Perſon or Perſons, he is hereby required to pay ſuch Allowance to the Perſons or their Agents ſo exporting the ſame. Provided always, That if after the ſhipping of any ſuch Malt to be exported, and the giving ſuch Security as aforeſaid, in order to obtain the aforeſaid Allowance, the Malt ſo ſhipped to be exported or any Part thereof, ſhall be relanded in any Part of *Great Britain*, that then, and in every ſuch Caſe, over and above the Penalty of the Bond, which ſhall be levied and recovered to his Majeſty's Uſe, all the Malt which ſhall be relanded, and treble the Value thereof ſhall be forfeited; that is to ſay, one Moiety thereof to the King, and the other Moiety thereof to the Perſon or Perſons that ſhall ſeize, inform or ſue for the ſame.

On Certificate of Malt being exported, and Security, Allowance to be paid.

Penalty on relanding.

'XVI. And whereas Malſters and Makers of Malt for Exportation, do frequently mix the Produce of 'two or more Steepings of Corn or Grain that have been entred to be made into Malt for Exportation, 'on or as ſoon as it comes off from the Kiln, by Reaſon whereof the Officers for the Duties upon Malt 'cannot aſcertain the real Produce thereof, by which Means great Quantities of each Steeping of ſuch 'Malt are or may be privately conveyed away, and made uſe of for home Conſumption, though the ſame 'has not been charged with the Duty as all Malt made for home Conſumption ought to be:' Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, all and every Malſter or Malſters, Maker or Makers of Malt for Exportation, ſhall keep the whole and entire Quantity of his, her or their Corn or Grain making into Malt for Exportation, of one Steeping or Wetting, when the ſame ſhall be on the Kiln, or after the ſame ſhall be taken off the Kiln, ſeparate and apart from all and every Part of any other former Steeping or Wetting of Corn or Grain, until the ſame ſhall have been meaſured by ſuch Malſters or Makers of Malt, in the Preſence of ſome Officer or Officers for the Duty upon Malt, on Pain of forfeiting and loſing the Sum of fifty Pounds.

Malt ſteeping for Exportation to be kept ſeparate till meaſured.

XVII And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, all ſuch Malſters or Makers of Malt for Exportation, ſhall give Notice in Writing to ſome Officer or Officers of the Duties upon Malt, or ſhall leave Notice in Writing at the next Office of Exciſe where the Journal is kept, of the Hour when he, ſhe or they ſhall intend to take any Malt off the Kiln or Kilns, that ſuch Officer or Officers may attend the meaſuring of ſuch Malt; and after ſuch Malt has been meaſured, the ſame ſhall be immediately carried on Shipboard, if intended to be then exported, or elſe ſhall immediately be locked up and ſecured in ſome Storehouſe, or other Place belonging to ſuch Malſters or Makers of Malt, in the Preſence of the ſaid Officer or Officers, on Pain of forfeiting the Sum of fifty Pounds.

Malſters to give Notice to Officers, &c.

Malt to be exported, or locked up.

XVIII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, if any ſuch Malſter or Malſters, or Maker or Makers of Malt, or any other Perſon or Perſons whatſoever, by his Order, Privity or Directions, after any ſteeping or making of Malt ſhall have been locked up and ſecured in any Storehouſe, or other Place or Places in Manner as aforeſaid, ſhall open any of the Locks or Doors, or ſhall make any Way or Kind of Entrance into ſuch Storehouſe, or other Place or Places, or ſhall remove any Part whatever of the Partition between any ſuch Storehouſe or Place, or any other Place or Places whatever next thereunto adjoining, or ſhall remove out of the ſaid Storehouſe or other Place, any Quantity whatever of the ſaid Malt that has been ſo locked up and ſecured, without the Knowledge or Conſent of, or without having firſt given Notice to ſome Officer or Officers for the ſaid Duties, he, ſhe or they ſhall reſpectively forfeit and loſe the Sum of one hundred Pounds.

Penalty on opening the Locks, &c.

'XIX. And the better to enable the Officers for the Duties upon Malt to diſcover whether all ſuch 'Malt made for Exportation, and that has been locked up and ſecured in any Storehouſe, or other Place 'or Places, to be exported, has been really exported:' Be it enacted by the Authority aforeſaid, That all and every ſuch Malſter or Malſters, or Maker or Makers of Malt, that on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, ſhall have any Quantity of Malt locked up and ſecured in any Storehouſe, or in any other Place or Places, as is before directed, to be exported, ſhall within nine Months next after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty remove and clear out of his Storehouſe, or other Place or Places, all and every Part and Parcel thereof, that at any Time after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty ſhall be locked up and ſecured in ſuch Storehouſe or other Place, in order to be exported, and ſhall always from Time to Time, in every nine Months, remove and clear out of ſuch Storehouſe, or other Place or Places, in order to be exported, all and every Part and Parcel of Malt, that at any Time, within every nine Months after

Malſters on 24 June 1730. to clear out of their Warehouſes all Malt within nine Months.

the laſt clearing, ſhall be locked up and ſecured in any Storehouſe, or in any other Place or Places that ſhall be made uſe of by him, her or them, for the keeping of Malt for Exportation, on Pain of forfeiting and loſing the Sum of fifty Pounds.

And ſo all future Malſters.

XX. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, all and every Perſon or Perſons whatſoever, that ſhall become Malſters or Makers of Malt for Exportation, and ſhall make uſe of any Storehouſe or Storehouſes, Place or Places, for the keeping of Malt for Exportation, ſhall within nine Months after the beginning to make uſe of any ſuch Storehouſe or Storehouſes, or ſuch other Place or Places, remove and clear out of ſuch Places, to be exported, all and every Part and Parcel of ſuch Malt, that at any Time or Times ſhall have been put into ſuch Place or Places, within nine Months after he, ſhe or they ſhall have begun to make uſe of ſuch Place or Places, and ſhall always from Time to Time remove and clear out of ſuch Storehouſe or other Place, to be exported, all and every Quantity of Malt whatever, that within every nine Months after the laſt clearing ſhall at any Time be locked up and ſecured in ſuch Storehouſe or Storehouſes, or in any other Place or Places that ſhall be made uſe of by him, her or them, for the keeping of Malt made for Exportation, on Pain of forfeiting and loſing the Sum of fifty Pounds.

Penalties and Forfeitures how to be levied.

XXI. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties and Forfeitures for any Offence againſt this Act, ſhall be ſued for, levied and recovered or mitigated, by the ſame Ways, Means and Methods, as any Penalty or Forfeiture given by any of the Laws of Exciſe upon Beer, Ale, or other Liquors, can or may be ſued for, levied, recovered or mitigated, or by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*; and that one Moiety of ſuch Fines, Penalties and Forfeitures ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall diſcover, inform or ſue for the ſame.

" Clauſe of Loan at 3*l. per Cent.* Money lent may be transferred. Exchequer may iſſue out new Exche-
" quer Bills, to bear Intereſt at 2*d. per Cent. per Diem*, and to be placed as Caſh in the Exchequer. Mo-
" nies ariſing by this Act applied to pay off the Loans and Exchequer Bills, &c. Clauſe for Relief of
" Clerks, &c. whoſe Maſters have omitted to pay the Duties, and to have their Indentures ſtamped. EXP.

CAP. VIII.

An Act for the better regulating Elections in the City of *Norwich*, and for preſerving the Peace, good Order and Government of the ſaid City. PR.

1 & 2 P. & M. c. 14.
9 Geo. 1. c. 9.

' WHEREAS many unhappy Controverſies and Diſſenſions have of late Years ariſen in the City
' of *Norwich*, at the Elections of Citizens to ſerve in Parliament, and alſo of Mayors, Sheriffs, Al-
' dermen and Common Councilmen of and for the ſaid City, touching the Legality and Validity of the
' Votes of many Perſons, who in ſuch Elections have offered to vote: And whereas the Time appointed
' by the Charters of the ſaid City is not ſufficient to elect ſo great a Number of Common Councilmen
' for each great Ward, as are thereby yearly directed to be choſen, when ſuch Elections happen to be
' controverted: And whereas great Differences and Diſſenſions have ariſen between the Mayor, Sheriffs
' and Aldermen, and the Commons of the Common Council of the ſaid City, in or concerning the
' making or paſſing of Acts, Orders or Ordinances in Common Council, or Aſſembly of the Repreſen-
' tative Body of the ſaid City, which have often obſtructed the Publick Buſineſs and Concerns thereof:'
Now to the Intent that a Stop may be put to all ſuch Controverſies and Diſſenſions as aforeſaid, touching the Legality of Voters, that the Number of Common Councilmen may be yearly elected, and that the publick Buſineſs of the ſaid City may not be obſtructed: Be it enacted, &c.

Concerning Parliament, ſee farther, 6 Geo. 2. c. 23.
8 Geo. 2. c. 30.
11 Geo. 2. c. 24.
13 Geo. 2. c. 20.
15 Geo. 2. c. 22.
18 Geo. 2. c. 18.

" Oaths to be tendered at Elections in *Norwich*. Refuſing to ſwear, the Vote or Poll diſallowed. One of
" the Checks, &c. may go into the Priſons to take the Votes there. The Oaths 1 *Geo.* 1. *Stat.* 2. *c.* 13.
" to be taken by Electors, if required. Three Common Councilmen for each great Ward, to elect the re-
" maining Number of Common Councilmen. Vacancies to be filled up in 48 Hours after Notice. None
" but Inhabitants to be choſen Sheriffs. No Act valid without Aſſent of the major Part, &c. Mayors to
" nominate Officers as cuſtomary. Penalty on Abſence from the quarterly Aſſemblies.
19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

CAP. IX.

An Act for repairing the Road leading from a Gate called *Shipſton Toll Gate*, at *Bridge-Town* in the Pariſh of *Old Stratford* in the County of *Warwick*, through *Alderminſter* and *Shipſton* upon *Stower* to the top of *Long Compton Hill* in the ſaid County. PR.

The Tolls are to continue from the 24th Day of *July* 1730, for 21 Years. *Continued by* 17 Geo. 2. c. 12.

CAP. X.

An Act for repairing the Road leading from *Galley Corner* adjoining to *Enfield Cheſe* in the Pariſh of *South-Mims* in the County of *Middleſex*, to *Lemsford Mill* in the County of *Hertford*. PR.

The Tolls commenced from the firſt of *June* 1730, and are to continue for 21 Years. *Continued by* 17 Geo. 2. c. 14.

CAP.

CAP. XI.

An Act for reviving and amending an Act made in the ſixth and ſeventh Years of the Reign of his late Majeſty King *William* the Third, intituled, *An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of* Thames *weſtward, and for aſcertaining the Rates of Water-carriage upon the ſaid River.* EXP.

'WHEREAS an Act of Parliament was made and paſſed in the ſixth and ſeventh Years of the Reign of his late Majeſty King WILLIAM the Third, intituled, *An Act to prevent Exactions of Occupiers of Locks and Wears upon the River of* Thames *weſtward, and for aſcertaining the Rates of Water-carriage upon the ſaid River*, which ſaid Act, whilſt it continued in Force, was found to be uſeful to the Trade and Navigation of the ſaid River, and alſo beneficial to all Perſons concerned therein, but the ſame hath been for many Years expired; and whereas ſince the Expiration of the ſaid Act, the Occupiers of the Locks, Wears, Banks, Dams, Floodgates, Winches, and other Engines, upon or near adjoining to the River of *Thames* and *Iſis* weſtward, to *Cricklade* in the County of *Wilts*, and from thence to the City of *London*, exact ſuch exorbitant Sums of Money for the Paſſage of Barges, Boats, and other Veſſels, to and from thence to *London* and other Places upon the ſaid Rivers, as tend greatly to the Diſcouragement of the Navigation, and the enhancing the Prices of Water-carriage upon the ſaid Rivers; and whereas of late ſeveral Perſons demand and take large Sums of Money for towing Paths, which Paths uſed to be free for Men to tow their Barges, Boats, and other Veſſels, and towing the ſaid Barges and Boats requires ſuch Numbers of Men as renders it very chargeable, and it is found much more convenient to tow with Horſes; but by Reaſon of the Neceſſity of making uſe of Horſes for ſuch Purpoſes, the Owners and Occupiers of the ſaid Lands oblige the Barge-Maſters to pay ſuch Sums of Money for the Paſſage of the ſaid Horſes, as if not regulated and aſcertained, will leſſen the Navigation of the ſaid Rivers, and render the ſame leſs uſeful to the Publick; and whereas the erecting of the ſaid Locks, Wears, Banks, Dams, Floodgates, and other Engines, are and may be of Uſe to the Navigation of the ſaid Rivers; but the Tenants and Occupiers of the ſame do now take ſuch large Rates for Barges, Boats, and other Veſſels having Occaſion to make uſe of the ſame, or of their Aſſiſtance, for or in their Paſſage, that the Water-carriage on thoſe Rivers is very much raiſed, and the ſaid Tenants and Occupiers of the ſaid Locks, Wears, Banks, Dams, Floodgates, and other Engines, have upon ſudden Summer Floods, exacted great Sums of Monies from the Owners and Tenants of the Meadows above them, before they would open the Gates and Locks to draw off the Flood, and divers other Abuſes are committed by the Bargemen in their Navigation upon the ſaid Rivers:' For Remedy whereof, Be it enacted, &c. 6 & 7 W. 3. c. 16. 24 Geo. 2. c. 8.

"The Commiſſioners, *&c.* may appoint ſome of their Number to view the Locks, *&c.* and to inquire on "Oath of the Rates taken at Locks. Rates for towing Paths of 35 Years to continue. Commiſſioners may "rate the Price of Carriage. Bargemen acting contrary to the Rule or Aſſeſſments forfeit 5 *l.* and Freight "of Goods. On extraordinary Occaſions, and Notice in the Gazette Commiſſioners to meet. On Death "of Commiſſioners others to be choſen. Perſons aggrieved may appeal to the Juſtices of Aſſize. Rules to "be written on Parchment, and kept among the Records of the Seſſions. Barge-Maſter anſwerable for his "Crew. Commiſſioners may remove Piles: They may on Complaint that the Water runs over the "Water-Mark, order the Locks to be open till the Water is ſunk. They may order the Rivers to be "cleanſed. Diſputes about Wears, *&c.* to be determined at the next Town. Commiſſioners to have 100 *l.* "*per Annum* Freehold. Continuation for nine Years. EXP. *See* 24 Geo. 2. c. 8. *Repealed by* 24 *Geo.* 2. *c.* 8.

CAP. XII.

An Act for importing of Salt from *Europe* into the Colony of *New York* in *America*.

'WHEREAS the River, Bay and Coaſt of the Colony of *New York* in *America*, and the Seas adjoining, are very commodiouſly ſituated for carrying on of the fiſhing Trade, and they abound with great Quantities of Shadd, Sturgeon, Baſs, Sardine, and ſeveral other Kinds of Fiſh, which may be catched and cured, and made fit for foreign Markets, whereby the Trade of *Great Britain*, and the Inhabitants of the ſaid Colony, would reap conſiderable Benefit, which would enable the ſaid Inhabitants to purchaſe more of the *Britiſh* Manufactures for their Uſe, than at preſent they are able, by Reaſon of the little Trade and Produce the ſaid Colony affords, were it permitted for his Majeſty's Subjects to import Salt from *Europe* into the ſaid Colony for the curing of their Fiſh withal, in the like Manner as is practiſed in *New England* and *Newfoundland*, by Virtue of an Act of Parliament made in the fifteenth Year of the Reign of King CHARLES the Second for that Purpoſe: And whereas formerly the Northern Parts of *America* were comprehended under the general Name of *New England*, but ſince have been divided into ſeveral Provinces and Colonies, and bear other diſtinct Names, which occaſions a Doubt whether Salt can be imported into them without the further Aid of Parliament, by which a very conſiderable and beneficial Fiſhery might be carried on there, to the great Benefit of your Majeſty's Subjects in General:' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June* one thouſand ſeven hundred and thirty, it ſhall and may

For former Laws concerning Plantations, refer to 12 *Car.* 2. *c.* 18. 15 *Car.* 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 26 25 *Car.* 2. *c.* 7. 7 & 8 *W.* 3. *c.* 22. 11 *W.* 3. *c.* 12. 3 & 4 *Ann. c.* 5 & 10. 6 *Ann. c.* 30 & 37. 8 *Ann. c.* 13. 9 *Ann. c.* 17 & 27. 10 *Ann. c.* 22 & 26. 4 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 12 & 15. 13 *Geo.* 1. *c.* 5. 2 *Geo.* 2. *c.* 35.

After 1 June 1730. Salt may be imported from Europe into New York in America. 12 Car. 2. c. 4. 15 Car. 2. c. 17. *Farther Provisions concerning Plantations, see* 3 *Geo.* 2. *c.* 28. 4 *Geo.* 2. *c.* 15. 5 *Geo.* 2. *c.* 7 & 9. 6 *Geo.* 2. *c.* 13. 8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

may be lawful to and for any of his Majesty's Subjects, to carry and import Salt from any Part of *Europe* into the Colony of *New York* in *America*, in *British* Ships and Vessels, manned and navigated according to the Act of Parliament made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, and in the same Manner as Salt may be imported from *Europe* into *New England* and *Newfoundland*, by an Act made in the fifteenth Year of the Reign of the said King CHARLES the Second, intituled, *An Act for the Encouragement of Trade*; any Law, Statute, Usage or Custom to the contrary in any wise notwithstanding.

CAP. XIII.

An Act for making navigable the River *Stroudwater* in the County of *Glouceſter*, from the River *Severn*, at or near *Framiload*, to *Wallbridge* near the Town of *Stroud* in the same County. PR.

'WHEREAS the River called *Stroudwater* is capable of being made navigable from the River '*Severn* at or near *Framiload* in the County of *Glouceſter*, to *Wallbridge* near the Town of *Stroud* 'in the same County, which if effected, will be of great Advantage not only to the cloathing Trade of 'the said County, but likewise to the Publick, by opening a Trade and Commerce between the City of '*Briſtol* and the several Market-Towns and other Places near the said River *Stroudwater*, whereby the 'Poor will be much better imployed, the Highways greatly preserved, and the Woollen Manufacture of 'the said County much improved and increased:' To the End therefore that the said River called *Stroudwater* may be made navigable and passable for Boats, Barges, Lighters, and other Vessels; Be it enacted, *&c.*

"Persons authorized to make the River *Stroud* navigable. Commissioners appointed to determine Differ-"ences. Any seven of the Commissioners may settle Differences between Undertakers and others. If any "refuse to treat, they may order a Jury to assess Damages. Their Virdict binding. The Decrees to be "kept among the Records of the County of *Glouceſter*. On Payment or Tender of the Assessments Under-"takers may act. Persons summoned not appearing, *&c.* forfeit 40*s.* On Death of Commissioners new "ones to be chosen. Rates to be paid to Undertakers, *viz.* For every Ton of Coals, Corn, Malt, Grain "or Meal, 3*s.* 6*d.* For every Ton of other Goods, carried upon the River between the *Severn* at *Frami-*"*load*, and *Wallbridge* near *Stroud*, 5*s.* and in Proportion for any less Weight or Distance. Undertakers "may set up Winches, *&c.* Bargemaster answerable for his Crew. This River not under the Survey of "Commissioners of Sewers. Undertakers to secure Lands from being overflowed, and make good Da-"mages. The River free for all Passengers, on paying the Rates. Exception as to Manure. Undertakers "to begin by 24 *June* 1732. and finish before 24 *June* 1740. not to assign their Interest till Navigation "perfected. All Damages not provided for to be settled by a Jury. From 24 *August* to 15 *October* yearly, "no Barges to pass without Consent of the Owners of Mills. Undertakers to open the Locks to Barges. "No Order of Commissioners binding unless made at a General Meeting. Commissioners not to make "Cuts through any House, Mills or Garden inclosed on 25 *March* 1730. nor through the Garden of *John* "*Small*, Esquire.

CAP. XIV.

An Act for reducing the Annuity or Fund of the united *East-India* Company, and for ascertaining their Right of Trade to the *East-Indies*, and the Continuance of their Corporation for that Purpose, upon the Terms therein mentioned.

A Recital of the Acts and Charters relating to the East-India Company. 9 W. 3. c. 44.

'WHEREAS in and by an Act made in the ninth Year of the Reign of our late Sovereign Lord 'King WILLIAM the Third, of Glorious Memory, intituled, *An Act for raising a Sum not exceeding two millions upon a Fund for Payment of Annuities after the Rate of eight Pounds* per Centum per 'Annum, *and for settling the Trade to the* East-Indies, it is amongst other Things enacted, That all the 'Monies arising by the several Duties upon Salt and Rock Salt, and upon stamped Vellum, Parchment 'and Paper, in the said Act mentioned, should be paid into the Receipt of the Exchequer every Year, 'reckoning the first Year to begin from the twenty-ninth Day of *September* one thousand six hundred and 'ninety-eight, and that one hundred and sixty thousand Pounds *per Annum* of the Monies to arise by 'the said several Duties, and to be brought into the Exchequer by weekly or other Payments, should be 'the yearly Fund for and towards the answering and paying off certain Annuities of eight Pounds *per* '*Centum per Annum*, to such Persons or Corporations, as should subscribe and pay in their Monies upon 'the Terms of the said Act; and it is thereby further enacted, That it should be lawful for his Majesty, 'by Commission under the Great Seal of *England*, to authorize and appoint any Number of Persons to 'take and receive all such voluntary Subscriptions for or towards the said Sum of two millions, to be so 'paid as in the said Act is mentioned; in and by which Act it was further enacted, That such Sub-'scribers as aforesaid should respectively receive and enjoy for ever, out of the Fund by the said Act set-'tled, one Annuity for the whole Sum by them subscribed, according to the Rate of eight Pounds *per* '*Centum per Annum*, in the Manner thereby prescribed; and it is thereby further enacted, That it should 'and might be lawful to and for his said late Majesty, by his Letters Patents, to incorporate all and 'every such the said Subscribers, upon whose Subscriptions such Payments should be made as is therein

‘ expreſſed, and all Perſons, Bodies Politick and Corporate, deriving Title from or under them, ſo long
‘ as they reſpectively ſhould have any ſuch Share or Intereſt in the ſaid yearly Fund, to be one Body
‘ Politick and Corporate by the Name of *The General Society intitled to the Advantages given by an Act of*
‘ *Parliament for advancing a Sum not exceeding two millions, for the Service of the Crown of* England, with
‘ ſuch Succeſſion, Capacity and Powers, as in the ſaid Act is mentioned, and in ſuch Charters or Letters
‘ Patent ſuch further Rules, Powers and Clauſes for carrying on the Trade, and purſuing the Ends and
‘ Intent of the ſaid Act, were to be inſerted, as ſhould be lawfully and reaſonably deſired in that Behalf;
‘ and it was thereby enacted, That in caſe the ſaid whole Sum of two millions, or one Moiety, or any
‘ greater Part of the ſaid Sum of two millions, ſhould be ſubſcribed as aforeſaid, on or before the ſaid
‘ twenty-ninth Day of *September* one thouſand ſix hundred and ninety-eight, that then and from thence-
‘ forth all and every the ſaid Subſcribers, and all and every Perſon and Perſons, Bodies Politick and
‘ Corporate, deriving Title by, from or under ſuch Subſcribers, ſo long as they reſpectively ſhould con-
‘ tinue to have any Share or Intereſt in the ſaid yearly Fund, and all and every Perſon and Perſons licenſed
‘ by them, ſhould or lawfully might for ever thereafter, by themſelves ſeverally, or by ſuch Factors,
‘ Agents or Servants, as they ſeverally ſhould think fit to intruſt, freely traffick and uſe the Trade of
‘ Merchandize in, to, and from the *Eaſt-Indies*, and other Parts or Limits in the ſaid Act mentioned, in
‘ ſuch Manner, and by ſuch Proportions, and ſubject to ſuch Reſtrictions as in the ſaid Act are ex-
‘ preſſed; and it was further thereby enacted, That if any Corporations, or other Perſons having parti-
‘ cular Shares or Intereſts in the ſaid Principal Stock of the ſaid General Society, ſhould be deſirous to
‘ unite and join together ſuch their ſeveral Shares and Intereſts, and to be incorporated ſo as they might
‘ be able to manage their Trade (in Proportion to their Intereſts) as a Company, and by a Joint Stock,
‘ then it ſhould and might be lawful for his ſaid late Majeſty, by his Letters Patents, to incorporate all
‘ ſuch Perſons and Corporations, by ſuch proper Names as he ſhould think fit, to be one Company, with
‘ Power to manage and carry on their Trade to the *Eaſt-Indies*, and other the Limits in the ſaid Act
‘ mentioned, by a Joint Stock, and to have perpetual Succeſſion, and a Common Seal, with other Pri-
‘ vileges in the ſaid Act mentioned; and it is thereby further enacted, That ſuch Perſons or Corpora-
‘ tions as ſhould in Purſuance of that Act have a Right and Power to trade to the *Eaſt-Indies*, and other
‘ the Parts aforeſaid, according to ſuch Proviſions, Proportions and Reſtrictions, as in the ſaid Act are
‘ contained, ſhould uſe and enjoy the whole and ſole Trade and Traffick, and the only Liberty, Uſe
‘ and Privilege of trading, trafficking and exerciſing the Trade or Buſineſs of Merchandize to and from
‘ the *Eaſt-Indies*, and to and from the ſeveral Places in the ſaid Act mentioned; and that the ſame ſhould
‘ not be viſited, frequented or haunted by any of the Subjects of his Majeſty, his Heirs or Succeſſors,
‘ under the Penalties and Forfeitures in the ſaid Act preſcribed and enacted; ſubject nevertheleſs to a
‘ Condition or Proviſo therein contained, that upon three Years Notice, after the twenty-ninth Day of
‘ *September* one thouſand ſeven hundred and eleven, and Repayment of the ſaid Sum of two millions,
‘ and all Arrears of the ſaid Annuities or yearly Payments, then and from thenceforth the ſaid Duties,
‘ and the yearly Fund charged thereupon, and the Duty of five Pounds *per Centum* for the imported
‘ Goods, and the Corporations to be erected in Purſuance of the ſaid Act, and the Benefit of Trade
‘ thereby given, ſhould ceaſe and determine: And whereas in Purſuance of the ſaid Act, his ſaid late
‘ Majeſty by a Commiſſion under the Great Seal of *England*, bearing Date at *Weſtminſter* the fourteenth
‘ Day of *July* in the tenth Year of his Reign, did authorize ſeveral Perſons therein named to be Com-
‘ miſſioners, with Power to take Subſcriptions for or towards the raiſing and paying the ſaid Sum of two
‘ millions: And whereas it appeared by Duplicates tranſmitted into the Office of the Auditor of the Re-
‘ ceipt of his ſaid late Majeſty's Exchequer, that ſeveral Sums, amounting in the whole to the ſaid Sum
‘ of two millions of Pounds Sterling, were ſubſcribed purſuant to the ſaid Act, and the ſaid whole Sum
‘ of two millions was intirely anſwered to his Majeſty's Uſe: And whereas by a Charter under the Great
‘ Seal of *England*, bearing Date at *Weſtminſter* the third Day of *September* in the tenth Year of his ſaid
‘ late Majeſty's Reign, his Majeſty created and eſtabliſhed the ſaid Corporation or Body Politick, called
‘ *The General Society, intitled to the Advantages given by an Act of Parliament for advancing a Sum not ex-*
‘ *ceeding two millions, for the Service of the Crown of* England, with ſuch Powers, Privileges and Bene-
‘ fits, as are therein expreſſed: And whereas by Letters Patents under the Great Seal of *England* bearing
‘ Date at *Weſtminſter* the fifth Day of *September* in the ſaid tenth Year of his ſaid late Majeſty's Reign,
‘ reciting that the Subſcribers towards the ſaid Sum of two millions, therein particularly named and ex-
‘ preſſed, were deſirous to unite or join together their ſeveral Shares and Intereſts in the Principal Stock
‘ of the ſaid General Society, and to be incorporated, ſo as they might be able to manage their Trade
‘ in Proportion to their Intereſt as a Company, and by a Joint Stock, his ſaid late Majeſty did grant that
‘ the Subſcribers therein particularly named, and every of them, and all and every Perſon and Perſons,
‘ Bodies Politick and Corporate, who as Executors, Adminiſtrators, Succeſſors or Aſſigns, or by any
‘ other lawful Title derived by, from or under the ſaid Subſcribers, ſhould have or be intitled to any
‘ Part, Share or Intereſt, of or in the ſaid yearly Fund ſettled by the ſaid Act, or of or in the
‘ proportionable Annuity or yearly Payments iſſuing out of the ſaid yearly Fund, ſo long as they
‘ ſhould reſpectively have any Part, Share or Intereſt therein, ſhould be one Body Politick and Corpo-
‘ rate, by the Name of *The* Engliſh *Company trading to the* Eaſt-Indies, with ſuch Benefit of Trade,
‘ Powers, Privileges and Advantages, and ſubject to ſuch Reſtrictions, Conditions, Covenants and
‘ Agreements, and to ſuch Proviſo of Redemption, as are therein referred to or expreſſed: And whereas
‘ in and by one other Act made in the ſixth Year of the Reign of her late Majeſty Queen ANNE (for 6 Ann. c. 17.
‘ aſſuring to the *Engliſh* Company trading to the *Eaſt-Indies*, on Account of the United Stock, a longer
‘ Time in the Fund and Trade therein mentioned, and for raiſing thereby the Sum of one million two
‘ hundred thouſand Pounds, for carrying on the War, and other her Majeſty's Occaſions) it was enact-

‘ ed,

'ed, That upon Payment to her Majeſty of the Sum of one million two hundred thouſand Pounds, at 'the Times, and upon the Terms in the ſaid Act mentioned, they the ſaid *Engliſh* Company trading 'to the *Eaſt-Indies* ſhould have further Time and Intereſt in the ſaid Fund and Trade to the *Eaſt-* '*Indies*, as in the laſt mentioned Act is particularly ſet forth, but ſubject to the Proviſo or Condition 'of Redemption in the ſaid laſt mentioned Act, and therein ſet forth; that is to ſay, It was thereby 'declared and enacted, that at any Time, upon three Years Notice after the Twenty fifth Day of *March* 'which ſhould be in the Year of our Lord one thouſand ſeven hundred and twenty-ſix, upon the Expi- 'ration of the ſaid three Years, and upon Repayment by Parliament as well of the ſaid Sum of two 'millions then before advanced, as of the ſaid Sum of one million two hundred thouſand Pounds then 'to be advanced, and ſince advanced and paid accordingly, making in the whole three millions two 'hundred thouſand Pounds, and of all Arrears which at the End of the ſaid three Years ſhould be due 'for and upon the ſaid Fund of one hundred and ſixty thouſand Pounds, then and from thenceforth, 'as well the ſaid Duties upon Salt, as the ſaid Duties upon ſtamped Vellum, Parchment and Paper, 'and all the ſaid yearly Fund of one hundred and ſixty thouſand Pounds, and all the Corporations 'erected in Purſuance of the ſaid Acts, and the Benefit of Trade granted by them, or by any Charters 'made in Purſuance thereof, or by that Act, ſhould abſolutely ceaſe and determine: And whereas by 'Virtue of the ſaid laſt mentioned Act, and of an Award made in Purſuance thereof, by the Right Ho- 'nourable *Sidney* Earl of *Godolphin*, an Union between the Governor and Company of Merchants of '*London* trading into the *Eaſt-Indies*, and the ſaid *Engliſh* Company trading to the *Eaſt-Indies*, was com- 'pleated, and the ſaid Name and Style of the ſaid *Engliſh* Company trading to the *Eaſt-Indies* was 'thereupon changed into the Name of *The United Company of Merchants of* England *trading to the* Eaſt- 10 Ann. c. 28. 'Indies, as was alſo directed by the ſaid Act: And whereas in and by one Act made in the tenth Year 'of the Reign of her ſaid late Majeſty Queen ANNE (for continuing the Trade and Corporation Capa- 'city of the United *Eaſt-India* Company, although their Fund ſhould be redeemed) it was enacted, 'That the laſt mentioned Proviſo for Redemption and Determination of the ſaid ſeveral Duties, yearly 'Fund, Annuities, Corporations, and Benefit of Trade, ſhould be and was thereby repealed and made 'void, and that the ſaid Duties upon Salt, and the ſaid Duties upon ſtamped Vellum, Parchment and 'Paper, and the Duty of five Pounds in the Hundred charged by the ſaid Acts upon Goods imported 'from the *Eaſt-Indies*, ſhould continue, and the ſaid United Company of Merchants of *England* trading 'to the *Eaſt-Indies*, and their Succeſſors, ſhould have and enjoy the ſaid yearly Sum of one hundred 'and ſixty thouſand Pounds *per Annum*, or ſuch Part thereof, as they then were or thereafter ſhould be 'intitled unto, and all the Benefit of Trade, Franchiſes, Privileges, Profits and Advantages whatſoever 'in reſpect thereof given and granted, or intended to be given or granted unto them by the ſaid Act of 'the ninth Year of his ſaid late Maieſty's Reign, or by the ſaid Charter of the fifth Day of *September* in 'the tenth Year of his ſaid late Majeſty's Reign, or by the ſaid Act of the ſixth Year of the Reign of 'her then Majeſty, or by any of them, freed and diſcharged of and from the ſaid former Proviſo or 'Condition of Redemption, contained in the ſaid therein laſt recited Act, and all other Proviſoes, Pow- 'ers, Acts, Matters or Things thentofore had, made, done or committed for redeeming, determining 'or making void the ſame Duties, yearly Fund, Benefit of Trade, Franchiſe, Privilege, Profits and 'Advantages, or any of them, ſubject nevertheleſs to the Reſtrictions, Covenants and Agreements in 'the ſaid therein recited Acts and Letters Patents, or any of them contained, and ſubject to the general 'Proviſoes or Condition of Redemption therein after contained, in which ſaid Act there is afterwards 'contained a Proviſo in the Words or to the Effect following; that is to ſay, *Provided always, and it is* 'hereby declared and enacted by the Authority aforeſaid, *That at any Time upon three Years Notice, after the* 'twenty-fifth Day of March *which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-* 'three, *and upon Repayment by Parliament, as well of the ſaid Sum of two millions, as of the ſaid Sum of* 'one million two hundred thouſand Pounds, *making in the whole three millions two hundred thouſand Pounds,* 'unto ſuch Companies, Corporations and Perſons as ſhall be then intitled thereto, *and of all Arrears which to* 'the End of the ſaid three Years ſhall be due, *for or upon the ſaid yearly Fund of one hundred and ſixty thou-* 'ſand Pounds per Annum; *then and from thenceforth the ſaid Duties upon Salt, and the ſaid Duties upon* 'ſtamped Vellum, Parchment and Paper, *and the ſaid yearly Fund of one hundred and ſixty thouſand Pounds* 'ſhall abſolutely ceaſe and determine: And whereas one other Act of Parliament was made in the fifth 'Year of the Reign of his late Majeſty King GEORGE the Firſt (for the better ſecuring the lawful 'Trade of his Majeſty's Subjects to and from the *Eaſt-Indies*, and for the more effectual preventing all 'his Majeſty's Subjects trading thither under foreign Commiſſions): And whereas one other Act was 'made in the ſeventh Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, amongſt other 'Things, for the further preventing his Majeſty's Subjects from trading to the *Eaſt-Indies* under foreign 'Commiſſions, and for encouraging and further ſecuring the lawful Trade thereto: And whereas one 'other Act was alſo made in the ninth Year of the Reign of his ſaid late Majeſty King GEORGE the 'Firſt (to prevent his Majeſty's Subjects from ſubſcribing, or being concerned in encouraging or pro- 'moting any Subſcription for an *Eaſt-India* Company in the *Auſtrian Netherlands*, and for the better 'ſecuring the lawful Trade of his Majeſty's Subjects to and from the *Eaſt-Indies*) as by the ſaid ſeveral 'Acts of Parliament, Commiſſion and Charters, Relation being thereunto had, may more fully appear: 'And whereas the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, are legally 'poſſeſſed of and intitled to, the ſaid Principal or Capital Stock of three millions two hundred thouſand 'Pounds, and to the ſaid yearly Fund of one hundred and ſixty thouſand Pounds, redeemable as afore- 'ſaid, and are alſo poſſeſſed of and intitled to an additional Stock in Trade, and ſeveral Forts, Factories, 'Settlements, Poſſeſſions, Eſtates and Hereditaments, for the Benefit of or in Truſt for, the Members 'of the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, in Proportion and

'according to their reſpective Parts, Shares and Intereſts in the ſaid yearly Fund, and in the ſaid Principal Stock of three millions two hundred thouſand Pounds: And whereas the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, by Virtue of the ſaid Acts of Parliament and Charters, ſome or one of them, claims to be a Body Politick and Corporate, and to have perpetual Succeſſion, and claim alſo the whole and ſole Trade, excluſive of all others, in, to and from the *Eaſt-Indies*, and Limits aforeſaid for ever: But nevertheleſs the ſaid United Company being willing, that all Doubts touching the Continuance of their Corporation, and of their Right to the whole and ſole Trade within the Limits aforeſaid for ever, after the Redemption of the ſaid yearly Fund ſhould be removed, were and are contented, and accordingly have conſented and agreed, to ſubject their Right and Claim to the ſaid whole, ſole, and excluſive Trade, to be redeemable or determinable by Parliament, in Manner hereafter mentioned; and have conſented and agreed that their preſent Annuity or yearly Fund of one hundred and ſixty thouſand Pounds, payable in reſpect of their ſaid Capital Stock or Debt of three millions two hundred thouſand Pounds from the Publick, be from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty, reduced to an Annuity or yearly Fund of one hundred twenty-eight thouſand Pounds, redeemable by Parliament on one Year's Notice to be given after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-ſix, on Payment to them of their ſaid whole Capital Debt, with all Arrears in reſpect thereof, in Manner hereafter mentioned, and were and are moreover willing, and have conſented and agreed to pay into his Majeſty's Exchequer, on or before the twenty-fourth Day of *December* one thouſand ſeven hundred and thirty, the full Sum of two hundred thouſand Pounds, without any Intereſt or Addition to their ſaid Capital Stock or Debt for the ſame, to be applied as hereafter mentioned, but upon ſuch Terms, Conditions, Grants, Confirmations, Articles and Proviſions nevertheleſs as herein after are made, granted, provided, declared and enacted:' Now for the preventing, quieting and determining any Doubts, Diſputes or Difficulties that have been, or may be raiſed concerning the Right or Claim of the United Company of Merchants of *England* trading to the *Eaſt-Indies*, to the whole and ſole Trade to the *Eaſt-Indies*, excluſive of all others, and for perfecting and compleating the ſeveral Matters and Things ſo as aforeſaid conſented to by the ſaid Company, and to the End the ſaid Company may be able to ſupport and carry on the Trade to the *Eaſt-Indies* with Credit and Security, and improve the ſame for the Benefit of this Nation, we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid United Company, in Purſuance of their before recited Agreement, ſhall and they are hereby required and enjoined to pay into the Receipt of his Majeſty's Exchequer, on or before the twenty-fourth Day of *December* one thouſand ſeven hundred and thirty, the full and entire Sum of two hundred thouſand Pounds of lawful Money of *Great Britain*, to be applied towards the Supplies granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and thirty, for which no Intereſt ſhall be ever payable, nor ſhall any Addition be made to their Capital Stock or Debt from the Publick on Account of the ſame, nor ſhall the ſame, or any Part thereof, be repayable to the ſaid United Company.

United Company to pay 200,000 l. into the Exchequer by 24 Dec. 1730.

II. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid United Company ſhall make Failure in Payment of the ſaid Sum of two hundred thouſand Pounds, or any Part thereof, at the Time before appointed for Payment thereof, then the Money whereof ſuch Failure in Payment ſhall be made, ſhall and may be recovered in his Majeſty's Name, for the Uſes and Purpoſes aforeſaid, by Action of Debt or upon the Caſe, Bill, Suit or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be granted or allowed; in which Action, Bill, Suit, or Information, it ſhall be lawful to declare, that the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, are indebted to his Majeſty the Monies whereof they ſhall have made Default in Payment, according to the Form of this Statute, and have not paid the ſame, which ſhall be ſufficient; and in or upon ſuch Action, Bill, Suit or Information, there ſhall be further recovered to his Majeſty's Uſe, againſt the ſaid Unity Company, Damages after the Rate of eight Pounds *per Centum per Annum*, for the Monies ſo unpaid contrary to this Act, beſides full Coſts of Suit; and the ſaid United Company, and their Capital Stock and Fund, ſhall be and are hereby made ſubject and liable thereto.

On Failure of Payment may be ſued.

III. Provided always, That in caſe the Commiſſioners of his Majeſty's Treaſury now or for the Time being, or any three or more of them, or the Lord High Treaſurer for the Time being, ſhall judge it convenient for his Majeſty's Service, that all or any Part of the ſaid Sum of two hundred thouſand Pounds ſo as aforeſaid appointed to be paid by the ſaid United Company, ſhould be paid in Advance by them on any Day or Days before or ſooner than the ſaid twenty-fourth Day of *December* one thouſand ſeven hundred and thirty, before appointed for Payment thereof, and the ſaid United Company ſhall voluntarily conſent to pay the ſame in Advance accordingly; then and in every ſuch Caſe the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer, may and have hereby Power to allow to the ſame United Company, out of every ſuch Payment in Advance, a Rebate or Diſcount after a Rate not exceeding three Pounds *per Centum per Annum* upon the Monies ſo paid in Advance, from the reſpective Day or Days of ſuch Payment, to the Day on which the ſame is herein before appointed to be paid as aforeſaid.

On Advance of the Money a Diſcount to be allowed of 3 l. per Cent.

IV. And be it further enacted, That from and after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, and not before, the ſaid Annuity or yearly Fund of one hundred and ſixty thouſand Pounds ſhall be and is hereby reduced to an Annuity or

After 29 Sept. 1730. the yearly Fund of 160,000 l. reduced to 128,000 l.

or yearly Fund of one hundred and twenty-eight thouſand Pounds, in reſpect of the ſaid Capital Stock or Debt of three millions two hundred thouſand Pounds; which ſaid reduced Annuity or yearly Fund ſhall be and remain charged upon, and ſhall be paid and payable from Time to Time out of the ſame Duties and Revenues, in the ſame Manner and by the like weekly or quarterly Payments, and with the ſame Proviſions, for making good any Deficiencies from Time to Time in the ſaid reduced Fund, as their preſent Annuity or Fund is now charged on or provided for to be paid, until ſome new or other Proviſion ſhall be made by Parliament, with Conſent of the ſaid United Company, for the ſame.

On one Year's Notice after 25 March 1736. and Repayment, &c. Annuity to ceaſe.

V. Provided always, and be it enacted by the Authority aforeſaid, That at any Time, upon one Year's Notice to be given by Parliament, after the twenty-fifth Day of *March* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, upon the Expiration of the ſaid Year, and upon Repayment by Parliament of the ſaid whole Capital Stock or Debt of three millions two hundred thouſand Pounds unto the ſaid United Company, and of all Arrears of their ſaid reduced Annuity or yearly Fund of one hundred and twenty-eight thouſand Pounds, which ſhall be due at the End of the ſaid Year; then and from thenceforth the ſaid Annuity or yearly Fund ſhall ceaſe, determine and be no longer paid or payable to them.

'VI. And in regard it is intended, that at any Time or Times after the twenty-fifth Day of *March* 'one thouſand ſeven hundred and thirty-ſix the ſaid Capital Stock or Debt of three millions two hun-'dred thouſand Pounds, may be paid off to the ſaid United Company by any Payments not being leſs 'than five hundred thouſand Pounds at a Time, and that, as the ſaid leſſer Payments ſhall be made, 'the ſaid reduced Annuity or yearly Fund of one hundred and twenty-eight thouſand Pounds, payable 'to the ſaid Company, ſhall proportionally ſink and be abated;' Be it enacted by the Authority aforeſaid, That at any Time or Times, upon one Year's Notice after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-ſix, to be given by Parliament, upon the Expiration of the ſaid Year, on Repayment by Parliament to the ſaid United Company of any Sum of Money not being leſs than five hundred thouſand Pounds, in Part of the ſaid Capital Stock or Debt of three millions two hundred thouſand Pounds, and upon Payment of all Arrears which ſhall then be due on their ſaid reduced Annuity or yearly Fund, or upon any Part thereof, then from and after ſuch Payments, ſo much of the ſaid Annuity as ſhall bear Proportion to the Monies ſo paid in Part ſhall ceaſe, determine and be abated, and ſo on from Time to Time, on ſuch yearly Notices to be given by Parliament, and Payment from Time to Time of ſuch other Sums, in Part of the ſaid Capital Stock or Debt, not leſs than five hundred thouſand Pounds at a Time, and of ſuch Arrears of their then Annuity or yearly Fund, until the Payment of the whole ſhall be compleated, ſo much of their ſaid Annuity or Fund as ſhall bear Proportion to ſuch reſpective Sums paid in Part, ſhall from Time to Time, as ſuch Payments are made, ſink and be abated, until their whole Annuity or yearly Fund ſhall be intirely ſunk and determined.

On one Year's Notice after 25 March 1736. on Repayment of any Sum not leſs than 500,000 l. ſo much of the Annuity to ceaſe.

After Redemption Members of the Company to continue a Body Politick, &c.

VII. But nevertheleſs and notwithſtanding ſuch Redemption, be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who now are or ſhall at the Time of ſuch Redemption be intitled unto, or who now have or ſhall have any Part, Share or Intereſt of, in or to the ſaid three millions two hundred thouſand Pounds, or of, in or to a proportionable Part, Share or Intereſt in the ſaid additional Stock, Stock in Trade, or Money paid in for carrying on the ſame, or in the ſaid Forts, Factories, Settlements, Lands, Tenements, Rights, Hereditaments, Poſſeſſions, Eſtate or Eſtates of or belonging to the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, or unto which they are, ſhall or may be intitled, and all and every Perſon and Perſons, Bodies Politick and Corporate, who as Executors, Adminiſtrators, Succeſſors or Aſſigns, or by any other lawful Way or Title derived or to be derived from, by or under them, ſhall have or be intitled to have any Part, Share or Intereſt of, in or to the ſame, or of, in or to any future or other additional Stock, Stock in Trade, Monies, Poſſeſſions, Rights, Hereditaments or Eſtates of or belonging to, or that ſhall or may be acquired, gained or obtained by the ſaid United Company, or their Succeſſors, ſo long as they ſhall reſpectively have or be intitled to have any ſuch Share, Part or Intereſt, ſhall be and continue to be a Body Politick and Corporate, in Deed and in Name, by the Name of *The United Company of Merchants of* England *trading to the* Eaſt-Indies, and by that Name ſhall have perpetual Succeſſion and a Common Seal; and they and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in the Law to have, purchaſe, receive, enjoy, poſſeſs and retain, to them and their Succeſſors, Lands, Rents, Tenements and Hereditaments, of what Kind, Nature or Quality ſoever, and alſo to ſell, grant, demiſe, alien, or diſpoſe of the ſame; and by the ſame Name to ſue and implead, be ſued and impleaded, anſwer and be anſwered, in all or any Courts of Record, or any other Place whatſoever, and to do and execute all and ſingular other Matters and Things by the Name aforeſaid, that to them ſhall or may appertain to do, and ſhall have, hold and enjoy all Benefits, Privileges, Franchiſes and Rights, which by any former Act or Acts, or any Charter or Charters founded thereupon, the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies* might hold and enjoy, which are not herein or hereby altered or varied; and all and every Perſon and Perſons, having at the Time of ſuch Redemption of the ſaid yearly Fund of one hundred and twenty-eight thouſand Pounds, any Part, Share or Intereſt of, in or to the ſaid Principal Stock of three millions two hundred thouſand Pounds, and of, in or to the ſaid additional Stock, Stock in Trade and Monies paid in for carrying on the ſame, and of, in and to other the Poſſeſſions, Rights, Eſtates and Hereditaments aforeſaid, acquired or purchaſed by or any ways belonging or appertaining to the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, and all Perſons, Bodies Politick and Corporate, that ſhall or may at any Time after derive from them any Right or Title to ſuch Monies

Monies paid in, Stocks, Poſſeſſions, Rights, Hereditaments and Eſtates, notwithſtanding ſuch Redemption, ſhall have and continue to have, and be intitled unto the ſame, and unto all future and other the Stocks, Monies, Poſſeſſions, Rights, Hereditaments and Eſtates, to be acquired, gained, belonging or to belong to the ſaid United Company, and their Succeſſors, and to all Benefits, Profits, Privileges and Advantages ariſing or to ariſe therefrom, in Proportion to their reſpective Parts, Shares and Intereſts therein; and the ſaid Parts, Shares and Intereſts of ſuch Perſons of and in the ſame, ſhall and may be aſſigned and aſſignable, transferred and transferrable, in ſuch or the like Manner, *mutatis mutandis*, as their reſpective Parts, Shares or Intereſts of and in the ſaid Principal Stock of three millions two hundred thouſand Pounds, and the additional Stock thereto, or either of them, are now aſſignable or transferrable, or may be aſſigned or transferred.

and to declare Qualifications of Electors.

VIII. And it is hereby further enacted by the Authority aforeſaid, That from and after ſuch Redemption of the ſaid yearly Fund, or after one Moiety thereof or more ſhall be redeemed and diſcharged by Parliament, the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies* may from Time to Time, by By-laws or Orders to be made in their General Court or General Courts, declare and direct how much and what Part or Share in the then remaining Capital Stock or yearly Fund, or in the ſaid additional Stock, and Stock in Trade, Poſſeſſions, Hereditaments and Eſtates aforeſaid, ſhall qualify any Perſons, Members of the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, to be Directors for the Affairs of the ſaid Company, and what Part or Share thereof ſhall qualify any Perſons, Members of the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, to give any Vote or Votes in any General Court or General Courts, and for the electing the Directors, and for their Continuance or Removal, Incapacity or Avoidance.

Company to have the ſole Trade to the East-Indies for a limited Time.

IX. And it is hereby further enacted by the Authority aforeſaid, That notwithſtanding ſuch Redemption of the ſaid yearly Fund of one hundred and twenty-eight thouſand Pounds as aforeſaid, the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies* ſhall, ſubject to the Proviſo of Determination herein after contained in that Behalf, have, uſe and enjoy, and ſhall continue to have, uſe and enjoy the whole and ſole Trade and Traffick, and the only Liberty, Uſe and Privilege of trading, trafficking, and exerciſing the Trade or Buſineſs of Merchandize in, to and from the *Eaſt-Indies*, and in, to and from all the Iſlands, Ports, Havens, Coaſts, Cities, Towns and Places between the Cape of *Good Hope* and the Streights of *Magellan*, and Limits in the ſaid Act of the ninth Year of the Reign of his ſaid late Majeſty King WILLIAM the Third, or in the ſaid Charter of the fifth Day of *September* in the tenth Year of his ſaid Majeſty's Reign mentioned, in as ample and beneficial Manner, as the ſaid Company could thereby trade thereto; and the ſaid *Eaſt-Indies*, or the Iſlands, Havens, Coaſts, Ports, Cities, Towns and Places within the Limits aforeſaid, or any of them, ſhall not from henceforth, at any Time before ſuch Determination of the ſaid ſole and whole Trade of the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, as is herein after mentioned, be repaired or ſailed to, viſited, frequented or haunted by any other the Subjects of his Majeſty, his Heirs or Succeſſors, whatſoever; and if any of the ſaid Subjects of his Majeſty, his Heirs or Succeſſors, of what Degree or Quality ſoever they be, other than the Factors, Agents and Servants of the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, or ſuch as ſhall be by them thereunto licenſed or authorized, ſhall at any Time or Times hereafter, before ſuch Determination of the ſaid Company's whole and ſole Trade as aforeſaid, directly or indirectly ſail or go to, viſit, haunt, frequent, traffick, trade or adventure in, to or from the ſaid *Eaſt-Indies*, or other the Limits or Parts aforeſaid, contrary to the true Meaning hereof, all and every ſuch Offender and Offenders ſhall incur the Forfeiture and Loſs of all the Ships and Veſſels which ſhall be imployed in ſuch Voyage, Trade, Traffick or Adventure, with the Guns, Tackle, Apparel and Furniture thereunto belonging, and alſo all the Goods laden thereupon, or that were or ſhall be ſent to, acquired, traded, trafficked or adventured within the ſaid *Eaſt-Indies* or Parts aforeſaid, and all the Proceed and Effects of the ſame, and every of them, and double the Value thereof; which Penalties ſhall be ſo ſued for, ſeized, diverted and divertible *(a)*, recovered and recoverable, as in and by the ſaid Act made in the ſeventh Year of the Reign of his late Majeſty King GEORGE the Firſt is appointed, directed and enacted concerning the Penalties and Forfeitures in that Act mentioned or referred to, with reſpect to the ſaid United Company, or their Trade to the *Eaſt-Indies*.

Veſſels and Goods trading thither during that Time, without Leave of the Company, forfeited.

(a) Diſtributed and diſtributable, *in the former Edition.*

7 Geo. 1. Stat. 1. c. 21.

They ſhall enjoy all Privileges granted by Acts or Charters.

X. And moreover it is hereby enacted by the Authority aforeſaid, That the ſaid United Company of Merchants of *England* trading to the Eaſt Indies ſhall at all Times hereafter for ever (ſubject as aforeſaid) have, hold and enjoy and be intitled unto all and every the Profits, Benefits, Advantages, Privileges, Franchiſes, Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, and all Penalties and Forfeitures, and Diſabilities, Proviſions, Matters and Things whatſoever, which by any former Act or Acts of Parliament, or by any Charter or Charters founded thereupon, or by any Clauſe or Clauſes in the ſaid Acts or Charters contained, are enacted, given, granted, provided, inflicted, limited, eſtabliſhed, or declared to, for, touching, or concerning the ſaid Company or Body Politick and Corporate, either by the Name of *The General Society intitled to the Advantages given by an Act of Parliament for advancing a Sum not exceeding two millions for the Service of the Crown of* England, or the ſaid Body Politick and Corporate, called by the Name of *The* Engliſh *Company trading to the* Eaſt Indies, or the ſaid Body Politick and Corporate, now called by the Name of *The United Company of Merchants of* England *trading to the* Eaſt Indies, and not by this Act altered or intended to be altered, according to the Tenor and true Meaning of the ſaid Acts and Charters, freed and diſcharged from all Proviſoes and Conditions of Redemption and Determination therein contained, and the ſame and every of them are hereby ratified and confirmed, and ſhall continue to be held and enjoyed, and be practiſed and put in Execution by the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, and their Succeſſors, for the better and more effectual ſettling

and ſecuring to them and their Succeſſors the whole, ſole and excluſive Trade to the *Eaſt Indies* and Parts aforeſaid, and for the preventing all his Majeſty's Subjects trading thither, and for ſecuring alſo their Poſſeſſions, Eſtate and Effects, and governing their Affairs and Buſineſs in all Reſpects as fully and effectually, as if the ſame Profits, Benefits, Advantages, Trade, Privileges, Franchiſes, Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, Penalties and Forfeitures, Diſabilities, Proviſions, Matters and Things, were ſeverally repeated and at large re-enacted in the Body of this Act; ſubject nevertheleſs to ſuch Reſtrictions, Covenants and Agreements as are contained in the ſaid Acts and Letters Patent now in Force, and not herein or hereby varied or altered, and ſubject alſo to the Proviſo following; that is ſay,

On three Years Notice after 1736, and Repayment of the whole Capital Stock, excluſive Trade to ceaſe: (a) Sixty-ſix *in the former Edition.*

XI. Provided always, and it is hereby enacted by the Authority aforeſaid, That at any Time, upon three Years Notice to be given by Parliament, after the twenty-fifth Day of *March* which ſhall be in the Year one thouſand ſeven hundred and thirty ſix (*a*), upon the Expiration of the ſaid three Years and Repayment to the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, or their Succeſſors, of the ſaid Capital Stock, Debt or Sum of three millions two hundred thouſand Pounds, and all Arrears of Annuity payable in reſpect thereof, in caſe the ſame ſhall not have been before repaid, then and from thenceforth the ſaid Right, Title and Intereſt of the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, to the whole, ſole and excluſive Trade to the *Eaſt Indies* and Parts aforeſaid, ſhall ceaſe and determine.

But Corporation to continue. 9 W. 3. c. 44.

XII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That nothing in the above Proviſo, or in any Proviſo in the Act of the ninth Year of the Reign of his ſaid Majeſty King WILLIAM the third, or in the ſaid Charter of the fifth Day of *September* in the Tenth Year of his ſaid Majeſty, or in any other Act or Charter contained, ſhall extend or be conſtrued to extend to determine the Corporation of the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, or to hinder, prevent or exclude the ſaid United Company from carrying on at all Times, after ſuch Determination of the Right to the ſole, whole and excluſive Trade as aforeſaid, a free Trade in, to and from the *Eaſt Indies* and Parts aforeſaid, with all or any Part of their own Joint Stock in Trade Goods, Merchandizes, Eſtate and Effects in common with other the Subjects of his Majeſty, his Heirs and Succeſſors, trading in, to and from thoſe Parts.

What ſhall be deemed a proper Notice by Parliament.

XIII. And be it enacted by the Authority aforeſaid, That any Notice in Writing, ſignified by the Speaker of the Houſe of Commons for the Time being by Order of the ſaid Houſe, ſhall be deemed and adjudged a due and proper Notice by Parliament, to and for all the Ends, Intents and Purpoſes for which ſuch Notices are directed by this Act to be given to the ſaid Company.

Company not to purchaſe exceeding 10,000 l. per Annum.

XIV. Provided always, and be it hereby further enacted by the Authority aforeſaid, That the ſaid United Company ſhall be and are hereby reſtrained and enjoined from buying, purchaſing, enjoying, or poſſeſſing, at any one Time, any Meſſuages, Lands, Rents, Tenements or Hereditaments, of what Nature, Kind or Quality ſoever, in the Kingdom of *Great Britain*, exceeding in the whole the yearly Value of Ten thouſand Pounds; any Thing herein or in any former Act, or in any Charter granted to the ſaid Company, in any wiſe notwithſtanding.

This Act not to prejudice the South-Sea Company:

XV. Provided always, That this Act or any Thing herein contained ſhall not extend or be conſtrued, deemed or taken to extend to reſtrain or prejudice ſuch Trade or Navigation within any Parts of the Limits aforeſaid, as the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fiſhery, now are inititled unto.

Nor the Levant Company. *Concerning Eaſt India Company, ſee farther* 3 Geo. 2. c. 20.

XVI. Provided alſo, That this Act or any Thing herein contained ſhall not extend or be conſtrued, deemed or taken to extend to ſubject the Governor and Company of Merchants of *England* trading to the *Levant-Seas*, or any Member thereof, to any Penalties or Forfeitures hereby enacted, for and in reſpect of his and their trading into the *Levant-Seas*.

12 *Geo.* 2. *c.* 22. 17 *Geo.* 2. *c.* 17. 27 *Geo.* 2. *c.* 9. 1 *Geo.* 3. *c.* 14.

CAP. XV.

An Act for repairing and widening the Road from that Part of *Chatham* which lies next to the City of *Rocheſter*, to *Saint Dunſtan's Croſs* near the City of *Canterbury*, in the County of *Kent*; and for repealing ſo much of a former Act, as appropriates Part of the Money ariſing by the Tolls or Duties therein mentioned, towards repairing the Road between the Town of *Chatham* and *Boughton under the Blean*, in the ſaid County of *Kent*. P R.

The Tolls took Place from the 24th Day of *June* 1730, and are to have Continuance for 21 Years. Continued by 17 Geo. 2. c. 4.

CAP. XVI.

An Act for raiſing five hundred and fifty thouſand Pounds by Exchequer Bills towards the Supply granted to His Majeſty; and for the further Application of the Produce of the Sinking Fund; for applying the Arrears of former Land Taxes; for approprating the Supplies granted in this Seſſion of Parliament; and for giving Relief with reſpect of an Over-payment to the Land Tax for the Year one thouſand ſeven hundred twenty-one by the Receiver General for the County of *Salop*.

Moſt Gracious Sovereign,

'WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have cheerfully granted to

'your

'your Majeſty, in the eaſieſt and leaſt burdenſome Way for Your Majeſty's Subjects,' Do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to or for the Commiſſioners of his Majeſty's Treaſury, now or for the time being, or any three or more of them, or the Lord High Treaſurer for the time being, at any Time or Times before the twenty-fifth Day of *December* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, to cauſe or direct any Number of Exchequtr Bills to be made out for any Sum or Sums of Money not exceeding in the whole the Sum of five hundred and fifty thouſand Pounds, in the ſame or like Manner Form and Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of this preſent Seſſion of Parliament (*for granting an Aid to His Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and thirty*) are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſame Act.

Treaſury may iſſue out Exchequer Bills of 550,000 l. 4 Geo. 2. c. 9.

II. And be it further enacted by the Authority aforeſaid, That all and every the Powers and Authorities for contracting for the Circulation and Exchange of the Exchequer Bills to be made forth in purſuance of the ſame Act, at a Rate or Premium not exceeding three Pounds *per Centum per Annum*, and all and every other Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities contained in the ſaid laſt mentioned Act, relating to the Exchequer Bills authorized to be made in purſuance of the ſame Act (except ſuch Clauſes as do charge them on the Monies ariſing from the Aids thereby granted) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes, as if the ſame Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated or re-enacted in the Body of this Act.

ſubject to the Powers in the Land Tax of this Seſſion.

III. And be it enacted, That all ſuch Exchequer Bills as ſhall be made forth in purſuance of this Act, and the Intereſt, Premium, Rate and Charges incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon, and ſhall be repaid or born by or out of the firſt Aids or Supplies which ſhall be granted in Parliament next after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, and in the mean time and until ſuch Supplies ſhall be granted ſufficient for thoſe Purpoſes, the ſame ſhall be and are hereby charged and chargeable on ſuch Surplus Monies, as at any Time or Times from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty ſhall ariſe into the Exchequer, from the ſeveral Duties and Revenues now charged with the Annuity or yearly Fund of one hundred and ſixty thouſand Pounds, now payable to the United Company of Merchants of *England* trading to the *Eaſt Indies*, and ſhall be more than ſufficient to pay and ſatisfy the quarterly Payments or Arrears of the ſaid Annuity or yearly Fund, or which ſhall hereafter ariſe by any Savings in the Monies ariſing by the ſaid Duties and Revenues, by any Reduction that is or ſhall be made in the ſaid Annuity or yearly Fund payable to the ſaid Company, with their own Conſent; and all and every ſuch Surplus Monies or Savings which ſhall from Time to Time ariſe into the Exchequer, before the granting ſuch Aids or Supplies as aforeſaid, and until all the Exchequer Bills to be made in purſuance of this Act ſhall be cancelled and diſcharged, ſhall be quarterly applied towards the paying and defraying the Premium, Intereſt and Charges attending on or incident to the ſame Exchequer Bills, and ſubject thereto, towards cancelling and diſcharging the Principal of the ſaid Exchequer Bills in courſe, and from and after the Diſcharge of the ſaid Exchequer Bills, and ſubject thereto, the ſaid Surplus Monies or Savings ſhall be reſerved for the future Diſpoſition of Parliament.

Chargeable on the firſt Aids after 29 Sept. 1730.

and on the Surplus of the Duties chargeable with the India Company's Annuities.

'IV. And whereas by an Act made in the ninth Year of the Reign of His late Majeſty King GEORGE the Firſt (for reviving and adding two millions to the Capital Stock of the *South Sea* Company) the whole increaſed Capital Stock of the ſaid Company, being then computed at thirty-three millions eight hundred and two thouſand four hundred eighty-three Pounds fourteen Shillings and a Halfpenny, was divided into two equal Parts, and one Moiety thereof, being therein ſtated at ſixteen millions nine hundred and one thouſand two hundred and forty-one Pounds ſeventeen Shillings and a Farthing, was to be converted into a Joint Stock, attended with certain Annuities payable out of the Funds of the ſaid Company, in lieu of all the Dividends, Profits and Advantages ſuch Moiety was then intitled to, after the Rate of Five Pounds *per Centum per Annum*, until the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-ſeven, and from thenceforth with Annuities at four Pounds *per Centum per Annum*, redeemable by Parliament, and the ſame were thenceforth to be called *The Joint Stock of* South-Sea *Annuities*; and the other Moiety or Half Part of the ſaid whole Capital Stock, amounting to the like Sum of ſixteen millions nine hundred and one thouſand two hundred and forty-one Pounds ſeventeen Shillings and a Farthing, was to remain, continue and be in the ſaid Company as a Joint Stock in their own Right, attended with the Reſidue of the Annuities or yearly Funds payable in the Exchequer or their ſaid whole Capital, until the Redemption thereof by Parliament, and attended with the ſeveral Allowances ſettled or to be ſettled for Charges of Management, and with all the other Benefits, Profits of Trade, Privileges and Advantages then belonging to the ſaid Company; and by the ſame Act it was provided, That after the Feaſt of the Nativity of Saint *John Baptiſt* in the Year of our Lord one thouſand ſeven hundred and twenty-ſeven the ſame Stocks might be redeemed by any Payments not leſs than five hundred thouſand Pounds at a Time, and that ſuch Payments ſhould from Time to Time be applied, either towards diſcharging the Principal Sums which ſhould belong to the ſaid *South-Sea* Company in their own Right, or towards diſcharging the Principal Sums of the ſaid *South-Sea* Annuities, or towards diſcharging as well the Principal Sums of the ſaid Company, as of the ſaid *South-Sea* Annuities, in ſuch Proportions, Manner and Form, as ſhould be preſcribed by the reſpective Act or Acts of Parliament for furniſhing ſuch Sums: And whereas by reaſon or means of a

9 Geo. 1. c. 5.

'ſmall

'small Error in computing the Amount of the whole increaſed Capital Stock, and ſince rectified, and by 'a Payment and Application of a Sum of five hundred thouſand Pounds in Moieties towards reducing 'the Capital Sums both of the Stock of the Company and of the Joint Stock of Annuities, in purſuance 1 Geo. 2. Stat. 2. c. 8. 'of an Act of the firſt Year of the Reign of his preſent Majeſty, the Capital Sum remaining due on each 'of them doth now amount to ſixteen millions ſix hundred fifty-one thouſand one hundred and one 'Pounds twelve Shillings and nine Pence Farthing reſpectively, and no more: And whereas it is deemed 'expedient for this Time and on this preſent Occaſion, that the Sum of one million of Pounds Sterling 'ſhould be paid and applied for and towards paying off ſo much of the ſaid remaining Capital Stock or 'Principal Sum belonging to the ſaid Company in their own Right, commonly called *The* South-Sea Sinking Fund applied to pay off one million South-Sea Stock. '*Stock*:' Be it therefore enacted by the Authority aforeſaid, That by or out of ſuch Monies as are or ſhall be in the Receipt of the Exchequer of the Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ariſen or to ariſe at or from the Feaſt of the Nativity of Saint *John Baptiſt* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty (after Payment of or reſerving ſufficient to pay ſuch Monies as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall be iſſued and applied to the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fiſhery, at the ſaid Feaſt-Day, and afterwards quarterly from Time to Time, as the ſame ſhall ariſe, ſuch Sum or Sums of Money as ſhall on ſuch Quarter-Day or Days be in the ſaid Receipt of the Exchequer, for or towards redeeming Part of the Annuities attending on the ſaid Capital Stock or Sum remaining due to the ſaid Company in their own Right, until the ſame Payments ſhall in the whole amount to the Sum of one million of Pounds Sterling; and that as the ſaid Payments of Principal Money ſhall be from Time to Time made, a proportional Part of their ſaid Capital Stock, and of the Annuities attending thereon, ſhall alſo from time to time ceaſe and determine, for the Benefit of the Publick; but as it may ſo happen, that on the ſaid Feaſt-Day of the Nativity of Saint *John Baptiſt* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, there may not be ſufficient Money in the Receipt of the Exchequer, ariſen from the ſaid Surpluſſes, to ſatisfy and pay the ſaid intire Sum of one million of Pounds, and the ſaid *South-Sea* Company may deſire then to receive the whole Sum in one intire Payment, in order to make one Diſtribution of the whole amongſt all the Proprietors of their ſaid Capital Stock at one Time; Be it therefore enacted by the Authority aforeſaid, That upon Application being made by the ſaid Company to the Commiſſioners of His Majeſty's Treaſury now or for the time being, or the Lord High Treaſurer for the time being, and giving them Notice of ſuch their Deſire to have and receive the ſaid one million of Pounds in one intire Payment ten Days at leaſt before the ſaid Feaſt-Day, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three of them, or the Lord High Treaſurer, by Warrant under their Hands to permit or ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance or lend to His Majeſty at the Receipt of his Exchequer ſo much Money, as together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ſhall be wanting to compleat the ſaid Sum of one million of Pounds, upon Credit of the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies, and to be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with an Intereſt for the Forbearance thereof, in the mean Time, after a Rate not exceeding four Pounds *per Centum per Annum*; and in ſuch caſe the Money ſo to be lent or advanced, ſhall be iſſued and paid to the ſaid Company, together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, to compleat the Payment of the ſaid entire Sum of one million of Pounds; and the Monies which from thenceforth ſhall ariſe from the ſaid Surpluſſes, ſhall quarterly be iſſued and applied to diſcharge and ſatisfy ſuch Loans with the Intereſt thereof, in the due Order and common Courſe of the Exchequer, in caſes of Loans; any thing herein before contained to the contrary notwithſtanding.

If Money not ſufficient in the Exchequer, Treaſury may borrow at 4 l. per Cent.

South-Sea Company to diſtribute out the Money to the Proprietors.

V. And be it enacted by the Authority aforeſaid, That the ſaid *South Sea* Company ſhall forthwith, upon the Receipt of the ſaid Sum of one million of Pounds, or as ſoon after as conveniently may be, divide out, and diſtribute the ſame, amongſt all the ſeveral Proprietors of their ſaid Capital Stock, towards ſinking and diſcharging ſo much of their Shares or Intereſts in the ſaid Capital Stock, by even and equal Dividends amongſt them all, in Proportion to their reſpective Shares or Intereſts therein.

Sub-Governor, &c. of the South-Sea Company not to incur any Diſability hereby.

VI. And be it enacted by the Authority aforeſaid, That the ſaid *South-Sea* Company or any Member thereof, ſhall not incur any Diſability for or by reaſon of any thing done in purſuance of this Act; nor ſhall the Sub-Governor, Deputy-Governor or any of the Directors now or for the Time being, after the Payments hereby directed ſhall take place, be deemed to be diſqualified to continue Sub-Governor, Deputy-Governor or Directors, if, by reaſon of ſuch Payments, there ſhall not remain in their own reſpective Names or Rights ſo much Capital Stock of the ſaid Company, as they before were required to have for the Qualification of ſuch Sub-Governor, Deputy-Governor or Director reſpectively, ſo as ſuch Sub-Governor, Deputy-Governor or Director reſpectively, within three Months after his being obliged to receive any Sum or Sums of Money in diſcharge of any Part of his Share or Intereſt in the ſaid Capital Stock of the ſaid Company, which will reduce his Intereſt or Share therein under the Sum required for ſuch his Qualification, do or ſhall obtain, by Purchaſe or otherwiſe, ſo much more Capital Stock of the ſaid Company, to be transferred into his own Name and Right, as ſhall compleat the Sum neceſſary for ſuch his Qualification.

VII. And for the Accommodation of ſuch of the Proprietors of the ſaid Capital Stock, as ſhall be obliged to receive ſmall Sums as Dividends of their ſaid Capital, and for enabling them to replace the ſame with the leaſt Expence: Be it enacted by the Authority aforeſaid, That in all and every Caſe and Caſes, where any Proprietor or joint Proprietors of any Share or Shares in the ſaid Capital Stock, ſhall, out of the

the ſaid Sum of one million, be paid off a Dividend of Capital on ſuch their reſpective Shares or Intereſts, which Dividend ſhall not amount to more than the Sum of one hundred Pounds, it ſhall and may be lawful to and for the ſaid Company, their Officers or Servants, and they are hereby required at any time before the Day to be appointed by the Court of Directors for the ſhutting up their Transfer Books, in order to the Payment of the half Year's Annuity, to be due on the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, to permit or ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, being Proprietors of the ſaid Stock, to transfer to ſuch Proprietor or Proprietors reſpectively, any Sum or Quantity of *South-Sea* Capital Stock, not exceeding the Sum or Sums ſo divided out of Capital, to him, her or them reſpectively, by Writing in the Transfer Books of the ſaid Company, without any of the Stamps being impreſſed thereon, which by any former Act or Acts of Parliament are required in Caſes of Transfers, and without any Fees or other Charges to the ſaid Company, or their Officers, Clerks or Servants, for the ſame; and alſo to permit and ſuffer the Transferrees, or ſome other Perſon or Perſons on their behalfs reſpectively to accept the ſame; and that ſuch Transfers without Stamps (ſubject to the Reſtrictions before mentioned) ſhall be as good, valid and effectual in Law to all Intents and Purpoſes, as if the ſame had been ſtampt according to any former or other Law or Laws for that purpoſe; and that no Penalties or Forfeitures inflicted by any ſuch former Law or Laws for or on Account of making or permitting Transfers of Stock, without being firſt ſtampt, ſhall be incurred by any Perſon or Perſons acting therein in purſuance of this Act; and that it ſhall and may be lawful to and for the ſaid *South-Sea* Company, within the Time before mentioned, to ſell and diſpoſe of, to any ſuch of their Proprietors, any Parcels or Quantities of that Part of their Capital Stock as now remain in the ſaid Company, or in any Perſon or Perſons in Truſt for them, not diſtributed amongſt the reſt of their Adventurers, as ſhall be neceſſary or ſufficient for the Purpoſes aforeſaid, and no more, at ſuch Price or Prices as ſhall be from Time to Time agreed on between the ſaid Company and ſuch Proprietors, and to cauſe the ſame to be transferred accordingly, free from ſuch Stamps, Fees or other Charges as aforeſaid; any Thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding.

Small Sums received as Dividends of Capital may be replaced without Stamps.

VIII. And to the End, Intent and Purpoſe that all truſt Eſtates or Intereſts in the ſaid Capital Stock of the *South-Sea* Company, may be preſerved and improved for the Benefit of the Perſons concerned therein, with the leaſt Expence and Inconvenience to them: Be it enacted by the Authority aforeſaid, That in all and every Caſes where, in purſuance of this Act, any Payments or Dividends ſhall be made of the Capital of any ſuch Stock, as ſhall be veſted in any Perſon or Perſons in Truſt for other Perſons, who have or claim diſtinct or different Intereſts therein, or for any other Ends or Purpoſes, for which the Capital Sum or Stock ought to be preſerved intire, ſuch Payments or Dividends of the Capital Stock ſhall not be paid or applied as Dividends of Profit, Annuity or Intereſt, but ſhall remain in the Hands of ſuch Truſtees reſpectively, till otherwiſe diſpoſed of at Intereſt; and for that Purpoſe it ſhall and may be lawful to and for the Truſtee or Truſtees, who ſhall receive the ſame, at his or their Diſcretion, to lay out or diſpoſe of the ſame or any Part thereof, in the Purchaſe of ſo much other Capital Stock of the ſame Kind, as at the current Market Price of ſuch Stock the Monies received for ſuch Dividends ſhall, as near as conveniently may be, extend to purchaſe; which new purchaſed Stock ſhall be transferred to ſuch Truſtee or Truſtees, and a Receipt or Receipts ſhall be given and ſigned by the Perſon or Perſons transferring the ſame, for the Monies paid for the ſame; and in caſe ſuch Truſtees reſpectively, by Writing indorſed on or annexed to ſuch Receipts, and ſigned or acknowledged before one of the Maſters of the High Court of Chancery, ſhall declare that the Monies in the ſaid Receipts were the Produce of the ſaid Dividends of the ſaid Capital Stock, which Signing or Acknowledgment ſuch Maſters in Chancery are hereby required to accept or take; and each and every ſuch Maſter, before whom the ſame ſhall be done, ſhall at the ſame time certify the ſame, by ſubſcribing his Name thereto; for doing whereof ſuch Maſter ſhall be paid for each ſuch Certificate one Shilling and no more; then, and in every ſuch Caſe, the Stock mentioned in ſuch Receipts to be transferred, ſhall reſpectively go and be deemed ſubject and liable to the ſame Truſts, for the Benefit of the ſame Perſons, and for the ſame Uſes, Ends, Intents and Purpoſes, as the reſt of the truſt Stock remaining in ſuch Truſtees reſpectively will or ought to be ſubject or liable to; and ſuch Truſtees reſpectively ſhall from thenceforth be indemnified from any Loſs, Charges or Damages, on account of their ſo doing, at the Expences of the ſaid truſt Eſtates.

Dividends of Stock in Truſt not to be paid as Dividends of Profit, &c.

See further concerning South Sea Company, 3 *Geo.* 2. *c.* 20. §. 20. 4 *Geo.* 2. *c.* 5. 5 *Geo.* 2. *c.* 17. 6 *Geo.* 2. *c.* 25 & 28. 7 *Geo.* 2 *c.* 17. 9 *Geo.* 2. *c.* 34. §. 12. 10 *Geo.* 2. *c.* 17. §. 35. 20 *Geo.* 2. *c.* 3. §. 60. 24 *Geo.* 2. *c.* 2 & 11.

IX. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to reſtrain or prohibit any ſuch Truſtees from laying out or diſpoſing of any of the ſaid truſt Monies in any other Purchaſes or any other Securities, whether publick or private, if they ſhall ſo think fit, in the ſame Manner and with the ſame Freedom and Security to themſelves as they might have done if this Act had not been made.

Truſtees may diſpoſe of the Truſt Monies in any Securities.

X. And be it further enacted by the Authority aforeſaid, That the Sum of eleven thouſand ſix hundred fifty-five Pounds eleven Shillings and nine Pence Half-penny, remaining in the Exchequer for Arrears of ſeveral Land Taxes, payable in the Year one thouſand ſeven hundred and twenty-ſeven or before, ſhall or may be iſſued or applied as Part of his Majeſty's Supply granted for the Service of the Year one thouſand ſeven hundred and thirty; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding.

Clauſe for applying the Arrears of former Land-Taxes.

XI. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and thirty*, and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe and remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate, and Charges thereon, and the Charges thereby allow-

Appropriation of the Monies granted this Seſſion.

able for raiſing the ſaid Land Tax, ſhall be ſatisfied or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty; for exempting from the ſaid Duties, Cyder and Perry uſed for diſtilling; for aſcertaining the Bounty for Malt exported; for better preventing Frauds in the malting of Corn for Exportation; for making good the Deficiency of a late Malt Act; and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures or Contracts*, and ſo much Money, if any ſuch be, of the Duties thereby granted or continued, as ſhall ariſe and remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied or Money ſufficient ſhall be reſerved to diſcharge the ſame; and alſo the Sum of two hundred thouſand Pounds, to be paid into his Majeſty's Exchequer by the united Company of Merchants of *England* trading to the *Eaſt-Indies*, in purſuance of another Act of this preſent Seſſion of Parliament, *for reducing the Annuity of the ſaid Company, and aſcertaining their Trade to the* Eaſt-Indies, and all the Monies coming into the Exchequer by Exchequer Bills on this Act, and the Sum of eleven thouſand ſix hundred fifty-five Pounds eleven Shillings and nine Pence Half-penny, remaining in the Receipt of his Majeſty's Exchequer on Arrears of former Land Taxes, ſhall be appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay, it is hereby enacted and declared, that

Sums allowed for Naval Services.

out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding eight hundred fifty-three thouſand ſeven hundred eighty-ſix Pounds ſixteen Shillings and five Pence, for or towards the naval Services herein after more particularly expreſſed, that is to ſay, for or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof performed and to be performed, and for or towards extraordinary Repairs of his Majeſty's Navy performed and to be performed, and for or towards other Services of the Navy performed and to be performed.

Greenwich Hoſpital.

XII. And it is hereby further enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for and towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen in the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

Office of Ordnance for Land Service.

XIII. And it is hereby alſo enacted, That out of all or any of the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ninety-four thouſand four hundred Pounds nine Shillings and three Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

Land Forces and other Services.

XIV. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall or may be iſſued or applied any Sum or Sums of Money, not exceeding in the whole the Sum of one million one hundred ninety-four thouſand two hundred twelve Pounds fifteen Shillings and two Pence three Farthings, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, any Sum not exceeding ſix hundred fifty-one thouſand four hundred eighty-four Pounds ſeventeen Shillings and one Penny Half-penny, for defraying the Charge of ſeventeen thouſand ſeven hundred and nine Men, including Commiſſion and Non-Commiſſion Officers and Invalids, for Guards, Gariſons and ſix independent Companies for the Service of the *Highlands*, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, and other Services relating to the Forces for the Year one thouſand ſeven hundred and thirty; and any Sum or Sums of Money, not exceeding one hundred ſixty thouſand two hundred thirty-five Pounds eight Shillings and one Penny Half-penny, for maintaining his Majeſty's Forces and Gariſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Gariſons at *Annapolis Royal*, *Placentia* and *Gibraltar*, for the Year one thouſand ſeven hundred and thirty; and any Sum or Sums of Money, not exceeding twenty-three thouſand four hundred fifty-two Pounds ſixteen Shillings and three Pence, upon Account of Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty; and any Sum or Sums of Money, not exceeding twenty-eight thouſand ſeven hundred eighty Pounds twelve Shillings and five Pence three Farthings, for defraying ſeveral extraordinary Expences and Services incurred, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding ſixty-four thouſand Pounds, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and thirty; ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and the Sum of two hundred forty-one thouſand two hundred fifty-nine Pounds one Shilling and three Pence for defraying the Expence of twelve thouſand *Heſſians*, taken into his Majeſty's Pay for the Service of the Year one thouſand ſeven hundred and thirty; and any Sum or Sums of Money, not exceeding twenty-five thouſand Pounds, for one Year's Subſidy to the Duke of *Brunſwick Lunenburgh Wolfenbuttell*, purſuant to a Treaty dated the twenty-fifth Day of *November* one thouſand ſeven hundred and twenty-ſeven.

Deficiencies of Funds, &c.

XV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred fifteen thouſand

thouſand four hundred forty-ſix Pounds and three Pence, towards making good the Deficiency of the Grants for the Year one thouſand ſeven hundred and twenty-nine; and any Sum or Sums of Money, not exceeding ſixty-three thouſand three hundred forty-four Pounds ſixteen Shillings and five Pence Farthing, to make good the Deficiency of the Fund commonly called *The General Fund*, for raiſing ſeven hundred twenty-four thouſand eight hundred forty-nine Pounds ſix Shillings and ten Pence and one fifth Part of a Penny, for the Year ended at *Michaelmas* one thouſand ſeven hundred and twenty-nine; and any Sum or Sums of Money, not exceeding two thouſand five hundred Pounds, for the Purchaſe of the Intereſt of *Dougall Cuthbert* Eſquire, or any Perſon or Perſons claiming under him in a reverſionary Grant to him during his Life, in the Office of Warden of the *Fleet* Priſon, after the Deceaſe of *Thomas Bambridge* Eſquire; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the *Royal African* Company of *England*, on the Coaſt of *Africa*; and any Sum or Sums of Money, not exceeding one thouſand five hundred Pounds, upon Account of one Year's Penſions, from the twenty-fifth Day of *December* one thouſand ſeven hundred and twenty-nine, to be allowed to the Widows of ſuch half-pay Officers of the Land Forces, as ſerved and were married before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen; which ſaid Sum of one thouſand five hundred Pounds ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of half-pay Officers or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions or other Allowances for the ſame, as his Majeſty by ſuch or the like Warrant or Warrants ſhall be graciouſly pleaſed, from Time to Time, to direct or appoint.

Not to be applied to any other Uſe.

XVI. And be it enacted, That the ſaid Aids or Supplies, provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments, directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules to be obſerved in Application of the Half-pay.

XVII. And as to the ſaid Sum of ſixty-four thouſand Pounds, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, that no Perſon ſhall have or receive any Part of the ſame, who was a Minor and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

2 Geo. 2. c. 18.

'XVIII. And whereas by an Act of Parliament made in the ſecond Year of his Majeſty's Reign, 'intituled, *An Act to aſcertain the Cuſtom payable for Corn and Grain imported; for better aſcertaining the 'Price and Quantity of Corn and Grain, for which a Bounty is payable upon Exportation; for appropriating 'the Supplies granted in this Seſſion of Parliament; and for giving further Time to Clerks and Apprentices 'to pay Duties omitted to be paid for their Indentures and Contracts*, ſeveral Supplies which had been 'granted to His Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes 'therein expreſſed, amongſt which any Sum or Sums of Money, not exceeding fifty-ſeven thouſand 'Pounds, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Ma'rines; ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as 'in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared, by the Authority aforeſaid, That ſo much of the ſaid Sum of fifty-ſeven thouſand Pounds as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Acts preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe, his Majeſty ſhall judge to be proper objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that behalf; any thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

Overplus of the Half-pay Money of laſt Year to be diſpoſed to the compaſſionate Liſt.

'XIX. And whereas *Richard Wollaſton* Eſquire, Receiver General of the Taxes for the County of 'Salop, is in Arrear upon his Account of the Sixth two Shilling Aid, one thouſand ſeven hundred 'twenty-two, the Sum of two thouſand nine hundred ninety-five Pounds eleven Shillings one Penny 'three Farthings or thereabouts, which Arrear was occaſioned by his Agents having by Miſtake over'paid the like Sum on the Ninth three Shilling Aid in the Year one thouſand ſeven hundred twenty'one;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Lord High Treaſurer, or the Commiſſioners of the Treaſury for the Time being, or any three or more of them, to direct the ſaid Sum of two thouſand nine hundred ninety-five Pounds eleven Shillings and one Penny three Farthings or thereabouts, overpaid as aforeſaid, to be repaid to the ſaid *Richard Wollaſton*, out of the Arrears of former Land Taxes, which now are in or ſhall come into the

Clauſe in favour of Richard Wollaſton Eſquire

Receipt of his Majeſty's Exchequer, and which are not herein otherwiſe appropriated, and that the ſame ſhall be immediately paid in by him in Diſcharge of the aforeſaid Arrear on his Account of Land Tax granted for the Year one thouſand ſeven hundred and twenty-two.

CAP. XVII.

An Act for making the Hamlet of *Limehouſe*, and Part of the Hamlet of *Ratcliffe*, in the Pariſh of Saint *Dunſtan Stebonheath*, alias *Stepney*, in the County of *Middleſex*, a diſtinct Pariſh, and for providing a Maintenance for the Miniſter of the new Church there. PR.

'Appointment of 3500*l.* to purchaſe Lands, &c. for the Miniſter of the new Church. Churchwardens 'may make Vaults, &c. Churchwardens to pay 60*l. per Ann.* to the Rector. Veſtrymen to elect a 'Lecturer, and all Officers. New Diſtrict a diſtinct Pariſh. *Ratcliffe* Hamlet to remain as before for "Poors Rates, &c. The great Tithes continued to *Braſen Noſe* College. The two Portioniſts to re-"ceive each 25*l. per Ann.* during their Incumbencies. Pariſh Clerk to be a Member of the Pariſh Clerks. 'The new Church not to be held in *Commendam*. The Pariſh Clerk of the new Church to pay 5*l. per* 'Ann. to the preſent Clerk of *Stepney*. Inhabitants of the new Pariſh paying 2*s.* 6*d. per* Month to 'Poors Rate, to be Veſtrymen. Repairing the Roads to continue as before.

CAP. XVIII.

An Act for repairing the ſeveral Roads leading into the City of *Hereford*. PR.

"The Tolls took Place 1 *July* 1730. and are to continue for 21 Years. Continued by 22 Geo. 2. c. 18.

CAP. XIX.

An Act for providing a Maintenance for the Miniſter of the new Church near *Bloomſbury Market* in the County of *Middleſex*; and for making more effectual an Act paſſed in the fourth Year of his late Majeſty's Reign, for impowering the Commiſſioners for building the fifty new Churches, to direct the Pariſh Church of Saint *Giles in the Fields*, in the ſaid County, to be rebuilt, inſtead of one of the ſaid fifty new Churches. PR.

"Appointment of 3000*l.* to purchaſe Lands, &c. for the Miniſter of the new Church. Inhabitants of the "old Pariſh to pay 1250*l.* for the Rector of the new. Commiſſioners to purchaſe a Churchyard for the "new Church by 24 *June* 1730. Commiſſioners and Veſtry to ſet the Rates of Burials. Vaults, &c. in "the new Church veſted in the Church-wardens. Rectory not to be held in *Commendam*. Pariſh Clerk to "be a Member of the Pariſh Clerks. Not to take away any Rights of the preſent Rector of Saint *Giles in* "*the Fields*. Lecturer to be choſen by the Rector and Veſtrymen. One Bell only in the Steeple. Com-"miſſioners to pay 8000*l.* for rebuilding Saint *Giles*'s Church. After 25 *March* 1731, till an effectual "Diviſion of the Pariſhes can be had, Pariſh Officers to be choſen as formerly, and all Poors Rates ſhall "be made by both Pariſhes jointly. Salvo for all Rights of the Duke of *Bedford*.

CAP. XX.

An Act for taking off certain Duties on Salt, and for making good any Deficiencies in the Funds, that may happen thereby; and for charging the reduced Annuity, payable to the *Eaſt-India* Company, on the Aggregate Fund; and for Relief of *Matthew Lyon*, Executor of *Matthew Page* deceaſed, in reſpect of the Duty for Salt loſt by the overflowing of the River *Mercy*, in the Year one thouſand ſeven hundred and twenty-four.

5 & 6 W. & M. c. 7. 'WHEREAS by an Act of Parliament made in the fifth and ſixth Years of the Reign of 'their late Majeſties King WILLIAM and Queen MARY, intituled, *An Act for granting to their* 'Majeſties certain Rates and Duties upon Salt, and upon Beer, Ale and other Liquors, for ſecuring certain 'Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum 'of ten hundred thouſand Pounds towards carrying on the War againſt France, it was, amongſt other 'Things, enacted, That from and after the five and twentieth Day of *March* one thouſand ſix hun-'dred and ninety-four, there ſhould be, throughout the Kingdom of *England*, Dominion of *Wales*, and 'Town of *Berwick upon Tweed*, raiſed, levied, collected and paid unto their Majeſties, their Heirs and 'Succeſſors, until the ſeventeenth Day of *May* which ſhould be in the Year of our Lord one thouſand 'ſix hundred and ninety-ſeven, for Salt, the Rates and Duties following; that is to ſay, For every 'Gallon of Salt, not being of the Product or Manufacture of the Kingdom of *England*, Dominion of '*Wales* or Town of *Berwick upon Tweed*, imported or to be imported into *England*, *Wales* or *Berwick* 'upon Tweed, the Sum of three Pence of lawful Money of *England*, over and above the then Du-'ties payable on Salt imported, and after that Rate for a greater or leſſer Quantity; and for every 'Gallon of Salt and Rock Salt, made at the Salt Works, or taken out of any Pits, within the ſaid 'Kingdom of *England*, Dominion of *Wales* or Town of *Berwick upon Tweed*, the Sum of one Penny 'Half-penny, and after that Rate for a greater or leſſer Quantity; with divers Proviſions and Direc-'tions in the ſaid Act contained, for managing, collecting, paying and applying the ſame Duties: 'And whereas by another Act made in the ſeventh and eighth Years of the Reign of their ſaid late

7 & 8 W. & M. c. 31. 'Majeſties, intituled, *An Act for continuing to his Majeſty certain Duties upon Salt, Glaſs Wares, Ston*

'*and*

'and Earthen Wares, and for granting ſeveral Duties upon Tobacco Pipes and other Earthen Wares, for 'carrying on the War againſt France, and for eſtabliſhing a National Land Bank, and taking off the Du- 'ties upon Tonnage of Ships, and upon Coals, the ſame Rates and Duties were continued for ever, for 'the Purpoſes of the ſaid Act: And whereas by a ſubſequent Act made in the ninth Year of the 'Reign of her late Majeſty Queen ANNE, *For making good Deficiencies, and ſatisfying the Publick Debts,* 9 Ann. c. 21. 'and for erecting a Corporation to carry on a Trade to the* South-Seas, *and for the Encouragement of the 'Fiſhery*, the before mentioned Duties, amongſt other Duties therein enumerated, were made Part of 'the Duties and Revenues on which the Fund or Annuity, and Allowance for Charges of Manage- 'ment, thereby made payable to the *South-Sea* Company, to be erected by virtue and in purſuance of 'the ſame Act, for or in reſpect of the ſeveral Publick Debts or Securities thereby authorized to be 'ſubſcribed into the Capital or Joint Stock of the ſame Company, were charged: And whereas by 'virtue of the ſame laſt recited Act, and of the Subſcriptions made of Publick Debts or Incum- 'brances in purſuance thereof, and of a further Sum of Money advanced by the ſaid *South-Sea* Com- 'pany into the Exchequer, in purſuance of an Act of the firſt Year of the Reign of his late Majeſty 'King GEORGE the Firſt, *For enlarging the Capital Stock and yearly Fund of the* South-Sea *Company,* 1 Geo. 1. ſtat. 2. 'and by ſeveral ſubſequent Acts of Parliament, the ſaid *South-Sea* Company are intitled, either in the c. 21. 'Right of their preſent Capital Stock, or in Truſt for the Proprietors of the Capital Stock of *South- 'Sea* Annuities, as the ſame were divided into Moieties, by an Act of the ninth Year of the Reign 'of his ſaid late Majeſty King GEORGE the Firſt, to have and receive out of the ſeveral Duties and 9 Geo. 1. c. 6. 'Revenues appropriated by the ſaid recited Act of the ninth Year of her ſaid late Majeſty's Reign, 'and ſuch ſubſequent Acts as aforeſaid, one Annuity or yearly Fund of four hundred thouſand Pounds 'of lawful Money of *Great Britain*, and alſo the yearly Allowance of eight thouſand Pounds for 'Charges of Management, ſubject to Redemption by Parliament, on Payment to them of the Sum of 'ten millions, by any Sums not leſs than five hundred thouſand Pounds at a Time: And whereas by 'an Act of Parliament made in the ninth and tenth Years of the Reign of his ſaid late Majeſty King 'WILLIAM the Third, intituled, *An Act for raiſing a Sum not exceeding two millions upon a Fund for* 9 & 10 W. 3. '*Payment of Annuities after the Rate of eight Pounds* per Centum per Annum, *and for ſettling the Trade* c. 44. '*to the* Eaſt-Indies, it was amongſt other Things enacted, That there ſhould be raiſed, levied, col- 'lected and paid unto his Majeſty, his Heirs and Succeſſors for ever, for Salt, whether imported from 'foreign Parts, or home made, ſeveral additional Rates and Duties therein mentioned (over and above 'all other Duties already payable for the ſame, by any Act or Acts of Parliament before that time made, 'and then in Force) and the ſame additional Duties on Salt, together with certain additional Duties on 'ſtampt Vellum, Parchment and Paper, therein mentioned or referred to, were charged with an An- 'nuity or yearly Fund of one hundred and ſixty thouſand Pounds for Payment of Annuities, after the 'Rate of eight Pounds *per Centum per Annum*, redeemable by Parliament, to the Subſcribers of two 'millions, in purſuance of the ſame Act: And whereas the ſaid Annuity or yearly Fund of one 'hundred and ſixty thouſand Pounds ſtill remains charged on the ſame additional Duties on Salt, 'and Stamp Duties, and is now payable to the United Company of Merchants of *England* trading to 'the *Eaſt-Indies*, redeemable by Parliament, on Payment to the ſaid United Company of the Capital 'Sum or Debt from the Publick, of three millions two hundred thouſand Pounds; but the ſaid United 'Company have agreed and conſented to reduce the ſame Annuity or yearly Fund of one hundred and 'ſixty thouſand Pounds, from the twenty-ninth Day of *September* which ſhall be in the Year of our 'Lord one thouſand ſeven hundred and thirty, to an Annuity or yearly Sum of one hundred and twenty- 'eight thouſand Pounds, redeemable by Parliament, on ſuch Terms as are particularly expreſſed in 'another Act of this preſent Seſſion of Parliament: And whereas by the Articles of Union between 5 Ann. c. 8. 'the Kingdoms of *England* and *Scotland*, all the ſaid Duties on Salt were, from the Times therein Article 8. 'mentioned, to take place in *Scotland* (except the additional Duty on home made Salt) with ſome 'Proviſions for preventing Salt made in *Scotland* from being brought into *England*, without paying 'the ſaid additional Dury on Salt made in *England*;' Now we your Majeſty's moſt dutiful and loyal 5 & 6 W. & M. Subjects, the Commons of *Great Britain*, having conſidered how great a Relief it would be to your c. 7. Majeſty's Subjects, to take off the Duty impoſed by the ſaid firſt recited Act on Home made Salt, and alſo to take off all the additional Duties on Salt, whether Foreign or Home made, impoſed by the ſaid Act of the ninth and tenth Years of the Reign of his ſaid late Majeſty King WILLIAM the Third, and being deſirous at the ſame Time to ſecure the Creditors of the Publick from any Injury and Damage they may ſuffer thereby, do moſt humbly beſeech Your Majeſty that it may be enacted; and be it enact- ed by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *December* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, the Duty of one Penny Halfpenny *per* Gallon on Salt and Rock Salt, made at the Salt-works or taken out of any Pits within this Kingdom, which was granted by the ſaid Act of the fifth and ſixth Years of the Reign of their late Majeſties King WILLIAM and Queen MARY, and ſince made perpetual, and alſo all the additional Duties on Salt, whether imported from Foreign Parts or Home made, which were granted by the ſaid Act of the ninth and tenth Years of the Reign of his ſaid late Majeſty King WILLIAM the Third, ſhall ceaſe, determine and be no longer paid or payable; and then and from thenceforth all the Powers and Authorities given or granted by any Act or Acts of Parliament for the levying, ſecuring, collecting or recovering the ſame, and all Pe- nalties and Forfeitures relating thereto, and all Proviſions, Regulations or Reſtrictions, relating to the importing or bringing of Salt made in *Scotland* into *England*, without paying the ſaid additional Duty on Salt, ſhall ceaſe, determine and not be put in Execution, and then and from thenceforth the Right

After 25 Dec. 1730, the Duties on Home made Salt to determine.

These Duties revived for 5 Years by 5 Geo. 2. c. 6. and made perpetual by 28 Geo. 2. c. 3.

or Demand of any Perſon or Perſons, in purſuance of the ſaid recited Acts or any of them, on his or their exporting beyond the Seas any Salt, for which the ſaid Duties had been before ſecured or paid, to have the Securities for the ſame diſcharged or the Monies paid for the ſame repaid, ſhall alſo ceaſe and determine, as to ſo much of ſuch Securities or Payments, as were given or made for any of the Duties by this Act to be determined, and that no Drawbacks on account of ſuch Duties ſo ſecured or paid before the ſaid twenty-fifth Day of *December* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty (except for the Duty of three Pence *per* Gallon on Foreign Salt impoſed by the firſt herein recited Act) ſhall be made and allowed on any Salt exported beyond the Seas after that Time.

Duties on foreign Salt to continue.

III. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to determine the ſaid Duty of three Pence *per* Gallon on Salt not of the Product or Manufacture of the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, ſo as aforeſaid granted by the ſaid Act of the fifth and ſixth Years of the Reign of their late Majeſties King WILLIAM and Queen MARY, and ſince made perpetual; nor ſhall the ſame extend or be conſtrued to extend to determine or make void any the Proviſions, Rules or Directions, made or given by the ſaid Acts or any of them, and now in Force, for Payment of the ſame Duty by the Importers of ſuch foreign Salt upon the Entry thereof, or for preventing the Landing thereof before ſuch Entry made, or the ſecuring the ſame by Bond with ſufficient Sureties, or for allowing the Diſcounts on paying the ſaid Duty in ready Money, or for Allowances for Drawbacks of the Duties paid or ſecured on the re-exporting the ſame for foreign Parts, or for making good any Loſſes or Accidents that may happen in ſuch Salt after ſhipping the ſame for Exportation to foreign Parts, or to be carried coaſtwiſe, or for aſcertaining the Weight in each Buſhel, by which the ſaid Duty ſhall be computed, or to determine or make void any former Act or Clauſe relating to Ships or Veſſels laden with foreign Salt found hovering on the Coaſt, or relating to ſuch Salt exported to *Ireland*, and landed there; but the ſame and every of them ſhall remain and be in as full Force and Virtue as they now are or would be if this Act had not been made, or as if the ſame had been particularly repeated and re-enacted in the Body of this Act; any Thing herein contained to the contrary thereof notwithſtanding.

What ſhall be deemed foreign Salt.

III. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That the ſaid Duty of three Pence *per* Gallon on foreign Salt ſhall extend only to ſuch Salt as is not the Product and Manufacture of ſome Part of the whole united Kingdom of *Great Britain*, and that all Salt of the Product or Manufacture of that Part of *Great Britain* called *Scotland* ſhall be exempted from the ſaid Duty, as well as Salt of the Product or Manufacture of that Part of *Great Britain* called *England* is exempted from the ſame, by the Deſcription of the ſaid Duty in the ſaid firſt recited Act which originally granted the ſame.

Penalties, &c. for offences about foreign Salt, to continue,

IV. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing herein contained ſhall extend or be conſtrued to extend to determine or make void any the Penalties or Forfeitures inflicted or impoſed by the ſaid former Acts or any of them, and now in Force, for any Offences in the landing of ſuch foreign Salt before Entry, or for any other Frauds or Abuſes upon the re-exporting the ſame, in Relation to the Drawbacks of Duties which had been before paid upon the firſt importing the ſame, and afterwards relanding the ſame in any Part of *Great Britain* clandeſtinely, or for any other Offences againſt the ſaid Acts, in Relation to the ſame Duty, nor to alter any Proviſions now in Force for the Diſtribution of the ſaid Penalties and Forfeitures between his Majeſty and the Informers, when recovered, or the Method of ſuing for or recovering the ſame, ſave only that from and after the ſaid twenty-fifth Day of *December* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, the Proviſions for ſuing for, recovering, receiving or mitigating the ſame, by the ſame Means, Rules, Ways and Methods as any Penalty or Forfeiture is to be ſued for or recoverable by any Laws relating to the Exciſe, ſhall ceaſe and determine; and then and from thenceforth the ſame

How to be ſued for.

ſhall be ſued for, levied, recovered and received for any Frauds or Offences that ſhall be committed in that Part of *Great Britain* called *England*, by Action of Debt, Bill, Suit, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, and for any Frauds or Offences that ſhall be committed in that Part of *Great Britain* called *Scotland*, in the Court of Exchequer at *Edinburgh*, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, or any more than one Imparlance.

Proſecution for Penalties before Juſtices to continue.

V. Provided always, That in any Caſes where any Proviſions are made by any former Acts of Parliament for ſuing for, proſecuting or recovering any Penalties or Forfeitures for any Offences or Frauds in Relation to the ſaid Duties, before any two or more Juſtices of the Peace, the ſame Powers or Proviſions for ſuing for, proſecuting or recovering the ſame before ſuch Juſtices of the Peace, in Relation to the ſaid Duty of three Pence *per* Gallon on foreign Salt, ſhall continue in full Force and be put in Execution; any Thing herein contained to the contrary notwithſtanding.

Act not to diſcharge Proprietors of Salt made before 25 Dec. 1730.

VI. Provided alſo, That nothing in this Act contained ſhall extend or be conſtrued to extend to acquit, releaſe or diſcharge any Importers or Makers or Proprietors of Salt or Rock Salt from any Duties due or to grow due for Salt imported, or Rock Salt taken out of the Pits, or Salt made and removed, before the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, or any Securities for the ſame, or any Penalties or Forfeitures incurred, or to which any Perſon or Perſons was, were or ſhall become liable for any Frauds or Offences in Relation to the ſaid Duties before that Time; but the ſame ſhall remain due, payable, ſuable for and recoverable in the ſame Manner as they would have been if this Act had not been made.

Treaſury to continue after 25 Dec. Officers for getting in Arrears of Salt Duties,

VII. And be it declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Lords Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the Lord High

Treaſurer for the Time being, to continue or appoint, for ſome reaſonable Time, not exceeding in the whole eighteen Months, after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, ſuch and ſo many Officers of the Salt Duties, or other Perſon or Perſons as ſhall be neceſſary for the getting in, receiving and accounting for the Duties on Salt hereby determined, or any Arrears or Securities for the ſame, which may be due at or after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, and for recovering the Penalties and Forfeitures incurred before the ſaid Time, with ſuch reaſonable Allowances for the ſame as may be thought neceſſary.

Bounties on Fiſh exported continued.

VIII. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to repeal, determine or make void all or any of the Bounties or Allowances enacted or directed to be paid on the Exportation of Fiſh from *Great Britain*, out of the Duties on Salt, by an Act of the fifth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for recovering the Credit of the* Britiſh *Fiſhery in foreign Parts, and for better ſecuring the Duties upon Salt*, but the ſame ſhall continue to be paid and payable on all Fiſh exported, in ſuch Manner and upon ſuch Terms, and with and under ſuch Regulations, Rules and Inſtructions as the ſame would have been payable in caſe this Act had not been made, or any of the ſaid Duties on Salt had not ceaſed and been determined.

How the Bounties ſhall be paid.

IX. Save only, and be it enacted by the Authority aforeſaid, That as to ſuch of the ſaid Bounties and Allowances, as from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, ſhall become due or payable for Fiſh cured in and exported from any Port or Ports in that Part of *Great Britain* called *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, the ſame ſhall be paid and payable out of the Monies ariſen or to ariſe for Salt remaining in the Hands of the reſpective Collectors of the Duties of Salt or Cuſtoms in the Port or Ports where ſuch Fiſh was exported, or, in Default thereof, out of the Monies ariſen or to ariſe, and remaining in the Hands of the Collectors of the Cuſtoms or Subſidies, out of which the Bounties or Allowances for Corn or other Grain exported are now by Law payable; and in caſe the Collectors of the Cuſtoms or the Duties on Salt in any Out-Port of that Part of *Great Britain* called *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, ſhall not have Monies ſufficient in their Hands to pay the ſaid Bounties or Allowances ariſing by the ſaid Duty of three Pence *per* Gallon on foreign Salt, or by Monies ariſing by Cuſtoms, out of which the Bounties on Corn exported are payable, that then ſuch Collector or Collectors ſhall give to the Exporter, or the Perſon impowered to demand the ſame (without Fee or Reward) a Certificate under his Hand, atteſted by the Comptroller of the ſame Out-Port, of what is due to ſuch Exporter for the Fiſh ſo exported from ſuch Out-Port, certifying to the Commiſſioners of the Cuſtoms in *London*, that he or they have not Monies in his or their Hands ſufficient to pay the ſame; which Certificate being affixed to the Debenture for the Fiſh ſo exported, and being produced to the ſaid Commiſſioners at *London*, they the ſaid Commiſſioners are hereby authorized and required, on Demand by the Perſon that ſhall bring the ſame, to cauſe the Monies thereby due to be paid in three Months by the Receiver General, or Caſhier of the Cuſtoms for the Time being (without Fee or Reward) out of ſuch Monies in his Hands, ariſing by the ſaid Duty of three Pence *per* Gallon on foreign Salt, or by ſuch Cuſtoms or Duties as are chargeable with the Payment of the Bounty for the Exportation of Corn or Grain, in like Manner as the Debentures for the Bounty on Corn or Grain exported are now paid or payable; and as to ſuch of the ſaid Bounties and Allowances as ſhall become due or payable for Fiſh cured in and exported from any Port or Place in that Part of *Great Britain* called *Scotland*, the ſame ſhall continue to be paid or payable in the ſame Manner and out of the ſame Duties and Revenues ariſing in that Part of the ſaid united Kingdom, as the ſame are now payable there by any Law or Laws now in Being; any Thing in this Act before contained to the contrary notwithſtanding.

The Liberty of importing foreign Salt for the Britiſh Fiſhery continued.

X. Provided alſo, and be it enacted by the Authority aforeſaid, That as to ſuch of the Duties heretofore granted on foreign Salt imported, and not by this Act determined, the ſame Liberty of importing the ſame, for the Uſe of the *Britiſh* Fiſhery, free from the ſaid Duty of three Pence *per* Gallon, and the ſame Powers or Obligations for locking up, delivering and accounting for the ſame for the curing of Fiſh to be exported, and the ſame Penalties and Forfeitures for any Offences therein, as was or were granted or enacted by the ſaid Act of the fifth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, and the ſame Means and Methods for executing, ſuing for, proſecuting or recovering the ſame, except only what relates therein to the Laws of Exciſe, ſhall continue and remain in Force in as full and ample Manner as they would have been if this Act had not been made; any Thing herein before contained to the contrary notwithſtanding. 5 Geo. 1. c. 18.

Foreign Salt imported to be under the Commiſſioners of the Cuſtoms.

XI. Provided alſo, and be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, the Management of the levying, collecting, receiving, recovering or ſecuring the Duty on foreign Salt imported, hereby continued, ſhall be under the Care of the Commiſſioners and Officers of his Majeſty's Cuſtoms for the time being, in the ſame Manner and Form as the Cuſtoms or Duties ariſing by the Act of Tunnage and Poundage, of the twelfth Year of the Reign of his late Majeſty King CHARLES the Second, or by any other Law relating to the Cuſtoms, are managed, levied, collected or accounted for, the neceſſary Charges of Management being firſt deducted; any Law or Uſage to the contrary notwithſtanding. 12 Car. 2. c. 4.

Commiſſioners and Officers not obliged to qualify themſelves on that Account only.

XII. Provided always, That ſuch Commiſſioners of his Majeſty's Cuſtoms, or their under Officers, as ſhall be in the Poſſeſſion or Execution of their ſeveral Offices at the Time when the ſaid Duties ſhall firſt come under their Care or Management, ſhall not on that Account only be obliged to qualify themſelves

ſelves again, as the Laws require all Perſons to do, that accept any new Office or Place of Profit or Truſt under the Crown, ſo as they have before that Time duly qualified themſelves for the reſpective Offices they ſhall then be in the Poſſeſſion or Execution of; nor ſhall they or any of them be liable to or incur any Penalties, Forfeitures or Diſabilities for their omitting the ſame on that Occaſion.

8 Geo. 1. c. 4. & 16.

'XIII. And whereas by two ſeveral Acts of Parliament made in the eighth Year of the Reign of his late Majeſty King GEORGE the Firſt, *For taking off the Duty upon all Salt uſed in curing of Red Herrings or White Herrings, and for laying proportionable Duties on ſuch Herrings conſumed at Home only*, one Duty or Rate of one Shilling and eight Pence *per* Thouſand was laid on all Red Herrings cured promiſcuouſly with Red Herrings deſigned for Exportation, but afterwards delivered out for home Conſumption; and another Duty or Rate of three Shillings and four Pence *per* Barrel was laid on all White Herrings cured promiſcuouſly with White Herrings deſigned for Exportation, but afterwards delivered out for home Conſumption; and in each of the ſaid Acts there is a Proviſion, that in caſe the Duties of Exciſe on Salt (which then amounted to three Shillings and four Pence *per* Buſhel on home made Salt, and ſix Shillings and eight Pence *per* Buſhel on foreign Salt) or any of them ſhould ceaſe, determine or be redeemed by Parliament, then the reſpective Rates and Duties thereby impoſed ſhould ceaſe or be leſſened in Proportion to the Duties on Salt, that ſhould ſo ceaſe, determine or be abated.

'XIV. And whereas in Conſequence of this preſent Act, four Parts in five of the whole of the ſaid Duties on Salt, both home made and foreign, computed together, will ceaſe, determine and be abated from the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty;' Be it therefore further enacted by the Authority aforeſaid, That a proportional Part or Parts of the ſaid ſeveral Rates and Duties impoſed by the laſt mentioned Acts on Red Herrings and White Herrings delivered out for home Conſumption, that is to ſay, four Parts in five of each of them ſhall, from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, ceaſe, determine or be abated, ſo that the Duties or Rates on ſuch Red or White Herrings ſhall from thenceforth be charged only after the Rate of four Pence for every thouſand of ſuch Red Herrings, and of eight Pence for every Barrel of ſuch White Herrings; and the ſaid reduced Duties ſhall be paid and payable to the proper Officers of the Cuſtoms in the Manner as before is directed concerning the Duty on foreign Salt; and in all other Reſpects the ſeveral Proviſions in the ſame Acts, in Relation to the ſaid Duties or Rates, are hereby ratified and confirmed.

4 d. per 1,000 of Red Herrings, and 8 d. per Barrel of White Herrings.

On Oath of the Curer of Herrings, that they were cured only with home made Salt, no Duty to be paid.

8 Geo. 1. c. 4. ſect. 16.

XV. Provided always, That if the Maker or Curer of ſuch Red or White Herrings for home Conſumption, at the Time of making the Entry directed by both the ſaid Acts of the eighth Year of the Reign of his late Majeſty King GEORGE the Firſt (in order to have the Caſks and Veſſels containing the ſame, marked, and a Permit from the Officer for the Removal thereof) ſhall make Oath in Writing before the Officer to be appointed for receiving the ſaid Entry (which Oath the ſaid Officer is hereby impowered to adminiſter) that the Red or White Herrings then entered for home Conſumption were cured only with Salt of the Product or Manufacture of *Great Britain*, without any Mixture of foreign Salt whatſoever, then and in ſuch Caſe the ſaid Red or White Herrings ſhall not be charged with any Duty at all; but nevertheleſs the Caſks or Veſſels containing the ſame ſhall be marked, and ſuch Permit ſhall be given by the Officer for the Removal thereof, as the ſaid Acts direct, ſave only that inſtead of expreſſing in ſuch Permit, that the Duties had been paid for ſuch Red or White Herrings, the ſame ſhall expreſs that ſuch Oath had been made as is before directed; and if it ſhall afterwards appear, that the ſaid Red or White Herrings, ſo as aforeſaid permitted to be removed without paying any Duty, were cured with foreign Salt or any Mixture thereof, the Maker or Curer thereof ſhall (over and beſides the Penalties or Puniſhments which he may ſuffer by Law for falſe Swearing or Perjury) be alſo liable to all the Penalties and Forfeitures which are by the ſaid laſt mentioned Acts reſpectively laid or impoſed on any Offenders, that ſhall remove Red or White Herrings without Entry, or not paying the ſaid Duties.

5 Ann. c. 8. Art. 8.

'XVI. And whereas by the eighth Article of the Treaty of Union between the Kingdoms of *England* and *Scotland*, it was (amongſt other Things relating to the Duties on Salt, which *Scotland* was after the Union to be liable to) agreed, That from and after the Union there ſhould be allowed five Shillings Sterling for every Barrel of Beef or Pork ſalted with foreign Salt, without Mixture of *Britiſh* or *Iriſh* Salt, and exported for Sale from *Scotland* to Parts beyond Sea, alterable by the Parliament of *Great Britain*: And whereas by an Act of Parliament made in the fifth Year of the Reign of her ſaid late Majeſty Queen ANNE, intituled, *An Act for the Eaſe of her Majeſty's Subjects, in relation to the Duties upon Salt, and for making the like Allowances upon the Exportation of White Herrings, Fleſh, Oatmeal and Grain called* Beer, *alias* Bigg, *as are made upon Exportation of the like from* Scotland, it was amongſt other Things enacted, That for every Barrel of ſalted Beef or Pork which ſhould be exported for Sale from any Port of the Kingdom of *England*, Dominion of *Wales* or Town of *Berwick upon Tweed*, to Parts beyond the Seas, after the firſt Day of *May* one thouſand ſeven hundred and ſeven, by any Perſon or Perſons whatſoever, there ſhould be for each Barrel the like Allowances as are to be allowed on ſuch Beef and Pork exported from *Scotland*, to be paid out of the Duties on Salt: And whereas the granting to *Scotland* the ſaid Allowance on the Exportation of Beef or Pork ſalted with foreign Salt only, to which they were immediately after the Union to become liable, and the granting the ſame Allowance to *England*, was to preſerve an Equality of Trade in both the Kingdoms, when united; but as in Conſequence of this Act, ſeven Parts in ten of the Duties on foreign Salt will be taken off or be abated, it is reaſonable alſo that the ſaid Allowances ſhould on that Account be reduced and abated alſo;' Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, the ſaid Allowances of five Shillings *per* Barrel on the Exportation of ſalted Beef or Pork exported for Sale, from any Part of *Great Britain* to any Parts beyond the Seas, ſhall be reduced to an Allowance of one Shilling and ſix Pence *per* Barrel, and no more, on all

5 Ann. c. 29.

Allowance for ſalted Beef or Pork exported reduced to 1 s. 6 d. per Barrel.

Beef

Beef or Pork ſalted with foreign Salt only, without any Mixture of *Britiſh* or *Iriſh* Salt, to be paid out of the ſame Duties or Revenues, and in the ſame Manner as the Bounties or Allowances on Fiſh exported are hereby before directed to be paid.

'XVII. And whereas by an Act paſſed in the fourth and fifth Years of their ſaid late Majeſties King 'WILLIAM and Queen MARY, an additional Impoſt of five Shillings *per* Wey was laid on Salt imported '(except ſuch Salt as ſhall be uſed in curing of Fiſh) and there being no Proviſion made to aſcertain the 'Quantity of Salt that may be ſo uſed;' Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, the ſaid Duty of five Shillings *per* Wey on foreign Salt ſhall be paid and accounted for in the like Manner and Form, and ſubject to the ſame Rules and Regulations as the ſaid Duty of three Pence *per* Gallon on Salt ſhall be paid and accounted for by this Act; any Law, Statute or Uſage to the contrary notwithſtanding.

4 & 5 W. & M. c. 5.

After 25 Dec. 1730, the Impoſt of 5 s. per Wey on Salt how to be paid.

XVIII. Provided always, and be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, no foreign Salt ſhall be imported from Parts beyond the Seas in any Ship or Veſſel of leſs Burden than forty Tuns, and in Bulk only (except for the neceſſary Proviſions of the Ships) upon Pain of forfeiting the ſaid Salt and double the Value thereof, to be recovered of the Perſon importing the ſame: Provided always, That nothing herein contained ſhall extend or be conſtrued to extend to repeal, determine or any ways alter the Powers granted by the ſaid Act of the ninth and tenth Years of the Reign of his late Majeſty King WILLIAM the Third to the Lord Mayor and Aldermen of the City of *London*, and the ſeveral Juſtices of the Peace in their ſeveral Counties throughout the Kingdom of *England*, Dominion of *Wales* and Town of *Berwick upon Tweed*, to ſet from Time to Time the Rates and Prices at which Salt ſhall be ſold, but the ſame ſhall continue and remain in full Force and Effect, the determining any of the ſaid Duties on Salt, or any other Thing herein contained to the contrary notwithſtanding.

Foreign Salt not to be imported in any Ship leſs than 40 Tons.

The Powers granted to the Lord Mayor &c. to ſet the Prices on Salt continued.

'XIX. And whereas after the ceaſing of the ſaid Duties on Salt, many of the Officers and other 'Perſons employed in the Management of the ſaid Duties, may be diſquieted with Proſecutions and 'Actions for what they may have done in the due Execution of their reſpective Offices,' Be it enacted by the Authority aforeſaid, That no Proſecution or Action ſhall from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-one be brought or commenced by any Perſon or Perſons whatſoever, againſt any Officer or Officers, or other Perſon or Perſons employed in the ſaid Revenue, for any Thing done by him or them in the Execution of his or their Offices or Employments in the ſaid Revenue.

No Proſecution againſt Salt Officers after 25 March 1731.

See farther concerning Salt,
5 *Geo.* 2. *c.* 6.
8 *Geo.* 2. *c.* 12.
14 *Geo.* 2. *c.* 22.
26 *Geo.* 2. *c.* 3 & 32.

XX. And for the preventing or remedying any Injury or Damage which may happen to the Governor and Company of Merchants of *England* trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fiſhery, in Reſpect of the Diminution of the Produce of the Duties and Revenues, ſo as aforeſaid charged with their Annuity or yearly Fund of four hundred thouſand Pounds, and their ſaid annual Allowance of eight thouſand Pounds for Charges of Management, by the ceaſing and determining the Duties on home made Salt, included therein; Be it enacted by the Authority aforeſaid, That in caſe at the End of any one Quarter of a Year, to be computed at each and every of the four moſt uſual Quarters of a Year, from the Feaſt-Day of the Annunciation of the bleſſed Virgin *Mary* in the Year of our Lord one thouſand ſeven hundred and thirty, the Produce into the Exchequer of the Monies ariſing from the ſeveral Duties and Revenues, appropriated particularly to diſcharge the Annuity or Allowance for Charges of Management to the ſaid *South-Sea* Company, in Reſpect of their original Capital Stock of ten millions, ſhall not be ſufficient, together with the preſent Proviſions by Parliament, for making good any quarterly Deficiencies therein, to diſcharge the Quarter's Annuity and Allowance that ſhall then be due in reſpect of the ſaid ten millions, or ſo much thereof as ſhall be unredeemed, then, and in every ſuch Caſe, the ſame ſhall from Time to Time be made good out of any Monies which, at the reſpective Times of ſuch Deficiencies happening, ſhall be and remain in the Exchequer, of the Monies ariſen or to ariſe for the Duties and Revenues commonly called *The Aggregate Fund*, eſtabliſhed by an Act of the third Year of the Reign of his late Majeſty King GEORGE the Firſt, which ſhall be more than ſufficient to anſwer, pay and ſatisfy what will then be due and demandable for any prior Charges and Incumbrances on the ſaid Aggregate Fund.

Quarterly Deficiencies of the South-Sea Company's Annuity to be made good out of the Aggregate Fund.

See farther concerning this Company,
4 *Geo.* 2. *c.* 5.
5 *Geo.* 2. *c.* 17.
6 *Geo.* 2. *c.* 25 & 28.
7 *Geo.* 2. *c.* 17.
9 *Geo.* 2. *c.* 34.
10 *Geo.* 2. *c.* 17. § 35, &c.
20 *Geo.* 2. *c.* 3. § 60.
24 *Geo.* 2. *c.* 2. & 11.
3 Geo. 1. *c.* 7.

XXI. And for the preventing and remedying any Injury or Damage which may happen to the United Company of Merchants of *England* trading to the *Eaſt-Indies*, in reſpect of the Diminution that may happen in the Produce of the Duties and Revenues, ſo as aforeſaid charged with their preſent Annuity or Fund of one hundred and ſixty thouſand Pounds *per Annum*, by the ceaſing and determining the before mentioned additional Duties on Salt, before or until the ſaid intended Reduction of their ſaid preſent Annuity or yearly Fund ſhall take Place, and the ſame reduced Annuity or yearly Fund be charged upon new Duties and Revenues with their Conſent, Be it enacted by the Authority aforeſaid, That in caſe at the End of any one Quarter of a Year, to be computed from the Feaſt of the Annunciation of the bleſſed Virgin *Mary* in the Year of our Lord one thouſand ſeven hundred and thirty, until ſuch intended Reduction ſhall take Place, and ſuch new Security be provided for, the ſaid reduced Annuity or yearly Fund, the Produce into the Exchequer of the Monies ariſing from the ſaid additional Duties on Salt, and the ſaid additional Duties on ſtamped Vellum, Parchment and Paper, ſo as aforeſaid particularly charged with the preſent Annuity or Fund of one hundred and ſixty thouſand Pounds, payable to the ſaid United Company, ſhall not be ſufficient, together with the preſent Proviſions by Parliament for making good the Deficiencies thereon, to diſcharge the Quarter's Annuity that ſhall be then due to them; then and in every ſuch Caſe, and as often as the ſame ſhall happen, ſuch quarterly Deficiencies ſhall from Time to Time be made good out of any Monies which at the reſpective Times of ſuch Deficiencies ſhall be and remain in the Exchequer, of the Monies ariſen or to ariſe for the ſaid Duties and Revenues

The Deficiencies to the Eaſt-India Company out of the ſame Fund.

venues commonly called *The Aggregate Fund*, which ſhall be more than ſufficient to anſwer, pay and ſatisfy what will then be due or demandable for any prior Charges or Incumbrances on the ſaid Aggregate Fund.

After 29 Sept. 1730, the India Company's reduced Annuities to be paid out of the Aggregate Fund. *Concerning this Company ſee farther,* 12 *Geo.* 2. *c.* 22. 17 *Geo.* 2. *c.* 17. 27 *Geo.* 2. *c.* 9. 1 *Geo.* 3. *c.* 14.

XXII. And be it enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty, in caſe the ſaid intended Reduction of the ſaid Annuity or Fund of one hundred and ſixty thouſand Pounds ſo as aforeſaid payable to the ſaid United Company ſhall then take Place, then and from thenceforth ſuch reduced Annuity or yearly Fund of one hundred and twenty-eight thouſand Pounds ſhall be transferred from the ſeveral Duties and Revenues now charged with the ſaid preſent Annuity or yearly Fund of one hundred and ſixty thouſand Pounds, and be charged upon and payable out of the Monies ariſen or to ariſe into the Exchequer from Time to Time, for the ſaid ſeveral Duties and Revenues compoſing the Aggregate Fund, to be paid and payable to the ſaid United Company or their Succeſſors, by ſuch and the like quarterly Payments as their preſent Annuity or yearly Fund is now payable, ſubject nevertheleſs to ſuch Redemption by Parliament as is or ſhall be enacted by any other Act of this preſent Seſſion of Parliament, and ſubject to ſuch prior Charges and Incumbrances as are or ſhall be made by Parliament on the growing Produce of the ſaid Aggregate Fund, before the taking Place of ſuch Reduction.

Duty on Stamps and Salt diſcharged therefrom,

XXIII. And be it enacted by the Authority aforeſaid, That from and after ſuch Time as the ſaid reduced Annuity or yearly Fund of one hundred and twenty-eight thouſand Pounds ſhall become charged on the ſaid Aggregate Fund, then and from thenceforth the ſaid additional Duties on ſtamped Vellum, Parchment and Paper ſo as aforeſaid charged, together with the ſaid additional Duties on Salt, with their ſaid preſent Annuity or yearly Fund of one hundred and ſixty thouſand Pounds ſhall be diſcharged therefrom, and alſo from the ſaid reduced Annuity or yearly Fund and every Part thereof, and ſhall be deemed a Saving to the Publick by ſuch Reduction as aforeſaid, and ſhall go and be applied to ſuch Uſes, and for ſuch Purpoſes as by any other Act of this preſent Seſſion of Parliament, or any future Act or Acts of Parliament are or ſhall be from Time to Time directed or appointed concerning the ſame.

General Iſſue.

XXIV. Provided always, and be it enacted, That if any Perſon or Perſons ſhall at any Time be ſued or proſecuted for any Thing done or executed in purſuance of this Act or any of the before recited Acts, he or they ſhall and may plead the General Iſſue, and give this Act or any of the ſaid before recited Acts in Evidence for his Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall be nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

Salvo for Matthew Lyon of Warrington.

'XXV. And whereas by the high Tides or overflowing of the River *Mercy* at *Bank Key* in the County 'of *Lancaſter*, in the Months of *September*, *October*, *November* and *December* one thouſand ſeven hundred 'and twenty-four, nine hundred ſixty-ſix Buſhels of Rock Salt or thereabouts, belonging to *Matthew* '*Page* late of *Warrington* in the ſaid County of *Lancaſter*, deceaſed, was conſumed, and for ſecuring 'the Payment of the Duty whereof Bonds were given by him or ſome Perſon or Perſons on his Be'half; which Bonds have been ſince paid off and diſcharged: And whereas the ſaid *Matthew Page* is 'ſince dead, and *Matthew Lyon* of *Warrington* aforeſaid is his Executor and Repreſentative:' Now for the Relief of the ſaid *Matthew Lyon*, in Reſpect of the Duty ſo paid or ſecured to be paid, for ſo much of the ſaid Salt as was loſt and conſumed as aforeſaid, be it enacted by the Authority aforeſaid, That for and in Conſideration of the Duty paid or ſecured to be paid for the ſaid nine hundred ſixty-ſix Buſhels of Rock Salt ſo loſt and conſumed as aforeſaid, it ſhall and may be lawful to and for the ſaid *Matthew Lyon* to export or diſpoſe of ſo much Rock Salt, Duty-free, as the Duties paid or ſecured to be paid, for the ſaid nine hundred ſixty-ſix Buſhels did amount unto; any Act or Acts of Parliament to the contrary notwithſtanding.

CAP. XXI.

An Act for repairing and amending the ſeveral Roads leading from *Woodſtock* through *Kiddington* and *Enſton* to *Roll-Right Lane*, and from *Enſtow Bridge* to *Kiddington* aforeſaid in the County of *Oxon*. P R.

The Tolls took Place the 20th Day of *May* 1730, and are to have Continuance for 21 Years. Continued by 24 Geo. 2. c. 31.

CAP. XXII.

An Act for amending the Acts therein mentioned relating to the making of Bricks. E X P.

"Bricks made of Brick Earth and Sea-Coal Aſhes, may be burnt in Clamps, and mixed with Breeze. "Brickmakers liable to the Penalties in 12 *Geo.* 1. *c.* 35. and 2 *Geo.* 2. *c.* 15. Clauſes in the former Acts, "not hereby altered, continued."

CAP. XXIII.

An Act for amending and making more effectual an Act made in the ſecond and third Years of the Reign of the late Queen *Anne*, intituled, *An Act for the erecting a Workhouſe in the City of* Worceſter, *and for ſetting the Poor on Work there.* P R.

"After 1 *June* 1730, the Act 2 & 3 *Annæ*, *c.* 8. continued, and the Workhouſe, &c. ſettled on the "Guardians after 9 *June* 1730. Rates for the Poor not to exceed what has been paid in any of the three "Years laſt paſt. Guardians not obliged to qualify themſelves. Guardians may erect ſeparate Workhouſes; may leaſe out the preſent Workhouſe, &c. Poor not maintained in the large Workhouſe to be provided for in their reſpective Pariſhes. Saving to the Mayor, &c. their Hop Market."

CAP.

CAP. XXIV.

An Act for making a new Road, and for repairing and amending the ancient Road between the Towns of *Wisbech* and *March*, in the Isle of *Ely* in the County of *Cambridge*. P R.

The Toll took Place the first Day of *May* 1730, and is to have Continuance for 21 Years. Continued by 22 Geo. 2. c. 34.

CAP. XXV.

An Act for the better Regulation of Juries.

'WHEREAS many evil Practices have been used in corrupting of Jurors returned for the Trial 13 *Ed.* 1. *c.* 38.
'of Issues joined to be tried before the Justices of Assize or *Nisi prius*, and the Judges of the 21 *Ed.* 1. *St.* 1.
'Great Sessions in *Wales*, and the Judge or Judges of the Sessions for the Counties Palatine of *Lan-* 33 *Ed.* 1. *St.* 4.
'*caster*, *Chester* or *Durham*, and many Neglects and Abuses have happened in making up the Lists of 5 *Ed.* 3. *c.* 10.
'Freeholders, who ought to serve on such Trials, and many Persons being lawfully summoned to serve 25 *Ed.* 3. *St.* 5. *c.* 3.
'on Juries have neglected to appear, to the great Injury of many Persons in their Properties and Es- 34 *Ed.* 3. *c.* 4 & 8.
'tates;' In order to prevent the like Practices, Neglects and Abuses, Be it enacted by the King's most 4 & 5 *W.* & *M.*
Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Com- *c.* 24. §. 15.
mons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Lists of Jurors
Day of *September* one thousand seven hundred and thirty, the Person or Persons required by a Statute qualified according to the
made in the seventh and eighth Years of the Reign of his late Majesty King WILLIAM the Third, in- Act 7 & 8 W. 3.
tituled, *An Act for the Ease of Jurors, and better regulating of Juries*, and by a Clause in another Act *c.* 32.
made in the third and fourth Years of the Reign of the late Queen ANNE, intituled, *An Act for making* and 3 & 4 Ann.
perpetual an Act for the more easy Recovery of small Tithes; and also An Act for the more easy obtaining Partition *c.* 18.
of Lands in Coparcenary, Joint Tenancy and Tenancy in Common; and also for making more effectual and amending several Acts relating to the Return of Jurors, to give in, or who are by Virtue of this Act to
make up, true Lists in Writing of the Names of Persons qualified to serve on Juries, in order to assist
them to complete such Lists, pursuant to the Intent of the said Act, shall (upon Request by him or them
made to any Parish Officer or Officers who shall have in his or their Custody any of the Rates for the to be made from the Rates in each Parish,
Poor or Land Tax in such Parish or Place) have free Liberty to inspect such Rates, and take from thence
the Name or Names of such Freeholders, Copyholders or other Persons qualified to serve on Juries,
dwelling within their respective Parishes or Precincts for which such List is to be given in and returned,
pursuant to the said Acts; and shall yearly and every Year, twenty Days at least before the Feast of and yearly fixed upon Church
Saint *Michael the Archangel*, upon two or more *Sundays*, fix upon the Door of the Church, Chapel and Doors.
every other publick Place of religious Worship within their respective Precincts, a true and exact List
of all such Persons intended to be returned to the Quarter-Sessions of the Peace, as qualified to serve on
Juries, pursuant to the Directions of the said Act, and leave at the same Time a Duplicate of such List
with a Churchwarden, Chapelwarden or Overseer of the Poor of the said Parish or Place, to be perused
by the Parishioners without Fee or Reward, to the End that Notice may be given of Persons so qualified
who are omitted, or of Persons inserted by Mistake who ought to be omitted out of such Lists; and if Persons not qualified may be relieved at the Quarter-Sessions.
any Person or Persons, not being qualified to serve on Juries, shall find his or their Name or Names men-
tioned in such List, and the Person or Persons required to make such List shall refuse to omit him or
them, or think it doubtful whether he or they ought to be omitted, it shall and may be lawful to and
for the Justices of the Peace for the County, Riding or Division at their respective General Quarter-
Sessions, to which the said Lists shall be so returned, upon Satisfaction from the Oath of the Party com-
plaining, or other Proof, that he is not qualified to serve on Juries, to order his or their Name or Names
to be struck out or omitted in such List, when the same shall be entred in the Book to be kept by the
Clerk of the Peace for that Purpose, pursuant to the said Act.

II. And be it further enacted, That if any Person or Persons required by the said Acts to return or
give in, or by Virtue of this Act to make up any such List, or concerned therein, shall wilfully omit out
of any such List any Person or Persons whose Name or Names ought to be inserted, or shall wilfully Wilfully omitting or inserting wrong Persons, forfeits 20 *s.*
insert any Person or Persons who ought to be omitted, or shall take any Money or other Reward for
omitting or inserting any Person whatsoever, he or they so offending shall, for every Person so omitted
or inserted in such List, contrary to the Meaning of this Act, forfeit the Sum of twenty Shillings for
every such Offence, upon Conviction before one or more Justice or Justices of the Peace of the County,
Riding or Division where such Offender shall dwell, upon the Confession of the Offender, or Proof by
one or more credible Witness or Witnesses on Oath; one Half thereof to be paid to the Informer, and
the other Half to the Poor of such Parish or Place for which the said List is returned; and in case such
Penalty shall not be paid within five Days after such Conviction, the same shall be levied by Distress and
Sale of the Offender's Goods, by Warrant or Warrants from one or more Justice or Justices of the
Peace, returning the Overplus, if any there be; and the said Justice or Justices, before whom such
Person shall be convicted of such Offence, shall, in Writing under their Hands, certify the same to the
Justices at their next General Quarter-Sessions which shall be held for the County in which the Person
or Persons so omitted or inserted shall dwell, which Justices shall direct the Clerk of the Peace for the
Time being to insert or strike out the Name or Names of such Person or Persons as shall by such Cer-
tificate appear to have been omitted or inserted in such Lists, contrary to the Meaning of this Act; and Duplicates of the Lists to be transmitted to the Sheriff.
Duplicates of the said Lists, when delivered in at the Quarter-Sessions of the Peace, and entred in such

Book to be kept by the Clerk of the Peace for that Purpoſe, ſhall, during the Continuance of ſuch Quarter-Seſſions, or within ten Days after, be delivered or tranſmitted by the Clerk of the Peace to the Sheriff of each reſpective County, or his Under Sheriff, in order for his returning of Juries out of the ſaid Liſts; and ſuch Sheriff or Under Sheriff ſhall immediately take care, that the Names of the Perſons contained in ſuch Duplicates ſhall be faithfully entred alphabetically, with their Additions and Places of Abode, in ſome Book or Books to be kept by him or them for that Purpoſe; and that every Clerk of the Peace neglecting his Duty therein ſhall forfeit the Sum of twenty Pounds to ſuch Perſon or Perſons as ſhall inform or proſecute for the ſame, until the Party be thereof convicted upon an Indictment before the Juſtices of the Peace at any General Quarter-Seſſions of the Peace to be holden for the ſame County, Riding, Diviſion or Precinct.

Penalty on Sheriff, &c. returning any Perſon whoſe Name is not in the Duplicate.

III. And be it further enacted, That in caſe any Sheriff, Under Sheriff, Bailiff or other Officer to whom the Return of Juries ſhall belong, ſhall ſummon and return any Perſon or Perſons to ſerve on any Jury in any Cauſe to be tried before the Juſtices of Aſſize or *Niſi prius*, or Judges of the ſaid Great Seſſions, or the Judge or Judges of the Seſſions for the ſaid Counties Palatine, whoſe Name is not inſerted in the Duplicates ſo delivered or tranſmitted to him or them by ſuch Clerk of the Peace, if any ſuch Duplicate ſhall be delivered or tranſmitted, or if any Clerk of Aſſize, Judge's Aſſociate or other Officer ſhall record the Appearance of any Perſon ſo ſummoned and returned as aforeſaid, who did not really and truly appear, then and in ſuch Caſe any Judge or Juſtice of Aſſize or *Niſi prius*, or Judge or Judges of the ſaid Great Seſſions, or the Judge or Judges of the Seſſions for the ſaid Counties Palatine, ſhall and may, upon Examination in a ſummary way, ſet ſuch Fine or Fines upon ſuch Sheriff or Under Sheriff, Clerk of the Aſſize, Judge's Aſſociate or other Officer, for every ſuch Perſon ſo ſummoned and returned as aforeſaid, and for every Perſon whoſe Appearance ſhall be ſo falſly recorded, as the ſaid Judge or Juſtice of Aſſize, *Niſi prius*, or of the ſaid Great Seſſions, or the Judge or Judges of the Seſſions for the ſaid Counties Palatine ſhall think meet, not exceeding ten Pounds, and not leſs than forty Shillings.

Clerk of Aſſize recording Appearances when the Party did not appear, to be fined.

Juſtices of Aſſize, &c. may fine Sheriff, &c. for returning Jurors irregularly.

IV. And for preventing Abuſes by Sheriffs, Under Sheriffs, Bailiffs or other Officers concerned in the ſummoning or returning of Jurors: Be it enacted by the Authority aforeſaid, That no Perſons ſhall be returned as Jurors to ſerve on Trials at any Aſſizes or *Niſi prius*, or at the ſaid Great Seſſions, or at the Seſſions for the ſaid Counties Palatine, who have ſerved within the Space of one Year before in the County of *Rutland*, or four Years in the County of *York*, or of two Years before in any other County, not being a County of a City or Town; and if any ſuch Sheriff ſhall wilfully tranſgreſs therein, any Judge or Juſtice of Aſſize or *Niſi prius*, or of the ſaid Great Seſſions, or the Judge or Judges of the Seſſions for the ſaid Counties Palatine, may and is hereby required on Examination and Proof of ſuch Offence, in a ſummary Way, to ſet a Fine or Fines upon every ſuch Offender as he ſhall think meet, not exceeding five Pounds for any one Offence.

Sheriff, &c. to enter the Names of thoſe who have ſerved:

And give Certificates.

V. And be it further enacted, That the Sheriff, Under Sheriff or other Officer to whom the Return of Juries ſhall belong, ſhall from Time to Time enter or regiſter in a Book to be kept for that Purpoſe the Names of ſuch Perſons as ſhall be ſummoned, and ſhall ſerve as Jurors on Trials at any Aſſizes or *Niſi prius*, or in the ſaid Courts of Great Seſſions, or Seſſions for the ſaid Counties Palatine, together with their Additions and Places of Abode alphabetically, and alſo the Times of their Services; and every Perſon ſo ſummoned and attending or ſerving as aforeſaid, ſhall (upon Application by him made to ſuch Sheriff, Under Sheriff or other Officer) have a Certificate teſtifying ſuch his Attendance or Service done, which Certificate the ſaid Sheriff, Under Sheriff or other Officer is hereby directed and required to give without Fee or Reward; and the ſaid Book ſhall be tranſmitted by ſuch Sheriff, Under Sheriff or other Officer, to his or their Succeſſor or Succeſſors, from Time to Time.

No Money to be taken to excuſe Perſons from ſerving.

Penalty.

VI. And be it further enacted, That no Sheriff, Under Sheriff, Bailiff or other Officer or Perſon whatſoever, ſhall directly or indirectly take or receive any Money or other Reward to excuſe any Perſon from ſerving or being ſummoned to ſerve on Juries, or under that Colour or Pretence, and that no Bailiff or other Officer appointed by any Sheriff or Under Sheriff to ſummon Juries, ſhall ſummon any Perſon to ſerve thereon other than ſuch whoſe Name is ſpecified in a Mandate ſigned by ſuch Sheriff or Under Sheriff, and directed to ſuch Bailiff or other Officer; and if any Sheriff, Under Sheriff, Bailiff or other Officer ſhall wilfully tranſgreſs in any the Caſes aforeſaid, any Judge or Juſtice of Aſſize, *Niſi prius* or Great Seſſions aforeſaid, or the Judge or Judges of the Seſſions for the ſaid Counties Palatine, may and is hereby required, on Examination and Proof of ſuch Offence, in a ſummary Way, to ſet a Fine or Fines upon any Perſon or Perſons ſo offending as he ſhall think meet, not exceeding ten Pounds, according to the Nature of the Offence.

Conſtables, &c. to ſubſcribe their Liſts before Juſtices, on Oath, &c.

'VII. And whereas by the ſaid Act of the ſeventh and eighth Years of the Reign of his late Majeſty 'King WILLIAM the Third, and alſo by another Act made in the third and fourth Years of the Reign 'of her late Majeſty Queen ANNE, all Conſtables, Tythingmen and Headboroughs are obliged to give 'in true Liſts at the reſpective General Quarter-Seſſions of the Peace holden for each County, Riding 'or Diviſion, of the Names and Places of all Perſons within their reſpective Precincts or Places qualified 'to ſerve on Juries, to the Juſtices of the Peace in open Court, which hath by Experience been found 'inconvenient and expenſive to ſeveral Conſtables, Tythingmen and Headboroughs, ſuch Quarter-Seſ-'ſions being often held at a great Diſtance from their Abode:' For Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *September* one thouſand ſeven hundred and thirty, it ſhall be lawful and ſufficient for all or any Conſtables, Tythingmen or Headboroughs after they ſhall have made and compleated ſuch Liſts of Perſons qualified to ſerve on Juries for their reſpective Pariſhes or Precincts, according to the Manner directed by the before mentioned Acts and this preſent Act, to ſubſcribe the ſame in the Preſence of one or more Juſtice or Juſtices of the Peace for each reſpective

ſpective County or Place, and alſo at the ſame Time to atteſt the Truth of ſuch Liſts upon Oath to the beſt of their Knowledge or Belief, which Oath ſuch Juſtice or Juſtices reſpectively are hereby impowered and required to adminiſter; and the ſaid Liſts ſhall (being firſt ſigned by the ſaid Juſtices reſpectively, before whom the ſame ſhall be atteſted on Oath, and ſubſcribed as aforeſaid) be delivered by the ſaid Conſtables, Tythingmen or Headboroughs to the Chief or High Conſtables of the Hundreds or Diviſions whereunto the ſame ſhall reſpectively belong, who are hereby directed and required to deliver in ſuch Liſts to the Juſtices of the Peace for the County, Riding or Diviſion at their reſpective General Quarter-Seſſions in open Court, atteſting at the ſame Time upon Oath their Receipt of ſuch Liſts from the Conſtables, Tythingmen or Headboroughs reſpectively, and that no Alteration hath been therein made ſince their Receipt thereof; and the ſaid Liſts, ſo delivered in and atteſted, ſhall be deemed as effectual, as if they had been delivered in by the Conſtables, Tythingmen or Headboroughs for their reſpective Pariſhes or Precincts.

Sheriff, &c. on Return of Writs of Venire facias to annex a Panel of Jurors, &c.

VIII. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty, every Sheriff or other Officer to whom the Return of the *Venire facias juratores*, or other Proceſs for the Trial of Cauſes before Juſtices of Aſſize or *Niſi prius* in any County in *England*, doth or ſhall belong, ſhall, upon his Return of every ſuch Writ of *Venire facias* (unleſs in Cauſes intended to be tried at Bar, or in Caſes where a ſpecial Jury ſhall be ſtruck by Order or Rule of Court) annex a Panel to the ſaid Writ, containing the Chriſtian and Surnames, Additions and Places of Abode of a competent Number of Jurors named in ſuch Liſts as qualified to ſerve on Juries, the Names of the ſame Perſons to be inſerted in the Panel annexed to every *Venire facias*, for the Trial of all Iſſues at the ſame Aſſizes in each reſpective County; which Number of Jurors ſhall be not leſs than forty-eight in any County, nor more than ſeventy-two, without Direction of the Judges appointed to go the Circuit and ſit as Judges of Aſſize or *Niſi prius* in ſuch County, or one of them, who are hereby reſpectively impowered and required, if he or they ſee Cauſe, by Order under his or their reſpective Hand or Hands, to direct a greater or leſſer Number, and then ſuch Number as ſhall be ſo directed ſhall be the Number to ſerve on ſuch Jury; and that the Writs of *Habeas corpora juratorum*, or *Diſtringas*, ſubſequent to ſuch Writ of *Venire facias juratores*, need not have inſerted in the Bodies of ſuch reſpective Writs the Names of all the Perſons contained in ſuch Panel, but it ſhall be ſufficient to inſert in the mandatory Part of ſuch Writs reſpectively, *Corpora ſeparalium perſonarum in panello huic brevi annexo nominatarum*, or Words of the like Import, and to annex to ſuch Writs reſpectively Panels containing the ſame Names as were returned in the Panel to ſuch *Venire facias*, with their Additions and Places of Abode, that the Parties concerned in any ſuch Trials may have timely Notice of the Jurors who are to ſerve at the next Aſſizes, in order to make their Challenges to them, if there be Cauſe; and that for the making the Returns and Panels aforeſaid, and annexing the ſame to the reſpective Writs, no other Fee or Fees ſhall be taken than what are now allowed by Law to be taken for the Return of the like Writs and Panels annexed to the ſame; and that the Perſons named in ſuch Panels ſhall be ſummoned to ſerve on Juries at the then next Aſſizes or Seſſions of *Niſi prius* for the reſpective Counties to be named in ſuch Writs, and no other.

Return of Jurors in Wales.

IX. And be it further enacted, That every Sheriff or other Officer, to whom the Return of Juries for the Trial of Cauſes in the Court of Grand Seſſions in any County of *Wales* do or ſhall belong, ſhall, at leaſt eight Days before every Grand Seſſions, ſummon a competent Number of Perſons qualified to ſerve on Juries, out of every Hundred and Commote within every ſuch County, ſo as ſuch Number be not leſs than ten or more than fifteen, without the Directions of the Judge or Judges of the Grand Seſſions held for ſuch County, who is and are hereby impowered, if he or they ſhall ſee Cauſe, by Rule or Order of Court, to direct a greater or leſſer Number to be ſummoned out of every ſuch Hundred and Commote reſpectively; and that the ſaid Officer and Officers who ſhall ſummon ſuch Perſons, ſhall return a Liſt containing the Chriſtian and Surnames, Additions and Places of Abode of the Perſons ſo ſummoned to ſerve on Juries, the firſt Court of the ſecond Day of every Grand Seſſions; and that the Perſons ſo ſummoned or a competent Number of them, as the Judge or Judges of ſuch Grand Seſſions ſhall direct, and no other, ſhall be named in every Panel to be annexed to every Writ of *Venire facias juratores*, *Habeas corpora juratorum*, and *Diſtringas*, that ſhall be iſſued out and returnable for the Trial of Cauſes in ſuch Grand Seſſions.

and Counties Palatine of Cheſter, Lancaſter and Durham.

X. And be it further enacted by the Authority aforeſaid, That every Sheriff or other Officer to whom the Return of the *Venire facias juratores*, or other Proceſs for the Trial of Cauſes before the Juſtices of the Courts or Seſſions to be held for the Counties Palatine of *Cheſter*, *Lancaſter* or *Durham* doth belong, ſhall, fourteen Days at the leaſt before the ſaid Courts or Seſſions ſhall reſpectively be held, ſummon a competent Number of Perſons qualified to ſerve on Juries, ſo as ſuch Number be not leſs than forty-eight nor more than ſeventy-two, without the Direction of the Judge or Judges of the Courts or Seſſions to be held for ſuch Counties Palatine reſpectively, and ſhall, eight Days at the leaſt before ſuch Courts or Seſſions ſhall reſpectively be held, make or cauſe a Liſt to be made of the Perſons ſo ſummoned to ſerve on Juries, containing their Chriſtian and Surnames, Additions and Places of Abode; and the Liſt ſo made ſhall forthwith be publickly hung up in the Sheriff's Office, to be inſpected and read by any Perſon or Perſons whatſoever; and that the Perſons named in ſuch Liſt and no other, ſhall be ſummoned to ſerve on Juries at the next Courts or Seſſions to be held for the ſaid reſpective Counties Palatine; and the ſaid Sheriff or other Officer is hereby required to return ſuch Liſt on the firſt Day of the Court or Seſſions to be held for the ſaid Counties Palatine reſpectively; and the Perſons ſo ſummoned, or a competent Number of them, as the Judge or Judges of ſuch Courts or Seſſions reſpectively ſhall direct, and no other, ſhall be named in every Panel to be annexed to every Writ of *Venire facias juratores*,

tores, *Habeas corpora juratorum* and *Diſtringas*, that ſhall be iſſued out and returnable for the Trial of Cauſes in ſuch Courts or Seſſions reſpectively.

Names of Perſons impanelled to be written, and delivered to the Marſhal of the Aſſize, and put in a Box to be drawn, &c.

XI. And be it further enacted by the Authority aforeſaid, That the Name of each and every Perſon who ſhall be ſummoned and impanelled as aforeſaid, with his Addition, and the Place of his Abode, ſhall be written in ſeveral and diſtinct Pieces of Parchment or Paper, being all as near as may be, of equal Size and Bigneſs, and ſhall be delivered unto the Marſhal of ſuch Judge of Aſſize or *Niſi Prius*, or of the ſaid Great Seſſions, or of the Seſſions for the ſaid Counties Palatine, who is to try the Cauſes in the ſaid County, by the Under Sheriff of the ſaid County, or ſome Agent of his; and ſhall by Direction and Care of ſuch Marſhal be rolled up all as near as may be, in the ſame Manner, and put together in a Box or Glaſs to be provided for that Purpoſe; and when any Cauſe ſhall be brought on to be tried, ſome indifferent Perſon, by Direction of the Court, may and ſhall in open Court draw out twelve of the ſaid Parchments or Papers one after another; and if any of the Perſons whoſe Names ſhall be ſo drawn, ſhall not appear, or be challenged and ſet aſide, then ſuch further Number, until twelve Perſons be drawn who ſhall appear, and after all Cauſes of Challenge ſhall be allowed as fair and indifferent; and the ſaid twelve Perſons ſo firſt drawn and appearing, and approved as indifferent, their Names being marked in the Panel, and they being ſworn, ſhall be the Jury to try the ſaid Cauſe; and the Names of the Perſons ſo drawn and ſworn ſhall be kept apart by themſelves in ſome other Box or Glaſs to be kept for that Purpoſe, till ſuch Jury ſhall have given in their Verdict, and the ſame is recorded, or until the Jury ſhall, by Conſent of the Parties or Leave of the Court, be diſcharged; and then the ſame Names ſhall be rolled up again and returned to the former Box or Glaſs, there to be kept with the other Names remaining at that Time undrawn, and ſo *toties quoties*, as long as any Cauſe remains then to be tried.

Where the Jury have not brought in their Verdict, twelve others to be drawn.

XII. Provided always, That if any Cauſe ſhall be brought on to be tried in any of the ſaid Courts reſpectively, before the Jury in any other Cauſe ſhall have brought in their Verdict, or be diſcharged, it ſhall and may be lawful for the Court to order twelve of the Reſidue of the ſaid Parchments or Papers, not containing the Names of any of the Jurors who ſhall not have ſo brought in their Verdict, or be diſcharged, to be drawn in ſuch Manner as is aforeſaid, for the Trial of the Cauſe which ſhall be ſo brought on to be tried.

Penalty on Defaulters.

XIII. And be it further enacted, That every Perſon or Perſons, whoſe Name or Names ſhall be ſo drawn as aforeſaid, and who ſhall not appear after being openly called three Times, upon Oath made by ſome credible Perſon that ſuch Perſon ſo making Default had been lawfully ſummoned, ſhall forfeit and pay for every Default in not appearing upon Call as aforeſaid (unleſs ſome reaſonable Cauſe of his Abſence be proved by Oath or Affidavit, to the Satisfaction of the Judge, who ſits to try the ſaid Cauſe) ſuch Fine or Fines not exceeding the Sum of five Pounds, and not leſs than forty Shillings, as the ſaid Judge ſhall think reaſonable to inflict or aſſeſs for ſuch Default.

Method in caſe of View.

XIV. Provided always, That where a View ſhall be allowed in any Cauſe, that in ſuch Caſe ſix of the Jurors named in ſuch Panel, or more, who ſhall be mutually conſented to by the Parties or their Agents on both Sides, or if they cannot agree, ſhall be named by the proper Officer of the reſpective Courts of King's Bench, Common Pleas, Exchequer at *Weſtminſter*, or the Grand Seſſion in *Wales*, and the ſaid Counties Palatine, for the Cauſes in their reſpective Courts, or if need be, by a Judge of the reſpective Courts where the Cauſe is depending, or by the Judge or Judges, before whom the Cauſe ſhall be brought on to Trial reſpectively, ſhall have the View, and ſhall be firſt ſworn, or ſuch of them as appear, upon the Jury to try the ſaid Cauſe, before any Drawing as aforeſaid, and ſo many only ſhall be drawn to be added to the Viewers who appear, as ſhall after all Defaulters and Challenges allowed, make up the Number of twelve to be ſworn for the Trial of ſuch Cauſe.

'XV. And whereas ſome Doubt hath been conceived touching the Power of his Majeſty's Courts of 'Law at *Weſtminſter*, to appoint Juries to be ſtruck before the Clerk of the Crown, Maſter of the Of-'fice, Prothonotaries, or other proper Officer of ſuch reſpective Courts, for the Trial of Iſſues depend-'ing in the ſaid Courts, without the Conſent of the Proſecutor or Parties concerned in the Proſecution 'or Suit then depending, unleſs ſuch Iſſues are to be tried at the Bar of the ſame Courts:' Be it declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty's Courts of King's Bench, Common Pleas and Exchequer at *Weſtminſter* reſpectively, upon Motion made on Behalf of his Majeſty, his Heirs or Succeſſors, or on the Motion of any Proſecutor or Defendant in any Indictment or Information for any Misdemeanor, or Information in the Nature of a *Quo Warranto*, depending or to be brought or proſecuted in the ſaid Court of King's Bench, or in any Information depending or to be brought or proſecuted in the ſaid Court of Exchequer, or on the Motion of any Plaintiff or Plaintiffs, Defendant or Defendants in any Action, Cauſe or Suit whatſoever, depending or to be brought and carried on in the ſaid Courts of King's Bench, Common Pleas and Exchequer, or in any of them, and the ſaid Courts are hereby reſpectively authorized and required, upon Motion as aforeſaid, in any of the Caſes before-mentioned, to order and appoint a Jury to be ſtruck before the proper Officer of each reſpective Court, for the Trial of any Iſſue joined in any of the ſaid Caſes, and triable by a Jury of twelve Men, in ſuch Manner as ſpecial Juries have been, and are uſually ſtruck in ſuch Courts reſpectively, upon Trials at Bar had in the ſaid Courts, which ſaid Jury ſo ſtruck as aforeſaid, ſhall be the Jury returned for the Trial of the ſaid Iſſue.

In Trials of Iſſues at Weſtminſter, on Motion of Parties, Judges may order a ſpecial Jury.

Perſon applying for ſuch jury, to pay the Fees. 24 Geo. 2. c. 18.

XVI. And it is hereby further enacted, That the Perſon or Party who ſhall apply for ſuch Jury to be ſtruck as aforeſaid, ſhall bear and pay the Fees for the ſtriking ſuch Jury, and ſhall not have any Allowance for the ſame, upon Taxation of Coſts.

XVII. Provided

XVII. Provided always, and it is hereby further enacted, That where any ſpecial Jury ſhall be ordered by Rule of any of the ſaid Courts to be ſtruck by the proper Officer of ſuch Court, in the Manner aforeſaid, in any Cauſe ariſing in any City, or County of a City or Town, the Sheriff or Sheriffs, or Under Sheriff of ſuch City, or County of a City or Town, ſhall be ordered by ſuch Rule to bring, or cauſe to be brought before the ſaid Officer, the Books or Liſts of Perſons qualified to ſerve on Juries within the ſame, out of which Juries ought to be returned by ſuch Sheriff or Sheriffs, in like Manner as the Freeholders Book hath been uſually ordered to be brought, in order to the ſtriking of Juries for Trials at the Bar, in Cauſes ariſing in Counties at large, and in every ſuch Caſe the Jury ſhall be taken and ſtruck out of ſuch Books or Liſts reſpectively. Where ſpecial Juries in Cities are appointed, the Jury to be taken out of Liſts of Perſons qualified.

XVIII. And be it enacted by the Authority aforeſaid, That any Perſon or Perſons having an Eſtate in Poſſeſſion in Land in their own Right, of the yearly Value of twenty Pounds or upwards, over and above the reſerved Rent payable thereout, ſuch Lands being held by Leaſe or Leaſes for the abſolute Term of five hundred Years or more, or for ninety-nine Years or any other Term determinable on one or more Life or Lives, the Names of every ſuch Perſon or Perſons ſhall and may, and are hereby directed and required to be inſerted in the reſpective Liſts as aforeſaid, in order to their being inſerted in the Freeholders Book; and the Perſons appointed to make ſuch Liſts are hereby directed to inſert them accordingly; and ſuch Leaſeholder or Leaſeholders ſhall and may be ſummoned or impanelled to ſerve on Juries, in like Manner as Freeholders may be ſummoned and impanelled by Virtue of this or any other Act or Acts of Parliament for that Purpoſe, and be ſubject to the like Penalties for Non-appearance; any Law, Statute, Uſe or Cuſtom to the contrary notwithſtanding. Who are qualified to be inſerted in the Liſts.

XIX. And be it further enacted by the Authority aforeſaid, That the Sheriffs of the City of *London* for the time being, ſhall not impanel or return any Perſon or Perſons to try any Iſſue joined in any of his Majeſty's Courts of King's Bench, Common Pleas, and Exchequer, or to be or ſerve on any Jury at the Seſſions of *Oyer* and *Terminer*, Gaol Delivery or Seſſions of the Peace, to be had or held for the ſaid City of *London*, who ſhall not be an Houſholder within the ſaid City, and have Lands, Tenements or Perſonal Eſtate, to the Value of one hundred Pounds; and the ſame Matter and Cauſe alledged by way of Challenge, and ſo found, ſhall be taken and admitted as a principal Challenge, and the Perſon or Perſons ſo challenged, ſhall and may be examined on Oath of the Truth of the ſaid Matter.

XX. And be it further enacted by the Authority aforeſaid, That the Sheriffs or other Officers, to whom the returning of Juries doth or ſhall belong, for any County, City or Place reſpectively, ſhall not impanel or return any Perſon or Perſons to ſerve on any Jury for the Trial of any Capital Offence, who at the Time of ſuch Return would not be qualified in ſuch reſpective County, City or Place, to ſerve as Jurors in Civil Cauſes for that Purpoſe; and the ſame Matter and Cauſe alledged by way of Challenge, and ſo found, ſhall be admitted and taken as a principal Challenge, and the Perſon or Perſons ſo challenged, ſhall and may be examined on Oath of the Truth of the ſaid Matter. Return of Juries in Capital Caſes.

XXI. And be it enacted, That this Act ſhall be openly read once in every Year at the General Quarter-Seſſions to be holden for every County, City or Place, within that Part of *Great Britain* called *England* and *Wales*, next after the twenty-fourth Day of *June*. This Act to be read at every Quarter-Seſſions.

XXII. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force until the firſt Day of *September* one thouſand ſeven hundred and thirty-three, and from thence to the End of the then next Seſſion of Parliament, and no longer. Continuation. *Made perpetual by* 6 Geo. 2. c. 37. *See farther*, 24 *Geo.* 2. *c.* 18. 29 *Geo.* 2. *c.* 19.

CAP. XXVI.

An Act for the better Regulation of the Coal Trade.

'WHEREAS the Shipping imployed in the Coal Trade has for many Years paſt laboured 'under great Difficulties, and been in a very declining State, whereby that valuable Nurſery 'of Seamen has been much impaired, and without ſome ſpeedy Relief, will be in great danger of 'Ruin; and whereas by an Act of Parliament paſſed in the eleventh and twelfth Years of the Reign 'of his late Majeſty King WILLIAM the Third, intituled, *An Act for the Explanation and better Exe-* 'cution of former Acts made touching Watermen and Wherrymen rowing on the River of* Thames, *and for* 'the better ordering and governing the ſaid Watermen, Wherrymen and Lightermen, upon the ſaid River* 'between* Graveſend *and* Windſor, many Perſons keeping Wharfs, and others dealing in Coals, are re- 'ſtrained from carrying the ſame from and to any Part of the River *Thames*, in their own Lighters, or 'other Boats; and whereas ſeveral Lightermen have exacted unlawful Premiums or Rewards for vend- 'ing ſome Sorts of Coals in Preference to others, and have refuſed to make their Notes, given in Pay- 'ment for the ſame, for Value received, and have become Crimps or Factors to the Maſters of Coal 'Ships, at the ſame Time they are Buyers of Coals on their own Account, all which have been found 'by Experience to be greatly prejudicial to the Navigation and Coal Trade, injurious to the Publick, 'detrimental to the Maſters and Owners of Ships imployed in that Trade, and have tended to a Mo- 'nopoly thereof; and whereas there have been great Abuſes in the meaſuring of Sea Coals by many 'Dealers therein, whereby the fair Traders have been much injured, and the Conſumers impoſed on: For Remedy whereof, and to prevent the like Evils for the future, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, it ſhall and may be lawful

11 & 12 *W.* 3. c. 21. *For former Laws concerning Coals, refer to* 9 *H.* 5. *St.* 1. *c.* 10. 16 & 17 *Car.* 2. *c.* 2. 30 *Car.* 2. *c.* 8. 6 & 7 *W.* 3. *c.* 18. 9 & 10 *W.* 3. *c.* 13. 10 & 11 *W.* 3. *c.* 21. 8 *Ann. c.* 4. 9 *Ann. c.* 6, 22 & 28. 12 *Ann. St.* 2. *c.* 9 & 17. 5 *Geo.* 1. *c.* 9. 8 *Geo.* 1. *c.* 14.

After 24 June 1730. Dealers in Coals may uſe their own Lighters.

ful to and for any Perſon or Perſons, who now do or hereafter ſhall keep any Wharf or Wharfs on the River *Thames*, or on any Creek or Branch thereof, and for any other Perſon or Perſons, who now do or hereafter ſhall trade or deal in Coals or other Goods, to keep, uſe and imploy their own Lighters, Barges, and other Craft, in and for the carrying of Coals and other Goods, to and from any Ship or other Veſſel, in the River *Thames*, and to and from any Wharf, Dock, Creek or other Place whatſoever, on or near the ſaid River where ſuch Goods might, before the making of this Act, be lawfully landed or ſhipped off, by any Lighterman or other Perſon, ſo as the Perſon or Perſons, who ſhall be imployed in rowing or navigating any ſuch Lighter, Barge or other Craft, be ſuch as by the Laws now in Being, is or are duly qualified to row or navigate the ſame on the River *Thames*; any Law, Statute, Uſage or Cuſtom to the contrary thereof notwithſtanding.

Lighters to be entred,

II. And be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, all and every Perſon or Perſons (not being a Lighterman or Lightermen) who ſhall by Virtue of this Act become intitled to uſe, keep, work or imploy his, her or their own Lighter or Lighters, or other great Craft for carrying Coals or other Goods on the River *Thames*, ſhall before his, her or their ſo working, uſing or imploying the ſame, make or tender, before the ſaid Company of Watermen and Lightermen, or ſome proper Officer, which the ſaid Company are hereby required to appoint for this Purpoſe, an Entry or Entries of ſuch their reſpective Lighter or Lighters or other Craft, deſigned to be uſed, kept, worked or employed as aforeſaid; for each of which Entries ſuch Officer ſhall receive from the Perſons making ſuch Entries, for the Uſe of the Company, five Shillings and no more; and thereupon ſuch Officer ſhall forthwith regiſter the ſame in a Book or Books to be kept by him, on the Part of the ſaid Company for that Purpoſe, together with the Owner's Name or Place of Abode, and the Number or Mark intended to be affixed or deſcribed on ſuch Lighter or Lighters, or other great Craft reſpectively; and after ſuch Entry made or tendred to be made, ſuch Owner or Owners reſpectively ſhall affix or deſcribe, or cauſe or permit to be affixed or deſcribed, ſuch Number or Mark in Metal or Colours, on the outſide of the ſaid Lighter or Lighters or other great Craft, viſible above Water when fully loaded, there to remain without Alteration (except with Conſent of the Company, or in Caſes of involuntary Accidents) and that until ſuch Entry made or ſuch Tender thereof, and ſuch Number or Mark affixed or deſcribed thereon, ſuch Owner or Owners ſhall not be intitled to uſe, work or imploy ſuch his Lighter or Lighters or other great Craft, in any other Manner than he or they might lawfully do before the making of this Act; and that from and after ſuch Entry made and regiſtered, and ſuch Number or Mark being affixed or deſcribed as aforeſaid, ſuch Lighter or Lighters or other great Craft, and the Owner or Owners thereof ſhall be ſubject and liable, in reſpect of ſuch Entries, Regiſters, Numbers or Marks, to ſuch Orders, Rules or Conſtitutions as are or ſhall be made by the ſaid Company, in regard to the Entries, Numbers or Marks, of or on the Lighters or other great Craft, belonging to Lightermen free of the ſaid Company, and no other.

marked,

and ſubject to the Rules of the Watermens Company.

Buyers of Coals for Sale acting as Crimps, and Maſters imploying them,

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, no Lighterman or other Buyer of Coals for Sale, nor any of their Partners, Agents or Servants, or any in Truſt for them, ſhall act as a Crimp, Agent or Factor, for any Maſter or Owner of any Ship or Veſſel importing Coals into the Port of *London*; and that every Lighterman and other Buyer of Coals for Sale, his or their Partner, Agent or Servant, who ſhall after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, act as a Crimp, Agent or Factor, for ſelling of Coals for any Maſter or Owner of ſuch Ship or Veſſel, contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit and pay the Sum of two hundred Pounds; and that every Maſter of a Ship, who ſhall after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, imploy any Lighterman or other Buyer of Coals for Sale, or his or their Partner, Agent or Servant, or any in truſt for them, knowing him to be ſuch, to be his Crimp, Agent or Factor, contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit and pay the Sum of two hundred Pounds.

to forfeit 200 l.

9 Ann. c. 28.

'IV. And whereas in and by a Clauſe in an Act made in the ninth Year of the Reign of her late Ma-'jeſty Queen ANNE, intituled, *An Act to diſſolve the preſent, and prevent the future Combination of Coal 'Owners, Lightermen, Maſters of Ships and others, to advance the Price of Coals in Prejudice of the Naviga-'tion, Trade and Manufactures of this Kingdom, and for the further Encouragement of the Coal Trade*, it is 'enacted, That if any Lighterman or Lightermen, Maſter or Maſters of Ships, Crimp, Coal Factor or 'other Perſon or Perſons buying or ſelling or dealing in Coals, or otherwiſe concerned in the Coal 'Trade, by him or themſelves, his or their Agent or Servant, or any other Perſon or Perſons, ſhall at 'any Time or Times from and after the firſt Day of *June* aforeſaid, receive or take for the Uſe or 'Benefit of ſuch Lighterman or Lightermen, Maſter or Maſters of Ships, Crimp, Coal Factor or other 'Perſon or Perſons, any Salary, Gratuity, Reward, Allowance, Sum or Sums of Money, from any 'Coal Owner, Fitter, Maſter of Ships, or other Perſon or Perſons whatſoever, for contracting, buying, 'vending, ſelling or diſpoſing of any particular Sorts of Coals, in Preference of any other Sorts of 'Coals, or for the loading of any Ship or Veſſel, or for the Diſpatch, Delivery or Diſpoſal of the 'Coals from on Board of any Ship or Ships or Veſſels, before other Ship or Ships or Veſſels, or ſhall 'knowingly ſell one Sort of Coals for and as a Sort which they really are not, every Perſon offending 'ſhall for every ſuch Offence forfeit and pay the Sum of fifty Pounds; but the Remedy provided 'by the ſaid recited Clauſe, having been found ineffectual to prevent the Miſchiefs and Inconvenien-'cies therein mentioned,' Be it therefore enacted by the Authority aforeſaid, That every Perſon who from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty ſhall take or receive any Premium, Gratuity, Reward, Sum or Sums of Money or Allowance in Coals, or in Account

Receiving Gratuities for Contracts,

or

or otherwiſe, from any Coal Owner, Fitter or Maſter of a Ship, or any of their Agents or Servants, for contracting, buying, vending or diſpoſing of any particular Sort of Coals, or ſhall otherwiſe offend contrary to the true Intent and Meaning of the above recited Clauſe of the ſaid Act, ſhall over and above the Penalty inflicted by the ſaid Act for ſuch Offence, forfeit and pay the Sum of five hundred Pounds; and that every Coal Owner or Fitter, who ſhall after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, by himſelf or themſelves, his or their Agent or Servant, give or agree to give to any Shipmaſter, Lighterman, Crimp or Buyer of Coals, or to any of their Agents or Servants, or to any Perſon or Perſons in Truſt for ſuch Shipmaſter, Lighterman, Crimp or Buyer of Coals, any Premium, Salary, Gratuity, Reward, Sum or Sums of Money, or any Allowance in Coals, or in Account or otherwiſe, for contracting, buying, vending, ſelling or diſpoſing of any particular Sort of Coals, or for the loading of any Ship or Veſſel with ſuch Coal Owner's Coals, or for the Diſpatch, Delivery or Diſpoſal of ſuch Coals from ſuch Coal Owners Collieries or Staiths, and every Perſon who ſhall knowingly ſell one Sort of Coals for and as a Sort which they really are not; every ſuch Coal Owner, Fitter or Perſon ſo offending contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit and pay the Sum of five hundred Pounds.

and ſelling one Sort of Coals for another, to forfeit 500 l.

V. Provided always, That this Act or any Thing herein contained ſhall not extend or be conſtrued to extend to prevent or hinder any Coal Owner from imploying or giving any Salary, Gratuity or Reward to any Fitter or Fitters for the vending, ſelling and diſpoſing of his Coals from his Colliery and Staiths, or to prevent or hinder any Maſter or Owners of any Ship or Veſſel uſing the Coal Trade, from imploying Crimps or Factors (not being Lightermen or Buyers of Coals for Sale, or any of their Partners, Agents, Servants, or any in Truſt for them) to ſell or diſpoſe of their reſpective Loadings of Coals, or pay them Crimpage or Factorage as has uſually been paid.

Coal Owners may imploy Fitters and Crimps not being Lightermen.

VI. And for making more effectual all Agreements between Shipmaſters and Buyers of Coals for the future, be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, all Bargains or Contracts for Coals, between Buyer and Seller at the Market of *Billingſgate* or other Place of Sale within the Bills of Mortality, ſhall by the Crimp or Factor, who has the Diſpoſal of ſuch Coals, be fairly entred with the Conditions thereof, in the Pocket or other Book of ſuch Crimp or Factor, ſubſcribed by the Seller and the Buyer, and witneſſed by the ſaid Crimp or Factor, of which Bargain or Contract the ſaid Crimp or Factor ſhall at the ſame Time deliver *gratis*, a Copy by him atteſted to the Seller and Buyer reſpectively; and the ſaid Entries ſo made and ſubſcribed, and the ſaid Copies ſo given and atteſted, ſhall be admitted as Evidence on Trials in any Court of Law whatſoever; and if any Crimp or Factor ſhall neglect or refuſe to enter ſuch Bargain or Contract, and to ſubſcribe and atteſt the ſame, or ſhall refuſe to give Copies thereof as aforeſaid, he ſhall for every ſuch Offence forfeit and pay the Sum of fifty Pounds, to be levied, recovered and diſpoſed of, as any other Penalties or Forfeitures, above the Sum of five Pounds, are by this Act directed to be levied, recovered and diſpoſed of.

Contracts to be entred and ſubſcribed by Buyer and Seller.

Penalty.

VII. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, all Lightermen and other Buyers of, or Contractors for, Coals on Board of any Ship or Veſſel in the Port of *London*, ſhall at the Time of the Delivery of ſuch Coals, either pay for the ſame in ready Money, or for ſuch Part thereof as ſhall not be ſo paid for, ſhall give their reſpective Promiſſory Note or Notes of their Hands for Payment thereof, expreſſing therein the Words *Value received in Coals*, payable at ſuch Day or Days, Time or Times, as ſhall for that Purpoſe be agreed upon between ſuch Lighterman or other Buyer of or Contractor for Coals, and the Maſter or Owner of ſuch Ship or Veſſel, or his Agent or Factor on his Behalf; and that all ſuch Notes, in caſe of Nonpayment at the reſpective Days and Times therein mentioned, ſhall and may be proteſted or noted in ſuch Manner as Inland Bills of Exchange may now be; and in Default of ſuch proteſting or noting by any Indorſee, and Notice thereof given by ſuch Indorſee to the reſpective Indorſor or Indorſors, within twenty Days after ſuch Failure of Payment, ſuch reſpective Indorſor or Indorſors, to whom ſuch Notice ſhall not be given, ſhall not be chargeable with or liable to anſwer or pay ſuch Sum of Money, as ſhall be mentioned to be payable in or by ſuch Note or Notes, nor any Part thereof; any Law, Uſage or Cuſtom to the contrary thereof notwithſtanding.

The Form of Promiſſory Notes;

VIII. And be it further enacted, That all ſuch Lightermen, or other Buyers of or Contractors for Coals, who ſhall after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty refuſe to give their Note or Notes for Coals to them reſpectively delivered, and ſhall refuſe to inſert the ſaid Words, *Value received in Coals*, and every ſuch Maſter, who ſhall take any ſuch Note from any Dealer in Coals, in which Note the Words *Value received in Coals* are not expreſly inſerted, ſuch Lightermen, Buyers of or Contractors for Coals, and Maſters ſhall for every ſuch Refuſal or Acceptance reſpectively forfeit and pay the Sum of one hundred Pounds.

refuſing to give them forfeits 100 l. 11 Geo. 2. c. 15. ſect. 6.

'IX. And whereas the Maſters of Ships employed in the Coal Trade are for the moſt part inveſted 'both with the grand Bill of Sale and Poſſeſſion of ſuch Ship or Ships, as he or they are Maſters of, 'by which Means many ill diſpoſed Maſters, although they hold but ſmall Parts in their own Right, 'refuſe to obſerve and obey the Directions of their Owners, or to render an Account when thereunto 'required; neither can they (as the Law now ſtands) be compelled ſo to do, without tedious and ex'penſive Suits in Chancery:' For Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, every Maſter of a Ship or Veſſel uſing the Coal Trade, ſhall be ſubject to the Direction of the Owner or Owners of the major Part of his Ship or Veſſel, and ſhall keep, and once a Year render to ſuch Owner or Owners, if required, a true, plain, juſt and perfect Account in Writing of the Produce and Expence of every reſpective Voyage he or they ſhall make within ſuch Year in ſuch Ship or Veſſel; and that in caſe any

Maſters of Veſſels refuſing to give yearly Accounts to the Owners, forfeit 100 l. 4 Geo. 2. c. 30.

any ſuch Maſter ſhall refuſe or neglect to obſerve and obey the Directions of ſuch Owner or Owners, given under his or their Hands in Writing, or ſhall refuſe to give ſuch Account, being likewiſe thereunto required by an Order in Writing under his or their Hands, he ſhall for every ſuch Offence forfeit and pay the Sum of one hundred Pounds: Provided nevertheleſs, That in ſuch Directions there be nothing contained which ſhall relate to the reſtraining or inhancing the Price of Coals in the River of *Thames*, or to keeping of Turn in delivering of Coals there.

'X. And whereas by ancient Cuſtom in the Port of *London*, one Chaldron of Coals is allowed in to 'every Score bought on board Ship, and ſo in Proportion for a greater or leſſer Quantity, which is 'called *Ingrain*, notwithſtanding which many Perſons dealing in Coals do load the ſame from on 'board Ship bare Meaſure, without the aforeſaid *Ingrain*, to the great Injury of the Conſumer;' Be it therefore further enacted by the Authority aforeſaid, That all Lightermen and other Perſons dealing in Coals, who ſhall from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, ſell to any Perſon or Perſons any Parcel or Quantity of Coals as and for Pool Meaſure, *videlicet*, ſuch Meaſure as is uſually given or allowed in the Pool or River *Thames*, including the aforeſaid *Ingrain*, and ſhall not juſtly and without Fraud deliver to ſuch Perſon or Perſons, Buyers or Conſumers thereof, the full Quantity of Coals ſo ſold, and accordingly meaſured from on board Ship to ſuch Lighterman or other Dealer in Coals, by the Meter, together with the *Ingrain* thereof, ſuch Lighterman or other Dealer in Coals ſhall for every ſuch Offence forfeit and pay the Sum of one hundred Pounds.

Refuſing the Allowance called Ingrain to forfeit 100 l.

XI. And for the better diſcovering and preventing Frauds and Abuſes in the meaſuring of Coals, and the Encouragement of the fair Trader therein, Be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty, all Coals which ſhall be landed at any Wharf, Dock, or other landing Place on the River *Thames*, or on any Creek or Branch adjacent or near thereto, and which ſhall be carried to any Place or Places within the Cities or Suburbs of *London* or *Weſtminſter*, or the Bills of Mortality, in any Car, Cart, Waggon, or other Carriage of any Denomination whatſoever, ſhall be carried to the reſpective Buyers thereof in Linen Sacks, ſealed and marked with white Paint in Oil at *Guild-Hall*, *London*, or at the Exchequer Office at *Weſtminſter*, by the proper Officer there; which Sacks ſhall be full four Feet and two Inches in Length, and ſix and twenty Inches in Breadth, after they ſhall be made; which Sacks all Dealers in and Carriers of Coals ſhall uſe for Carriage of Coals within the Limits aforeſaid, and no others, and all Makers of Coal Sacks ſhall make them of the aforeſaid Dimenſions at the leaſt; and that every Dealer in and Carrier of Coals, who ſhall from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty, make uſe of any other Sack or Sacks for Carriage of Coals within the Limits aforeſaid, ſhall for every Sack he or they ſhall ſo make uſe of, forfeit and pay the Sum of twenty Shillings.

Coal Sacks to be ſealed and marked.

Dimenſion of the Sacks.

See 32 *Geo.* 2. c. 27.

Penalty.

XII. Provided nevertheleſs, That this Act, or any Thing herein contained, ſhall not extend or be conſtrued to extend to prevent or hinder any Conſumer of Coals from fetching or carrying home his own Coals by Porters, or in his own or hired Carts, Waggons or other Carriages, without being obliged to uſe ſuch Sacks, as are herein before directed and deſcribed; any Thing herein contained to the contrary thereof notwithſtanding.

Conſumers of Coals exempted from uſing ſuch Sacks.

XIII. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty, all Dealers in and Sellers of Coals by the Chaldron or leſſer Quantity, within the Cities of *London* and *Weſtminſter*, or within ten Miles round the ſame, ſhall conſtantly keep and uſe at their reſpective Wharfs, Warehouſes, and other Places for the Sale of their Coals, a lawful Buſhel, ſuch as is deſcribed in and by an Act made in the twelfth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for the ſpeedy and effectual preſerving the Navigation of the River of* Thames, *by ſtopping the Breach in the Levels of* Havering *and* Dagenham *in the County of* Eſſex, *and for aſcertaining the Coal Meaſure*, with which Buſhel all ſuch Dealers in and Sellers of Coals, ſhall juſtly meaſure, or cauſe all the Coals they ſhall ſo ſell by the Chaldron or leſſer Quantity, to be meaſured, and ſhall put three Buſhels of Coals ſo juſtly meaſured into each Sack before deſcribed, which ſaid Sacks they ſhall uſe, and no other, for the Carriage of ſuch Coals to the Buyers thereof; and that all ſuch Dealers in and Sellers of Coals within the ſaid Limits, who from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty ſhall not conſtantly keep and uſe ſuch a Buſhel and ſuch Sacks, as herein before deſcribed, and no other, or ſhall not ſo fill their Coal Sacks from ſuch Buſhels, or ſhall otherwiſe offend againſt the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit and pay the Sum of fifty Pounds; and if any Servant or Servants of ſuch Dealer or Dealers in Coals ſhall, from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty, fill ſuch Coals into Sacks, without firſt duly meaſuring the ſame by ſuch Buſhel, ſuch Servant or Servants ſhall for every ſuch Offence be committed to the Houſe of Correction, there to be kept to hard Labour, for any Time not exceeding thirty Days, nor leſs than fourteen Days.

What ſhall be deemed lawful Coal Buſhels, &c.

12 Ann. Stat. 2. c. 17.

Penalty on uſing other Meaſures.

'XIV. And foraſmuch as it hath hitherto been uſual for Coal Buſhels and ſmaller Meaſures to be 'marked or ſealed with a hot Iron on the Wood thereof, and that ill diſpoſed Perſons, before they have 'ironed and fitted ſuch Buſhels and ſmall Meaſures for work and uſe, have cut away the upper Parts 'thereof, ſo as they did not contain ſo much as the Law directs:' For Remedy whereof, and to prevent ſuch ill Practices for the future, Be it further enacted by the Authority aforeſaid, That all Perſons dealing in Coals, and uſing Coal Buſhels and ſmaller Meaſures, ſhall before they preſume to uſe the ſame, have them fitted for work and uſe with Iron or Copper, and after they are ſo fitted ſhall carry them to the *Guild-hall London*, or to the Exchequer Office at *Weſtminſter*, to be ſealed or ſtamped by the proper Officer there, with a Steel Inſtrument on the uppermoſt Iron or Copper Hoop and Strap, which Meaſures ſhall be by them reſpectively kept without any Alteration, and ſo uſed at their reſpective Places of Sale of their

Meaſures to be ſealed or ſtamped.

their Coals, which Places of Sale are hereby declared to be the reſpective Wharfs, Warehouſes, Docks, Sheds, Cellars, or other Repoſitories, for the Coals of ſuch Perſons as are Dealers therein, and that all Perſons dealing in Coals, who ſhall from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty offend herein, ſhall for every ſuch Offence forfeit and pay the Sum of fifty Pounds; and that all Perſons who ſhall, from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty, alter and make leſs any ſuch Buſhel or other Meaſure, or any of the Sacks before mentioned, after the ſame have been ſealed or marked as aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of fifty Pounds. Penalty.

XV. And for the better Diſcovery of the Offences herein before-mentioned, Be it further enacted by the Authority aforeſaid, That any Perſon who ſhall be guilty of any of the Offences declared by this Act, and ſhall, within ſix Calendar Months after ſuch Offence ſhall be committed, make an effectual Diſcovery of any Coal Owner or Coal Owners, Proprietor or Proprietors of a Colliery or Collieries, or of his or their Agent or Agents, Servant or Servants, or of his, their or any of their Fitters, Officers or Clerks, or of any Maſter or Owner of any Ship or Veſſel, or of any Lighterman, Crimp, Coal Factor, or Seller or Retailer of Coals, or other Perſon concerned in the Coal Trade, who ſhall have committed any Offence contrary to the true Intent and Meaning of this Act, ſo as he, they or any of them ſhall be convicted of any ſuch Offence, ſuch Perſon making ſuch Diſcovery ſhall be, and is hereby fully diſcharged of and from the ſaid Penalties and Forfeitures for all ſuch Offences by him before that Time committed, and ſhall alſo be intitled to have and receive the ſame Benefit and Advantage from ſuch Diſcovery and Conviction, as any other Perſon ſhall in the like Caſe be intitled to by Virtue of this Act. Offenders againſt this Act diſcovering other Offenders, acquitted.

XVI. And be it further enacted by the Authority aforeſaid, That all and ſingular the Penalties and Forfeitures for Offences in this Act mentioned, above the Sum of five Pounds, ſhall be one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to him or them who ſhall inform and ſue for the ſame within the Space of ſix Calendar Months next after ſuch Offence or Offences ſhall be committed, to be recovered with double Coſts of Suit by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor more than one Imparlance given; and that all Penalties and Forfeitures for Offences in this Act mentioned, of or under the Sum of five Pounds, ſhall be recovered by way of Complaint made unto the Lord Mayor of *London* for the Time being, or any one Juſtice of the Peace within the City of *London* and Liberties thereof, or one Juſtice of the Peace of the ſeveral and reſpective Counties and Places where ſuch Offender or Offenders ſhall live, who are hereby required to call the Parties before them, and to hear and examine ſuch Complaint upon Oath, which by Virtue of this Act is to be by him adminiſtred, and upon due Proof thereof made to his Satisfaction, to grant a Warrant under his Hand and Seal for levying ſuch Forfeitures accordingly; the one Moiety thereof to be to and for the Uſe of the Informer, and the other Moiety thereof to be to and for the Uſe of the Poor of the Pariſh where ſuch Offence or Offences ſhall be committed: and in caſe ſuch Forfeitures ſhall not be forthwith after ſuch Conviction or Convictions paid, that then the ſame ſhall be levied by Diſtreſs and Sale of ſuch Offender's Goods and Chattels by Warrant or Warrants under the Hand and Seal of the Lord Mayor of *London*, or ſuch Juſtice of the Peace before whom ſuch Offender or Offenders ſhall be convicted, rendring the Overplus, if any ſhall be, to ſuch Offender or Offenders; and for want of ſufficient Diſtreſs or Diſtreſſes ſuch Offender or Offenders ſhall be committed to the Houſe of Correction for any Time not exceeding thirty Days, and not leſs than fourteen, there to be kept to hard Labour. Penalties how to be levied.

XVII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act to all Intents and Purpoſes, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever, without the ſame being ſpecially pleaded or ſet forth. Publick Act. *Concerning Coals ſee farther*, 4 *Geo.* 2. *c.* 30.

10 *Geo.* 2. *c.* 32. *(which is made perpetual by* 31 *Geo.* 2. *c.* 42.*)* 11 *Geo.* 2. *c.* 15. 13 *Geo.* 2. *c.* 21. 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. *c.* 15.

CAP. XXVII.

An Act for explaining and amending an Act made in the laſt Seſſion of Parliament, intituled, *An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons.*

'WHEREAS by an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons*, it is amongſt other Things enacted, That it ſhould be lawful for any Perſon or Perſons, charged in Execution for any Sum or Sums of Money not exceeding in the whole the Sum of one hundred Pounds, after the twenty-fifth Day of *March* one thouſand ſeven hundred and twenty-nine, within the Priſon of the *Marſhalſea*, or County Gaol of *Surrey*, and after the twenty-ninth Day of *September* one thouſand ſeven hundred and twenty-eight, in any other Gaol or Priſon, to exhibit a Petition to any of the Courts of Law from whence the Proceſs iſſued, upon which he, ſhe or they was or were taken or charged in Execution, in the Manner by the ſaid Act directed; which Court is thereby required, by Order or Rule of Court, to cauſe the Priſoner to be brought up, and the ſeveral Creditors at whoſe Suit he, ſhe or they ſtood charged, to be ſummoned to appear perſonally or by their Attorney in Court, and upon any of their Neglect or Refuſal to appear, upon Affidavit of the due Service of ſuch Rule and Order, ſuch Court ſhould in a ſummary Way examine into the Matter of the ſaid Petition, and alſo adminiſter to ſuch Priſoner the Oath in the ſaid Act mentioned and directed to be adminiſtred upon ſuch Examination as aforeſaid: And whereas it hath been found inconvenient to bring Priſoners up to the Courts in *Weſtminſter-Hall* from Priſons that are at a great Diſtance from thence, as the ſaid Act directs, by reaſon 2 Geo. 2. c. 22. *For former Laws relating hereto, refer to* 1 *Ed.* 3. *St.* 1. *c.* 7. 43 *El. c.* 2. 19 *Car.* 2. *c.* 4. 22 & 23 *Car.* 2. *c.* 20.

'of the great Difficulties and Expences which attend the ſame:' Therefore for remedying the ſaid Inconveniencies, and to the Intent that the Creditor or Creditors may be the better enabled to inquire into the true State of the Real and Perſonal Eſtate of any Priſoner or Priſoners who ſhall be in Execution as aforeſaid, on his, her or their Account, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Trinity Term* next enſuing, before any Priſoner or Priſoners being in any Priſon (except ſuch who are in the Priſons in the Cities of *London* and *Weſtminſter* and the Borough of *Southwark*) ſhall petition any of the Courts in *Weſtminſter-Hall* from whence the Proceſs iſſued, upon which he, ſhe or they was or were charged in Execution, in ſuch Manner as the ſaid Act mentions, ſuch Priſoner or Priſoners ſhall give or cauſe to be given a Writing, importing Notice to the ſeveral Creditors, at whoſe Suit he, ſhe or they ſhall ſtand charged as aforeſaid, that he, ſhe or they doth or do intend to petition the Court from whence the Proceſs iſſued, upon which he, ſhe or they was or were taken in Execution, and alſo a true Copy of the Account or Schedule in Writing of his, her or their whole Real or Perſonal Eſtate, which he, ſhe or they doth or do intend to deliver into any ſuch Court, the ſaid Notice to be left with or ſerved upon the ſaid Creditor or Creditors, his, her or their Executors or Adminiſtrators, or ſome or one of them, or his or their Attorney or Agent imployed in ſuch Cauſe or Cauſes, for which he, ſhe or they ſhall be impriſoned.

Priſoners in Execution to give Notice to their Creditors, that they deſign to petition the Court. 8 Geo. 2. c. 24.

II. And it is hereby further enacted, That upon ſuch Petition made by any Priſoner or Priſoners to any of the ſaid Courts from whence the Proceſs iſſued, ſuch Court is hereby required to make a Rule to cauſe the Priſoner or Priſoners to be brought, at an Expence not exceeding twelve Pence a Mile, to be paid to the Officers out of the Effects of the Priſoner, and in caſe the Priſoner has not ſufficient Effects, then to be repaid by the Treaſurer of the County out of the County Stock, to the next Aſſizes to be holden for the County or Place where he, ſhe or they ſhall be impriſoned, if the ſame ſhall be within that Part of *Great Britain* called *England*, and if within the Principality of *Wales* or County Palatine of *Cheſter*, then ſuch Priſoner or Priſoners ſhall be brought to the next Great Seſſions to be holden for the County where he, ſhe or they ſhall be impriſoned; and the ſeveral Creditors at whoſe Suit ſuch Priſoner or Priſoners ſhall ſtand charged as aforeſaid, ſhall alſo be ſummoned to appear at the ſaid next Aſſizes or Great Seſſions perſonally, or by his, her or their Attorney or Attorneys, by Rule or Order of the Court from whence the Proceſs iſſued, to be ſerved on ſuch Creditor or Creditors, or to be left at his, her or their Dwelling-houſe or uſual Place of Abode, thirty Days at the leaſt before ſuch Aſſizes or Great Seſſions.

Priſoner, by Rule of Court, to be brought to the next Aſſizes: Expences thereof how to be paid.

Creditors to be ſummoned.

III. And it ſhall be lawful for the Judges of Aſſize or Great Seſſions, or one of them, and he and they are hereby required to appoint a Time for hearing the Matter upon the ſaid Petition at and during ſuch Aſſizes or Great Seſſions; and upon Appearance of the Creditors ſo ſummoned, or in Default thereof, upon Affidavit of their being ſo ſummoned, and duly ſerved with ſuch Notice, and Copy of Account of ſuch Priſoner's Real and Perſonal Eſtate as aforeſaid, and alſo with the Rule or Order of Court for their Appearance at ſuch Aſſizes or Great Seſſions, the ſaid Judge or Judges ſhall in a ſummary Way examine into the Matter of ſuch Petition, and hear what can or ſhall be alledged on either Side for or againſt the Diſcharge of ſuch Priſoner, upon which Examination the ſaid Judge and Judges is and are impowered and required to adminiſter or tender to ſuch Priſoner the Oaths in the ſaid recited Act directed and appointed to be taken by any Priſoner before the Judges of the Court out of which the Proceſs upon which ſuch Priſoner was taken in Execution iſſued; and the ſaid Judge or Judges of Aſſize or Great Seſſions ſhall give ſuch Judgement, Relief and Directions as the Court out of which the Proceſs iſſued for the taking of ſuch Priſoner in Execution might or ought to have given before the making of this Act; which Judgment, Relief and Directions, by the ſaid Judge or Judges of Aſſize or Great Seſſion ſo given as aforeſaid, ſhall be as good and effectual to all Intents and Purpoſes, as if the ſame had been made in the Court out of which the Proceſs iſſued on which ſuch Priſoner was taken in Execution; and the like Proceedings ſhall be had thereupon, and a Record of ſuch Judgment ſhall be made up in the ſame Form, and returned and certified under the Hand or Hands of the Judge or Judges before whom it ſhall be made, unto the Court from when the Proceſs on which ſuch Priſoner was taken in Execution iſſued, to be a Record of the ſaid Court, and to be kept as ſuch amongſt the other Records there.

The Cauſe to be heard in a ſummary Way.

Judgments to be entred on Record.

IV. And it is hereby further enacted, That the Judges of the Great Seſſions in *Wales*, and the Judges of the County Palatine of *Cheſter*, within their reſpective Juriſdictions, ſhall and they hereby have the ſame Cognizance, Power, Authority and Juriſdiction for the Relief of Debtors, with reſpect to the Impriſonment of their Perſons, who ſhall be impriſoned within their reſpective Precincts, by Virtue of any Execution to be iſſued out of their reſpective Courts, and to proceed in the ſame Manner concerning the Diſcharge of ſuch Debtor or Debtors, and to give the ſame Judgment, Relief and Directions relating thereto, as the ſaid Courts in *Weſtminſter-Hall* are impowered and directed to do by the ſaid herein before recited Act.

Judges of Wales and Cheſter to have the like Power within their own Precincts.

'V. And whereas divers Rules or Orders may have been made by the Courts of Law in *Weſtminſter-Hall* for the bringing up of Priſoners, purſuant to the ſaid recited Act, from Priſons at great Diſtance from the Cities of *London* and *Weſtminſter*, which have not been obeyed by the reſpective Sheriffs or Gaolers in whoſe Cuſtody ſuch Priſoner or Priſoners then were, by reaſon of the great Expence attending the ſame;' Be it enacted by the Authority aforeſaid, That all ſuch Rules or Orders as have been made by any of the Courts in *Weſtminſter-Hall*, for bringing up of ſuch Priſoners to any ſuch Courts, and all Attachments and Proceedings thereon, be and the ſame are hereby diſcharged and made void; and that all Sheriffs and Gaolers be and are hereby protected and indemnified againſt all Actions that are or ſhall be brought againſt them, or any of them, for not obeying ſuch Rules or Orders.

Orders made for bringing Priſoners to Weſtminſter-Hall vacated.

'VI. And

'VI. And whereas by the ſaid recited Act the Officers are reſtrained from carrying any Perſon or Perſons by them arreſted to any Gaol or Priſon within twenty-four Hours from the Time of ſuch Arreſt; and ſeveral Perſons, who have been arreſted, refuſing to be carried by the Officers to any Houſe whatſoever, to be kept in ſafe Cuſtody during that Time, have kept the Officers abroad with them in the Night-time, and thereby have found Means to make their Eſcapes from ſuch Officers:' Be it therefore enacted by the Authority aforeſaid, That if any Perſon or Perſons, after the firſt Day of *Trinity Term* next, ſhall be arreſted or in Cuſtody of any Sheriff, Under Sheriff, Bailiff, Serjeant at Mace or other Officer or Miniſter whatſoever, by Virtue of any Writ, Proceſs or Warrant, and ſuch Perſon or Perſons ſo arreſted ſhall refuſe to be carried to ſome ſafe and convenient Dwelling-houſe of his, her or their own Nomination and Appointment, ſo as ſuch Dwelling-houſe ſhall be within a City or Market-Town, in caſe ſuch Perſon or Perſons ſhall be there arreſted, or, if ſuch Arreſt ſhall be made out of any City or Market-Town, then within three Miles from the Place where ſuch Arreſt ſhall be made, and ſo as ſuch Houſe be not the Houſe of the Perſon arreſted, provided it be within the ſame County and Liberty, that then it ſhall and may be lawful to and for ſuch Sheriff or other Officer or Miniſter to convey or carry the Perſon or Perſons ſo refuſing to ſuch Gaol or Priſon, as he, ſhe or they is or are liable to be ſent to by Virtue of ſuch Writ or Proceſs; any Thing in the ſaid recited Act to the contrary notwithſtanding.

Priſoner refuſing to go with the Officer to ſome Houſe, to be carried to Priſon.

'Continued and amended by 21 Geo. 2. c. 33. *See further*, 32 *Geo.* 2. *c.* 28.

CAP. XXVIII.

An Act for granting Liberty to carry Rice from his Majeſty's Province of *Carolina* in *America* directly to any Part of *Europe* Southward of Cape *Finiſterre*, in Ships built in and belonging to *Great Britain*, and navigated according to Law.

'WHEREAS by an Act made in the third and fourth Years of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for granting to her Majeſty a further Subſidy on Wines and Merchandizes imported*, all Rice of the Growth or Production of the *Engliſh* Plantations in *America*, *Aſia* or *Africa*, is obliged to be imported into *England*, *Wales* or *Berwick upon Tweed*, or to ſome other of the ſaid Plantations, under ſuch Securities and Penalties as other enumerated Goods or Commodities of the Growth, Production or Manufacture of the ſaid Plantations are ſubject to by an Act made in the twelfth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for encouraging and increaſing of Shipping and Navigation*, or by another Act made in the five and twentieth Year of the Reign of the ſaid late King, intituled, *An Act for the Encouragement of the* Greenland *and* Eaſtland *Trade, and for the better ſecuring the Plantation Trade:* And whereas His Majeſty's Province of *Carolina* in *America* has by Experience been found to be a proper Soil for producing Rice to very great Perfection, and for many Years laſt paſt the Produce thereof has increaſed; and it is reaſonable to expect, that not only the Produce thereof in thoſe Parts, but alſo the Exportation thereof would be greatly increaſed, for the mutual Benefit of this Kingdom and the ſaid Province, if (notwithſtanding the Laws relating to Navigation and Trade to and from the Plantations) Liberty or Licence were granted for Ships built in and ſailing from *Great Britain*, to load Rice in the ſaid Province, and to carry the ſame directly to any Ports of *Europe* lying Southward of Cape *Finiſterre*, without bringing the ſame firſt to *Great Britain*, as the ſaid Laws now require, whereby the ſame will arrive at ſuch Ports more ſeaſonably and in better Condition for the Conſumption thereof, and prevent their being ſupplied with the ſame Commodity from other Countries:' For this End, and for providing proper Securities for your Majeſty's Duties, and for preventing any Prejudice or Damage to this Nation, which might happen thereby from any other unlawful Commerce between the Plantations and any other foreign Countries, as to any other enumerated Commodities, or otherwiſe; May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act paſſed in the third and fourth Years of the Reign of her ſaid late Majeſty, ſo far as the ſame extends to the making of Rice of the Growth and Produce of his Majeſty's Plantations in *America* an enumerated Commodity, ſhall be and is hereby ratified and confirmed, as to all Perſons, Ships, Veſſels or Places, in all Reſpects whatſoever, except only as to ſuch of the ſaid Rice as by this Act ſhall be permitted or allowed to be exported from his Majeſty's Province of *Carolina* in *America*, by ſuch Perſons, and in ſuch Ships and Veſſels, and to ſuch foreign Countries and Places, and under ſuch Entries, Securities, Reſtrictions, Regulations, Limitations, Penalties and Forfeitures as are herein after particularly deſcribed, appointed, limited and enacted for that Purpoſe.

3 & 4 Ann. c. 5.

12 Car. 2. c. 18.

25 Car. 2. c. 7.

Act 3 & 4 Ann. which makes Rice an enumerated Commodity confirmed; except Rice from Carolina.

II. And be it enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty it ſhall and may be lawful, notwithſtanding any of the Acts aforeſaid, or any other Act of Parliament, for any of his Majeſty's Subjects, in any Ship or Veſſel built in *Great Britain*, or belonging to any of his Majeſty's Subjects reſiding in *Great Britain*, and navigated according to Law, that ſhall clear outwards in any Port of *Great Britain* for the Province of *Carolina* in *America*, to ſhip or load Rice in the ſaid Province, and to carry the ſame directly to any Part of *Europe* Southward of Cape *Finiſterre*, without carrying the ſame to any other of his Majeſty's Plantations in *America*, or to *Great Britain*, the Maſter or other Perſon having or taking Charge of ſuch Ship or Veſſel, before ſhe clears outwards from *Great Britain*, firſt taking a Licence under the Hands of the Commiſſioners of the Cuſtoms for the Time being, or any three of them, for the loading and carrying the ſame from the ſaid Province of *Carolina* directly to ſome Part of *Europe* to the Southward of Cape *Finiſterre*, upon a Certificate from the Collector and Comptroller of the Port where ſuch Licence ſhall be

After 29 Sept. 1730, Rice may be carried directly to any Part of Europe Southward of Cape Finiſterre,

on Licence, Certificate and Bond.

be desired, certifying that Bond has been given, with one or more sufficient Security, in the Sum of one thousand Pounds, if the Ship be of less Burthen than one hundred Tuns, and the Sum of two thousand Pounds, if the Ship shall be of that or a greater Burthen, that no Tobacco, Sugars, Cotton, Wool, Indigo, Ginger, Fustick or other dying Wood, Melasses, Tar, Pitch, Turpentine, Hemp, Masts, Yards, Bowsprits, Copper Oar, Beaver Skins or other Furs, of the Growth, Production or Manufacture of any *British* Plantations in *America*, shall be loaden or taken on Board such Ship or Vessel at *Carolina*, or any other of his Majesty's Plantations in *America*, unless it be for the necessary Provisions of the Ship in their Voyage; and that such Ship or Vessel shall proceed directly with all the Rice that shall be so loaden on board such Ship, by virtue of such Licence, to some Port of *Europe* to the Southward of Cape *Finisterre*, and there land the said Rice, and that such Ship, after landing the said Rice, shall proceed for *Great Britain* before she returns to any of his Majesty's Plantations in *America*; and in case the Master or other Person shall not, within four Months after his Arrival at such Port, produce a Certificate of having landed and discharged the said Rice so taken on board in the said Province of *Carolina*, at such Port, which Certificate is to be under the Hand and Seal of the *British* Consul, or where there is no Consul, to be under the Hands and Seals of two known *British* Merchants residing in the Port or Place where such Rice shall be landed; otherwise such Bond shall be forfeited to his Majesty, and shall and may be sued and prosecuted in any of the Courts of Record in *Great Britain*.

Before Rice be put on board at Carolina, Master to deliver his Licence to Collector, &c.

III. And be it further enacted, That before any Rice be loaden or put on board any Ship or Vessel at *Carolina*, by Virtue of the said Licence, to be carried to some Part of *Europe* to the Southward of Cape *Finisterre*, the Master or other Person having or taking Charge of such Ship or Vessel shall, before his Departure out of the said Province of *Carolina*, deliver to the Collector of the Port where such Ship is to take in her Lading, the said Licence, signed by the said Commissioners of the Customs, and a Certificate of such Bond having been given in *Great Britain* as aforesaid, and shall declare in Writing upon Oath before the Collector, which such Collector is hereby impowered to administer, whether he intends to load any Rice pursuant to such Licence, and to what Place bound.

Merchant to make Entry, and to take out a Cocquet, and indorse the Quantity.

IV. And in order to ascertain the true Quantity of Rice exported from *Carolina*, pursuant to such Licence and the Liberty granted by this Act, Be it enacted by the Authority aforesaid, That before the same shall be shipped or put on board, the Merchant or other Person exporting the same shall make an Entry thereof in Writing with the Collector of his Majesty's Customs and the Naval Officer, and also with the Comptroller, where there is such an Officer, and shall take out a Cocquet or Certificate of such Entry, and shall, before the Rice be shipped or put on board, indorse on the Back of such Cocquet or Certificate the true Quantity intended to be shipped, mentioning the Marks, Numbers and Contents of each Cask, and shall deliver the Cocquet so indorsed to the Searcher or other Officer appointed for the

Penalty for false Entry, &c.

examining and shipping thereof; and if upon weighing and examining the Rice brought or intended to be shipped by virtue of such Cocquet or Certificate, either before or after the shipping thereof, the Quantity shall appear to be greater than is indorsed thereon, or if any Rice shall be laden or put on board any Ship or Vessel having Liberty to trade by virtue of this Act, or any Hoy, Lighter, Bottom, Boat or other Vessel, in order to be put on board such Ship or Vessel, before such Entry or taking out such Cocquet, and Indorsing and Delivery of the same as aforesaid, contrary to the true Intent and Meaning hereof, all such Rice so shipped or intended to be shipped shall be forfeited, as also the Hoy, Lighter, Bottom, Boat or other Vessel imployed in shipping the same; and the Owner of such Rice, or other Person imployed in shipping the same, shall also forfeit treble the Value thereof, to be recovered in the Court of Vice-Admiralty held in any of His Majesty's Plantations in *America*, or in any other Court of Record in any of his Majesty's Plantations in *America*, at the Election of the Informer or Prosecutor; one third Part thereof to be to the Use of his Majesty, his Heirs and Successors, one third Part to the Governor of the said Colony, and the other one third to the Informer or Prosecutor; and before such Ship or Vessel shall depart from *Carolina* with the Rice loaden as aforesaid, the Master or other Person having or taking Charge thereof shall receive the said Licence from the Collector and Naval Officer, and Comptroller, who shall indorse thereon the Marks, Numbers and Contents of each Cask of Rice so shipped on board, and the Collector and other Officer shall make two Copies of such Licence and Indorsement; for all which Entries, Cocquets, Indorsements or Copies no more shall be taken by the said Officers than the accustomed Fees; and the Master or other Person having or taking Charge of such Ship

Master's Duty on Return of the Ship to Great Britain.

shall, before he receives the said Licence, attest the said Copies under his Hand, which are to be left with the Collector and other Officers; and the said Master or other Person having or taking Charge of such Ship shall also, on the Return of the said Ship or Vessel to *Great Britain*, produce and deliver the said Licence to the Commissioners of his Majesty's Customs, or to the Collector or Comptroller of the Port where Bond was given when the said Ship or Vessel set sail from *Great Britain*, with the Indorsement made thereon by the Collector and other Officers of the Quantity laden on board in *Carolina*, as also a Certificate signed and sealed by the Consul, or two known *British* Merchants, at the Port or Place where the Rice was landed, certifying the Landing thereof, with the Number of Casks so landed, and the Marks, Numbers and Contents of each Cask, with the Name of the Ship and Master, and that they verily believe that no Sugar, Tobacco, or other enumerated Goods before-mentioned, except Rice, have been there landed out of such Ship or Vessel.

The Officers in Carolina to transmit a Copy of the Indorsement, to ascertain the Half-Subsidy.

V. And be it further enacted by the Authority aforesaid, That the Collector and other Officers in *Carolina* shall, as soon as conveniently they can, transmit one of the said Copies of the said Indorsement to the Commissioners of the Customs in *Great Britain*, and thereupon there shall be payable to his Majesty so much as the Half-Subsidy of the Rice so shipped in *Carolina* shall amount unto, which would have remained in case the said Rice had been first imported into *Great Britain* and afterwards re-exported; and the said Commissioners, or the Collector and Comptroller of the Port in which such Ship was entred to

sail

ſail for *Carolina*, as ſoon as they or either of them ſhall receive the ſaid Licence ſo indorſed, or one of the Copies of the Indorſement atteſted by the Maſter or other Perſon having or taking Charge of ſuch Ship or Veſſel as aforeſaid (which ſhall firſt come to the Hands of the ſaid Commiſſioners, or the Collector and Comptroller) may and ſhall demand from any of the Perſon or Perſons who entred into Bond before the Ship ſet ſail from *Great Britain* as aforeſaid, the full Sum due for the Half-Subſidy for all the Rice mentioned in ſuch Indorſement, or the Copy thereof atteſted as aforeſaid; and in caſe the ſame is not paid within thirty Days after ſuch Demand made, the Bond ſhall be forfeited, and ſhall and may be put in Suit, and the Perſons bound therein ſhall pay treble Coſts.

Continuation. 'Continued by 20 Geo. 2. c. 47.'

VI. And be it enacted, That this Act ſhall continue and be in Force five Years, to be reckoned from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty, and from thence to the End of the then next Seſſion of Parliament.

Continued farther by 27 *Geo.* 2. *c.* 18. & 33 *Geo.* 2. *c.* 16.

Farther Provisions concerning Plantations, 4 *Geo.* 2. *c.* 15. 5 *Geo.* 2. *c.* 7 & 9. 6 *Geo.* 2. *c.* 13. 8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

CAP. XXIX.

An Act for continuing and amending an Act for regulating the Price and Aſſize of Bread; for Relief of Bankrupts whoſe Certificates were not allowed before the Expiration of a late Act *(For the better preventing Frauds committed by Bankrupts)* for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers and Leſſees; and for making further Proviſion concerning Certificates relating to the Settlements of poor Perſons, and the Charges of maintaining and removing certificated Perſons.

'WHEREAS an Act of Parliament was made and paſſed in the eighth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act to regulate the Price and Aſſize of Bread*, and the ſame was to continue in Force for three Years, and from thence to the End of the then next Seſſion of Parliament: And whereas the ſaid Act, having been by ſubſequent Acts further continued, was found very uſeful and beneficial, but the ſame is now near expiring;' May it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, together with ſuch Alterations as were made thereto, in and by an Act paſſed in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for continuing ſeveral Laws therein mentioned relating to Coals, Hemp and Flax,* Iriſh *and* Scotch *Linen, and the Aſſize of Bread; and for giving Power to adjourn the Quarter-Seſſions for the County of* Angleſea *for the Purpoſes therein mentioned*, ſhall be and is hereby further continued from the Expiration thereof until the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-eight, and from thence to the End of the then next Seſſion of Parliament.

8 Ann. c. 18. continued to 25 March 1738, &c. 1 Geo. 1. Stat. 2. c. 26. 'Amended and further continued by 22 Geo. 2. c. 46.'

'II. And whereas the Court of Lord Mayor and Aldermen of the City of *London*, and ſome other Magiſtrates, have thought fit, in ſetting the Aſſize of Bread, to ſet down and aſcertain the Price for which the Peck, Half-Peck and Quartern Loaves ought to be ſold; which Prices the Bakers have ſometimes complied with, but at other times have refuſed ſo to do, to the Deceit and Oppreſſion of his Majeſty's Subjects, eſpecially of the poorer ſort of People: And whereas ſome Doubts have ariſen touching the Penalty they have incurred for ſuch their Refuſal,' For Remedy whereof be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty, if any Baker or other Perſon or Perſons baking or making Bread for Sale, or expoſing Bread to Sale, ſhall ſell any Peck, Half-Peck or Quartern Loaf or Loaves at any greater or higher Price than ſhall be ſet and aſcertained by the ſaid Court of Lord Mayor and Aldermen, or by the Lord Mayor of the ſaid City for the Time being, by Order of the ſaid Court, or by the Mayor, Bailiffs, Aldermen or chief Magiſtrates for the Time being of any other City, Town Corporate or Borough, or by any Two or more Juſtices of the Peace in ſuch Towns and Places where there ſhall be no ſuch Mayor, Bailiffs, Aldermen or chief Magiſtrates, he, ſhe or they ſo doing, being thereof lawfully convicted, ſhall for every ſuch Offence forfeit the Sum of ten Shillings; the ſaid Forfeiture or Forfeitures to be given to the Informer or Informers, and to be adjudged, levied and recovered in ſuch Manner, as the Penalty of forty Shillings is by the ſaid Act of the eighth Year of her ſaid late Majeſty's Reign to be adjudged, levied and recovered.

Penalty on Baker ſelling Bread at a higher Price than ſet by the Lord Mayor, &c.

8 Ann. c. 18.

III. Provided always, That before any Reduction is made in the Aſſize of Bread by the Court of Lord Mayor and Aldermen, a Copy of the Prices delivered in by the Meal Weighers for the ſaid City for the Time being ſhall be left at the common Hall of the Bakers Company by the Space of twelve Hours before any ſuch Reduction, to the Intent that the ſaid Company ſhall have an Opportunity to be heard thereupon before the ſaid Court.

Before Reduction in the Aſſize of Bread a Copy to be left at Bakers Hall.

Concerning Bread ſee farther, 31 *Geo.* 2. *c.* 29. 32 *Geo.* 2. *c.* 18.

'IV. And whereas by an Act of Parliament paſſed in the fifth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better preventing Frauds committed by Bankrupts*, it was enacted, That all Perſons who ſhould become Bankrupts, and ſhould ſurrender themſelves to the Commiſſioners named and authorized in or by any Commiſſions of Bankrupts to be awarded againſt them, and ſhould in all Things conform as in the ſaid Act is directed, ſhould be diſcharged from all Debts by them due or owing at the Time they did become Bankrupts, in caſe the Commiſſioners ſhould

5 Geo. 1. 2. 24.

'certify

'certify, that ſuch Bankrupts had made a full Diſcovery of their Eſtates and Effects, and conformed themſelves according to the Directions of the ſaid Act, and four Parts in five of their Creditors ſhould ſign ſuch Certificate, and conſent to their Diſcharge, and in caſe ſuch Certificates ſhould be allowed by the Lord Chancellor, or others therein named, in Manner in the ſaid Act mentioned, and any of the Creditors of ſuch Bankrupts were to be heard, if they ſhould think fit, againſt the making ſuch Certificate and againſt the Confirmation thereof; and whereas the ſaid Act expired at the End of the laſt Seſſion of Parliament; and whereas before the Expiration of the ſaid Act ſeveral Perſons, againſt whom Commiſſions had been iſſued, were duly declared Bankrupts, and ſince the Iſſuing of the ſaid Commiſſions have made full Diſcoveries of all their Eſtates and Effects, and delivered the ſame up for the Benefit of their Creditors, notwithſtanding which ſome of their Creditors have ſince brought Actions againſt them, and held them to Bail thereupon, and their Certificates not being allowed and confirmed, ſuch Bankrupts are deprived of the Benefit intended them by the ſaid Act, although they are liable to the Penalties thereby inflicted;' For Relief therefore of the ſaid unfortunate Bankrupts, Be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who was or were duly declared a Bankrupt or Bankrupts on or before the fourteenth Day of *May* which was in the Year of our Lord one thouſand ſeven hundred and twenty-nine, ſhall be intitled to all and ſingular the Relief and Diſcharge from his, her or their Debts, and other Benefit and Advantages, and be alſo ſubject and liable to all the Penalties in the ſaid Act of the fifth Year of his ſaid late Majeſty's Reign contained or mentioned; and for that Purpoſe the Lord Chancellor of *Great Britain*, and other the Perſons in the ſaid Act authorized to put the ſame in Execution, are hereby authorized and impowered to proceed in all Reſpects touching and concerning the Bankrupt or Bankrupts, who was or were ſo declared on or before the ſaid fourteenth Day of *May* one thouſand ſeven hundred and twenty-nine, in the ſame Manner and Form, and as effectually to all Intents and Purpoſes, as if the ſaid recited Act was in Force; and all Actions brought againſt the ſaid Bankrupt or Bankrupts, or any of them, for any Debts contracted before his or their Bankruptcy, and the Bail given thereon, ſhall, from and after the Allowance of ſuch Bankrupt or Bankrupts Certificate and Certificates, be and are hereby diſcharged.

Bankrupts on 14 May 1729, to have the Benefit of the ſaid Act. EXP.

V. Provided nevertheleſs, That nothing herein contained ſhall be conſtrued to revive the ſaid Act, ſave only as to ſuch Bankrupt or Bankrupts as was or were ſo declared on or before the ſaid fourteenth Day of *May* one thouſand ſeven hundred and twenty-nine, and who have obtained or ſhall obtain Certificates of their Conformity, aſſented to by four Parts in five, in Number and Value, of their Creditors, and allowed and confirmed, as the ſaid Act directs, on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-two; any thing herein contained to the contrary notwithſtanding.

The Act not revived, ſave only to ſuch Bankrupts.

3 Geo. 1. c. 18.

'VI. And whereas by a Clauſe in an Act of Parliament paſſed in the third Year of his late Majeſty's Reign, intituled, *An Act for explaining an Act paſſed in the laſt Seſſion of Parliament, intituled*, An Act to oblige Papiſts to regiſter their Names and real Eſtates, *and for enlarging the Time for ſuch Regiſtring, and for ſecuring Purchaſes made by Proteſtants*, it was enacted, That from and after the nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and ſeventeen no Manors, Lands, Tenements, Hereditaments or any Intereſt therein, or Rent or Profit thereout, ſhould paſs, alter or change from any Papiſt or Perſon profeſſing the Popiſh Religion, by any Deed or Will, except ſuch Deed within ſix Months after the Date, and ſuch Will within ſix Months after the Death of the Teſtator, ſhould be inrolled in one of the King's Courts of Record at *Weſtminſter*, or elſe within the ſame County or Counties, wherein the Manors, Lands and Tenements lie, in ſuch Manner as therein for that Purpoſe is particularly directed: And whereas by a Clauſe in another Act of Parliament paſſed

10 Geo. 1. c. 4.

in the tenth Year of his ſaid late Majeſty's Reign, intituled, *An Act for explaining and amending an Act of the laſt Seſſion of Parliament, intituled*, An Act to oblige all Perſons being Papiſts, in that Part of *Great Britain* called *Scotland*, and all Perſons in *Great Britain* refuſing or neglecting to take the Oaths appointed for the Security of his Majeſty's Perſon and Government, by ſeveral Acts herein mentioned, to regiſter their Names and Real Eſtates, *and for enlarging the Time for taking the ſaid Oaths and making ſuch Regiſters, and for allowing further Time for the Inrolment of Deeds or Wills made by Papiſts, which have been omitted to be inrolled, purſuant to an Act of the third Year of his ſaid late Majeſty's Reign, and alſo for giving Relief to proteſtant Leſſees*, it was enacted, for the Relief of ſuch Perſons who had neglected or omitted to inrol their Deeds or Wills, that every Deed and Will which had been then made, ſince the nine and twentieth Day of *September* one thouſand ſeven hundred and ſeventeen, in order to paſs, alter or change any Manors, Lands, Tenements and Hereditaments or any Intereſt therein, or Rent or Profit thereout, from any Perſon profeſſing the Popiſh Religion, though not then inrolled, ſhould be as good and effectual in the Law, as the ſame would have been, in caſe the ſaid Deeds and Wills had been inrolled within the Time limited by the ſaid Clauſe in the ſaid former Act for Inrolment thereof, provided the ſaid Deeds and Wills ſhould be inrolled on or before the nine and twentieth Day of *September* one thouſand ſeven hundred and twenty-four in ſuch Manner as by the ſaid former Act was directed: And whereas ſeveral of his Majeſty's Proteſtant Subjects, ſince the nine and twentieth Day of *September* one thouſand ſeven hundred and ſeventeen, have purchaſed Lands and taken Leaſes upon Fines paid, where ſome ſmall Rents have been reſerved, from Papiſts or Perſons profeſſing the Popiſh Religion, and have omitted and neglected to inroll their purchaſe Deeds and Leaſes within the Times limited by the ſaid Clauſes, in the ſaid Acts directed for the Inrolment thereof, and are in danger of being defeated of their ſaid Purchaſes and Leaſes: And whereas ſeveral Infants and others, claiming under the laſt Wills and Teſtaments of Papiſts or Perſons profeſſing the Popiſh Religion, may be defeated of their ſaid Lands ſo deviſed to them, through the Neglect or Omiſſion of the Executors or Truſtees of ſuch

'Wills

'Wills to inroll the ſame in due time, according to the Direction of the ſaid Clauſes in the ſaid Acts:' To relieve therefore ſuch Proteſtant Purchaſers and Leſſees, and ſuch other Perſons as have neglected or omitted to inroll their Deeds or Wills in due time as aforeſaid, be it enacted by the Authority aforeſaid, That every Deed and Will, made ſince the nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and ſeventeen, in order to paſs, alter or change, any Manors, Lands, Tenements, Hereditaments or any Intereſt therein, or Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, though not inrolled, ſhall be as good and effectual in the Law as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited in the ſaid Clauſes in the ſaid Acts for the Inrollment thereof; provided the ſame Deeds and Wills ſhall be inrolled on or before the nine and twentieth Day of *September* one thouſand ſeven hundred and thirty-one, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt mentioned Act is directed.

Proteſtant Purchaſers from Papiſts may inroll Deeds or Wills, before 29 Sept. 1731.

VII. Provided always, That nothing herein contained ſhall extend or be conſtrued to extend to make good any ſuch Deed, Will or Leaſe already made, and not inrolled, of the want of Inrollment whereof Advantage ſhall have been taken on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty; but every ſuch Deed, Will and Leaſe, ſhall remain of ſuch Force and Effect only, as the ſame would have had if this Act had never been made, and of none other.

Defaults, whereof Advantage has been taken, excepted.

'VIII. And to prevent Diſputes which often happen, touching the Proof of Certificates given by the 'Officers of any Pariſh or Place, acknowledging any Perſon or Perſons therein named, to be an In-'habitant or Inhabitants legally ſettled in ſuch Pariſh, Town or Place, by virtue of an Act of Par-'liament made in the eighth and ninth Years of the Reign of his late Majeſty King WILLIAM the 'Third, and for making ſuch Certificates more effectual,' Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty, the Witneſſes who atteſt the Execution of ſuch Certificates by the Churchwarden or Churchwardens, Overſeer or Overſeers, ſigning and ſealing the ſame, or one of the ſaid Witneſſes, ſhall make Oath before the Juſtices of the Peace, who by the ſaid Act are directed to allow the ſame (which Oath they are hereby authorized to adminiſter) that ſuch Witneſs or Witneſſes did ſee the Churchwarden or Churchwardens, Overſeer or Overſeers, whoſe Names and Seals are thereunto ſubſcribed and ſet, ſeverally ſign and ſeal the ſaid Certificate, and that the Names of ſuch Witneſſes atteſting the ſaid Certificate are of their own proper Hand writing; which ſaid Juſtices of the Peace ſhall alſo certify that ſuch Oath was made before them; and every ſuch Certificate ſo allowed, and Oath of the Execution thereof ſo certified, by the ſaid Juſtices of the Peace, ſhall be taken, deemed and allowed, in all Courts whatſoever, as duly and fully proved, and ſhall be taken and received as Evidence, without other Proof thereof; and that all Certificates given in purſuance of the ſaid Act, before the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, ſhall be alſo taken and allowed in all Courts as Evidence, without other Proof; provided the ſame are duly allowed by two Juſtices of the Peace, as by the ſaid Act is required.

8 & 9 W. 3. c. 30.

Witneſs to Certificates of Settlements to ſwear that they ſaw the Churchwardens, &c. ſign them.

'IX. And whereas by an Act made in the eighth and ninth Years of the Reign of his late Majeſty 'King WILLIAM the Third, intituled, *An Act for ſupplying ſome Defects in the Laws for the Relief of the 'Poor of this Kingdom*, all Pariſhes and Places are obliged to receive and entertain as Inhabitants all 'and every Perſon and Perſons and their Families, which come from any other Pariſhes or Places with 'ſuch Certificates of their Settlement, as in the ſaid Act are directed and required, until ſuch Certificate 'Perſons become chargeable, in which caſe and no others, the Pariſhes and Places to which they have 'been ſent by Certificate, are authorized to reconvey, and thoſe from whence they came, required to 'receive the ſaid Certificate Perſons and their Families, as their proper Pariſhioners and Inhabitants; but 'no Proviſion is made in the ſaid Act for reimburſing the Pariſhes and Places the Charges they may be 'put to in reconveying the ſaid Certificate Perſons to their former Pariſhes and Settlements, or for the 'Maintenance of them when ſick or diſabled, till they may be in a Condition to be ſo removed, where-'by divers Pariſhes and Places are often put to great and unavoidable Expences in removing and 'maintaining ſuch Certificate Perſons and their Families:' Now to remedy and prevent the ſame for the future, be it enacted by the Authority aforeſaid, That when any Overſeer or Overſeers of the Poor of any Pariſh or Place, or other Perſon, ſhall remove back any Perſon or Perſons or their Families, reſiding in ſuch Pariſh or Place, or ſent thither by Certificate, and becoming chargeable as aforeſaid, to the Pariſh or Place to which ſuch Perſon or Perſons ſhall belong, ſuch Overſeers or other Perſons ſhall be reimburſed ſuch reaſonable Charges as they may have been put unto, in maintaining and removing ſuch Perſon or Perſons, by the Churchwardens or Overſeers of the Poor of the Pariſh or Place, to which ſuch Perſon or Perſons is or are removed, the ſaid Charges being firſt aſcertained and allowed of by one or more of his Majeſty's Juſtices of the Peace for the County or Place to which ſuch Removal ſhall be made; which ſaid Charges, ſo aſcertained and allowed, ſhall, in caſe of Refuſal of Payment, be levied by Diſtreſs and Sale of the Goods and Chattles of the Churchwardens and Overſeers of the Poor of the Pariſh or Place to which ſuch Certificate Perſon or Perſons is or are removed by Warrant or Warrants under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices, returning the Overplus, if any there be; which Warrant or Warrants he or they are hereby required to grant.

8 & 9 W. 3. c. 30.

Overſeers to be reimburſed on reconveying Certificate Perſons.

Concerning Poor ſee farther, 17 Geo. 2. c. 3, 37 & 38. 31 Geo. 2. c. 11.

CAP.

CAP. XXX.

An Act to put an end to certain Diſputes touching Orders and Decrees made in the Court of Chancery.

Concerning Chancery refer to 18 *Ed.* 3. *St.* 5. 36 *Ed.* 3. *c.* 9. 17 *R.* 2. *c.* 6. 15 *H.* 6. *c.* 4. 14 & 15 *H.* 8. *c.* 8. 5 *El. c.* 18. [13 *Car.* 2. *St.* 1. *not printed*] 1 *W.* & *M. St.* 1. *c.* 21. 4 *Ann. c.* 16. §. 22. 12 *Geo.* 1. *c.* 32 & 33.

Orders and Decrees made by the Maſter of the Rolls valid. Exception.

'WHEREAS divers Queſtions and Diſputes have ariſen touching the Authority of the Maſter 'of the Rolls in the High Court of Chancery,' For putting an end to all Diſputes concerning the ſame, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Orders and Decrees made by the preſent Maſter of the Rolls or any of his Predeceſſors, or hereafter to be made by the ſaid Maſter of the Rolls, or any of his Succeſſors, except Orders and Decrees of ſuch Nature or Kind as, according to the Courſe of the ſaid Court, ought only to be made by the Lord Chancellor, Lord Keeper or Lords Commiſſioners of the Great Seal for the Time being, ſhall be deemed and taken to be valid Orders and Decrees of the ſaid Court of Chancery, ſubject nevertheleſs to be diſcharged, reverſed or altered by the Lord Chancellor, Lord Keeper or Lords Commiſſioners of the Great Seal for the Time being, and ſo as no ſuch Orders or Decrees be inrolled till the ſame are ſigned by the Lord Chancellor, Lord Keeper or Lords Commiſſioners of the Great Seal.

See farther, 5 *Geo.* 2. *c.* 25. 12 *Geo.* 2. *c.* 24. 23 *Geo.* 2. *c.* 25.

CAP. XXXI.

An Act for the Admiſſion and Regulation of Brokers within the City of *Briſtol*. PR.

" No Perſon to act as a Broker in *Briſtol* till licenſed by the Mayor, *&c.* To enter into Obligation " with Sureties. Brokers Names to be affixed on the *Tholſel*, &c. Acting as a Broker before Ad- " mittance forfeits 100*l.* Brokers to enter all Contracts in a Book; and to wear a Medal of Silver. " Not to deal for themſelves in Exchange, *&c.*"

CAP. XXXII.

An Act for enabling the Judges of the Court of Seſſion in *Scotland*, to make an Adjournment of the ſaid Court; and for limiting the Time for the Execution of Sentences importing Corporal Puniſhments in that Part of the Kingdom.

'WHEREAS the continued Sittings of the Court of Seſſion in *Scotland* from the firſt Day of '*November* to the laſt Day of *February* yearly, without any Receſs, has been found inconve- 'nient and burthenſome,' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the Judges of the ſaid Court of Seſſion in *Scotland*, and they are hereby impowered to make an Adjournment of their Seſſions on ſuch Day, betwixt the fifteenth Day of *December* and the fifteenth Day of *January* yearly, and for ſuch Time as they ſhall judge moſt convenient, not exceeding the Space of ten Days; any Law, Statute or Uſage to the contrary notwithſtanding.

The Judges of the Court of Seſſion may make an Adjournment between Dec. 15, and Jan. 15.

'II. And whereas by an Act paſſed in the eleventh Year of the Reign of his late Majeſty King 'GEORGE the Firſt, intituled, *An Act for the more effectual diſarming the Highlands in that Part of* Great 'Britain *called* Scotland, *and for the better ſecuring the Peace and Quiet of that Part of the Kingdom*, it 'is enacted, That from and after the firſt Day of *June* one thouſand ſeven hundred and twenty-five, 'no Sentence or Judgment of any Civil Magiſtrate or Court of Judicature, importing a Capital or Cor- 'poral Puniſhment, if pronounced in *Edinburgh* or any other Part of *Scotland*, to the Southward of the '*Firth* or River of *Forth*, ſhould (for the Reaſons in the ſaid Clauſe mentioned) be put in Execution 'within leſs than thirty Days after the Date of ſuch Sentence; and if pronounced in any Place to the 'Northward of the ſaid *Firth* or River of *Forth*, ſhould be put in Execution in leſs than forty Days 'after the Date of ſuch Sentence: And whereas the Maintenance and ſecuring in Gaols all Criminals 'convicted and adjudged to ſuffer any Corporal Puniſhment, for ſo many Days after Judgment given, 'hath been found burthenſome to Burghs, and others his Majeſty's Subjects, and a Diſcouragement to 'the apprehending and puniſhing Offenders,' Be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, it ſhall and may be lawful to and for all the ſaid Magiſtrates and Courts of Judicature to put in execution any Judgment or Sentence, importing any Corporal Puniſhment leſs than Death or Diſmembring, if given or pronounced in any Part of *Scotland* to the Southward of the *Firth* or River of *Forth*, after the elapſing of eight Days, and if given or pronounced in any other Place, to the Northward of the ſaid *Firth* or River of *Forth*, after the elapſing of twelve Days, from and after the Date of ſuch Judgment or Sentence reſpectively.

Time limited for Execution of Sentences importing Corporal Puniſhment leſs than Death.

III. Provided always, That it ſhall and may be lawful to and for the Judges of the Court of Juſticiary or any of them, who are hereby ſeverally authorized and required upon Application made, and a reaſonable Cauſe ſhewn to him or them, by any Perſon or Perſons, who ſhall find themſelves aggrieved by any ſuch Sentence or Judgment, given or pronounced by any Court of Regality, or other inferior Civil Magiſtrate or Court of Judicature, to ſtay all Execution of ſuch Judgment or Sentence, for the

Court of Juſticiary may ſtay execution of Judgment from an inferior Court 30 Days.

the Space of thirty Days, to the end that such Application may be made for Redress, as is agreeable to the Laws of that Part of *Great Britain* called *Scotland*.

CAP. XXXIII.

An Act for providing a Maintenance for the Minister of the new Parish Church of Saint *Nicholas Deptford* in the Counties of *Kent* and *Surrey*, and for making the same a distinct Parish. PR.

" Appointment of 3,500 *l.* for the Maintenance of the Rector of the new Church at *Deptford*. Vestry-" men to set the Rates for Burials. Churchwardens to make Vaults, *&c.* Churchwardens to pay to " the Rector 70 *l. per Ann.* quarterly. District set out to be a distinct Parish. Persons aggrieved by " any Rates may appeal to the Quarter-Sessions. Tithes arising in the new Parish, the usual Property " of the Vicar, continued to him. Rector to have a Passage through the Church-yard to his House. " When the Vicarage becomes vacant, the King to appoint the first Rector. Rectory not to be held " in *Commendam*. Churchwardens to provide three Palls. The Vestries of the old and new Parishes " may raise jointly 500 *l.* for the Uses of the Church, *&c.* All old Charities to be equally divided. " Rates for the Poor to be raised by two Moieties. Workhouse to be for the joint Use of both Pa-" rishes. The two Parishes jointly subject to repair the Roads. The now Parish Clerk shall act by " a Deputy in the new Parish. Glebe Land lying in the new Parish vested in the Churchwardens."

CAP. XXXIV.

An Act for repairing several Roads leading into the Town of *Bridgewater* in the County of *Somerset*. PR.

The Toll commenced 1 *June* 1730, and is to have Continuance for 21 Years.

CAP. XXXV.

An Act for making the Acts of the first and seventh Years of his late Majesty's Reign *(for making the River* Kennett *navigable from* Reading *to* Newbury *in the County of* Berks*)* more effectual. PR.

" Proprietors may distrain Vessels for Tolls, and after Appraisement sell them. Proprietors may sue for " Tolls, *&c.* Bargemasters to give a Bill of Loading, on Penalty of 5 *l.* Damages of 20 *l.* final on " Proprietors, exceeding 20 *l.* Appeal to the Judge of Assize. Parties appealing to pay down the Money " decreed. Commissioners may compel Witnesses to attend, and may assess Damages and Costs. Land " Owners may shut down Locks, *&c.* to prevent Damage. Proprietors may take away Shoals, *&c.* " All Proceedings to be kept among the Records of the Sessions for *Berks*. Action against Proprie-" tors not to abate on any of their Deaths, *&c.* Proprietors to erect Bridges on the towing Paths. " No *Certiorari*. The Country Lock near *Reading* to be opened on proper Notice."

CAP. XXXVI.

An Act for confirming a Patent granted by her late Majesty Queen ANNE to *William Trench* Esquire, deceased, for erecting a Lighthouse upon the Island or Rock called *Skerries*, and for the better Maintenance of the said Lighthouse, and for making the Duties granted for maintaining the same perpetual. PR.

' WHEREAS her late Majesty Queen ANNE was pleased to grant her Letters Patent to *Wil-' liam Trench* Esquire, in the Words and Form following; that is to say,'

" ANNE, by the Grace of God, of *Great Britain*, *France* and *Ireland*, Queen, Defender of the Reciting Queen Anne's Patent for erecting a Lighthouse on the Skerries.
" Faith, *&c.* To all to whom these Presents shall come, Greeting: Whereas we have received abun-" dant Information, and are ourself well satisfied, that the building, supporting and maintaining a " Lighthouse or Beacon, with a Light or Lights therein continually burning in the Night Time, " in or upon the Island or Rock called *Skerries*, lying in the Sea near *Holyhead* in our County of " *Anglesea*, is absolutely necessary, and will be of great publick Use and Benefit to the Navigation " in those Parts in general, and to our own Ships in particular, and may, for the Time to come, pre-" vent such Wrecks as have frequently happened there, to the great impairing of our Customs, and " to the Prejudice of Traders, Mariners and others of our good Subjects: And whereas our beloved " Subject *William Trench* Esquire, being possessed of the said Rock or Island called *Skerries*, for a long " Term of Years yet to come and unexpired, is willing, at his own Expence and Charge, to erect " and build, and to support and maintain a Lighthouse or Beacon thereon as aforesaid: Now know " ye that we, as well for and in Consideration of the great Expences and Charges the said *William " Trench*, his Executors or Assigns, must necessarily be at, in erecting and maintaining the said Light-" house or Beacon, and in keeping the same in Repair, with the Lights burning therein, as in Con-" sideration of the great Use and publick Benefit thereof, and also for and in Consideration of the " yearly Rent in and by these our Letters Patent reserved, and of the Covenants and Clauses herein " expressed, on the Part and Behalf of the said *William Trench*, his Executors, Administrators and As-" signs, to be done and performed, of our especial Grace, and by the Advice of our right trusty and " well beloved Cousin and Counsellor *Robert* Earl of *Oxford*, and Earl *Mortimer*, our High Treasurer " of *Great Britain*, and of our beloved Counsellor Sir *William Wyndham* Baronet, Chancellor and Un-

CAP. XXX.

An Act to put an end to certain Diſputes touching Orders and Decrees made in the Court of Chancery.

Concerning Chancery refer to 18 *Ed.* 3. *St.* 5. 36 *Ed.* 3. *c.* 9. 17 *R.* 2. *c.* 6. 15 *H.* 6. *c.* 4. 14 & 15 *H.* 8. *c.* 8. 5 *El. c.* 18. [13 *Car.* 2. *St.* 1. *not printed*] 1 *W.* & *M. St.* 1. *c.* 21. 4 *Ann. c.* 16. §. 22. 12 *Geo.* 1. *c.* 32 & 33.

Orders and Decrees made by the Maſter of the Rolls valid. Exception.

See farther, 5 *Geo.* 2. *c.* 25. 12 *Geo.* 2. *c.* 24. 23 *Geo.* 2. *c.* 25.

'WHEREAS divers Queſtions and Diſputes have ariſen touching the Authority of the Maſter of the Rolls in the High Court of Chancery,' For putting an end to all Diſputes concerning the ſame, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Orders and Decrees made by the preſent Maſter of the Rolls or any of his Predeceſſors, or hereafter to be made by the ſaid Maſter of the Rolls, or any of his Succeſſors, except Orders and Decrees of ſuch Nature or Kind as, according to the Courſe of the ſaid Court, ought only to be made by the Lord Chancellor, Lord Keeper or Lords Commiſſioners of the Great Seal for the Time being, ſhall be deemed and taken to be valid Orders and Decrees of the ſaid Court of Chancery, ſubject nevertheleſs to be diſcharged, reverſed or altered by the Lord Chancellor, Lord Keeper or Lords Commiſſioners of the Great Seal for the Time being, and ſo as no ſuch Orders or Decrees be inrolled till the ſame are ſigned by the Lord Chancellor, Lord Keeper or Lords Commiſſioners of the Great Seal.

CAP. XXXI.

An Act for the Admiſſion and Regulation of Brokers within the City of *Briſtol.* PR.

" No Perſon to act as a Broker in *Briſtol* till licenſed by the Mayor, *&c.* To enter into Obligation " with Sureties. Brokers Names to be affixed on the *Tholſel*, &c. Acting as a Broker before Ad- " mittance forfeits 100*l.* Brokers to enter all Contracts in a Book; and to wear a Medal of Silver. " Not to deal for themſelves in Exchange, *&c.*"

CAP. XXXII.

An Act for enabling the Judges of the Court of Seſſion in *Scotland*, to make an Adjournment of the ſaid Court; and for limiting the Time for the Execution of Sentences importing Corporal Puniſhments in that Part of the Kingdom.

'WHEREAS the continued Sittings of the Court of Seſſion in *Scotland* from the firſt Day of *November* to the laſt Day of *February* yearly, without any Receſs, has been found inconvenient and burthenſome,' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the Judges of the ſaid Court of Seſſion in *Scotland*, and they are hereby impowered to make an Adjournment of their Seſſions on ſuch Day, betwixt the fifteenth Day of *December* and the fifteenth Day of *January* yearly, and for ſuch Time as they ſhall judge moſt convenient, not exceeding the Space of ten Days; any Law, Statute or Uſage to the contrary notwithſtanding.

The Judges of the Court of Seſſion may make an Adjournment between Dec. 15, and Jan. 15.

'II. And whereas by an Act paſſed in the eleventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the more effectual diſarming the Highlands in that Part of* Great Britain *called* Scotland, *and for the better ſecuring the Peace and Quiet of that Part of the Kingdom*, it is enacted, That from and after the firſt Day of *June* one thouſand ſeven hundred and twenty-five, no Sentence or Judgment of any Civil Magiſtrate or Court of Judicature, importing a Capital or Corporal Puniſhment, if pronounced in *Edinburgh* or any other Part of *Scotland*, to the Southward of the *Firth* or River of *Forth*, ſhould (for the Reaſons in the ſaid Clauſe mentioned) be put in Execution within leſs than thirty Days after the Date of ſuch Sentence; and if pronounced in any Place to the Northward of the ſaid *Firth* or River of *Forth*, ſhould be put in Execution in leſs than forty Days after the Date of ſuch Sentence: And whereas the Maintenance and ſecuring in Gaols all Criminals convicted and adjudged to ſuffer any Corporal Puniſhment, for ſo many Days after Judgment given, hath been found burthenſome to Burghs, and others his Majeſty's Subjects, and a Diſcouragement to the apprehending and puniſhing Offenders,' Be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, it ſhall and may be lawful to and for all the ſaid Magiſtrates and Courts of Judicature to put in execution any Judgment or Sentence, importing any Corporal Puniſhment leſs than Death or Diſmembring, if given or pronounced in any Part of *Scotland* to the Southward of the *Firth* or River of *Forth*, after the elapſing of eight Days, and if given or pronounced in any other Place, to the Northward of the ſaid *Firth* or River of *Forth*, after the elapſing of twelve Days, from and after the Date of ſuch Judgment or Sentence reſpectively.

Time limited for Execution of Sentences importing Corporal Puniſhment leſs than Death.

III. Provided always, That it ſhall and may be lawful to and for the Judges of the Court of Juſticiary or any of them, who are hereby ſeverally authorized and required upon Application made, and a reaſonable Cauſe ſhewn to him or them, by any Perſon or Perſons, who ſhall find themſelves aggrieved by any ſuch Sentence or Judgment, given or pronounced by any Court of Regality, or other inferior Civil Magiſtrate or Court of Judicature, to ſtay all Execution of ſuch Judgment or Sentence, for the

Court of Juſticiary may ſtay execution of Judgment from an inferior Court 30 Days.

the Space of thirty Days, to the end that ſuch Application may be made for Redreſs, as is agreeable to the Laws of that Part of *Great Britain* called *Scotland*.

CAP. XXXIII.

An Act for providing a Maintenance for the Miniſter of the new Pariſh Church of Saint *Nicholas Deptford* in the Counties of *Kent* and *Surrey*, and for making the ſame a diſtinct Pariſh. PR.

" Appointment of 3,500 *l.* for the Maintenance of the Rector of the new Church at *Deptford*. Veſtry-
" men to ſet the Rates for Burials. Churchwardens to make Vaults, *&c.* Churchwardens to pay to
" the Rector 70 *l. per Ann.* quarterly. Diſtrict ſet out to be a diſtinct Pariſh. Perſons aggrieved by
" any Rates may appeal to the Quarter-Seſſions. Tithes ariſing in the new Pariſh, the uſual Property
" of the Vicar, continued to him. Rector to have a Paſſage through the Church-yard to his Houſe.
" When the Vicarage becomes vacant, the King to appoint the firſt Rector. Rectory not to be held
" in *Commendam*. Churchwardens to provide three Palls. The Veſtries of the old and new Pariſhes
" may raiſe jointly 500 *l.* for the Uſes of the Church, *&c.* All old Charities to be equally divided.
" Rates for the Poor to be raiſed by two Moieties. Workhouſe to be for the joint Uſe of both Pa-
" riſhes. The two Pariſhes jointly ſubject to repair the Roads. The now Pariſh Clerk ſhall act by
" a Deputy in the new Pariſh. Glebe Land lying in the new Pariſh veſted in the Churchwardens."

CAP. XXXIV.

An Act for repairing ſeveral Roads leading into the Town of *Bridgewater* in the County of *Somerſet*. PR.

The Toll commenced 1 *June* 1730, and is to have Continuance for 21 Years.

CAP. XXXV.

An Act for making the Acts of the firſt and ſeventh Years of his late Majeſty's Reign *(for making the River* Kennett *navigable from* Reading *to* Newbury *in the County of* Berks) more effectual. PR.

" Proprietors may diſtrain Veſſels for Tolls, and after Appraiſement ſell them. Proprietors may ſue for
" Tolls, *&c.* Bargemaſters to give a Bill of Loading, on Penalty of 5 *l.* Damages of 20 *l.* final on
" Proprietors, exceeding 20 *l.* Appeal to the Judge of Aſſize. Parties appealing to pay down the Money
" decreed. Commiſſioners may compel Witneſſes to attend, and may aſſeſs Damages and Coſts. Land
" Owners may ſhut down Locks, *&c.* to prevent Damage. Proprietors may take away Shoals, *&c.*
" All Proceedings to be kept among the Records of the Seſſions for *Berks*. Action againſt Proprie-
" tors not to abate on any of their Deaths, *&c.* Proprietors to erect Bridges on the towing Paths.
" No *Certiorari*. The Country Lock near *Reading* to be opened on proper Notice."

CAP. XXXVI.

An Act for confirming a Patent granted by her late Majeſty Queen ANNE to *William Trench* Eſquire, deceaſed, for erecting a Lighthouſe upon the Iſland or Rock called *Skerries*, and for the better Maintenance of the ſaid Lighthouſe, and for making the Duties granted for maintaining the ſame perpetual. PR.

' WHEREAS her late Majeſty Queen ANNE was pleaſed to grant her Letters Patent to *Wil-*
' *liam Trench* Eſquire, in the Words and Form following; that is to ſay,'

Reciting Queen Anne's Patent for erecting a Lighthouſe on the Skerries.

" ANNE, by the Grace of God, of *Great Britain*, *France* and *Ireland*, Queen, Defender of the
" Faith, *&c.* To all to whom theſe Preſents ſhall come, Greeting: Whereas we have received abun-
" dant Information, and are ourſelf well ſatisfied, that the building, ſupporting and maintaining a
" Lighthouſe or Beacon, with a Light or Lights therein continually burning in the Night Time,
" in or upon the Iſland or Rock called *Skerries*, lying in the Sea near *Holyhead* in our County of
" *Angleſea*, is abſolutely neceſſary, and will be of great publick Uſe and Benefit to the Navigation
" in thoſe Parts in general, and to our own Ships in particular, and may, for the Time to come, pre-
" vent ſuch Wrecks as have frequently happened there, to the great impairing of our Cuſtoms, and
" to the Prejudice of Traders, Mariners and others of our good Subjects: And whereas our beloved
" Subject *William Trench* Eſquire, being poſſeſſed of the ſaid Rock or Iſland called *Skerries*, for a long
" Term of Years yet to come and unexpired, is willing, at his own Expence and Charge, to erect
" and build, and to ſupport and maintain a Lighthouſe or Beacon thereon as aforeſaid: Now know
" ye that we, as well for and in Conſideration of the great Expences and Charges the ſaid *William*
" *Trench*, his Executors or Aſſigns, muſt neceſſarily be at, in erecting and maintaining the ſaid Light-
" houſe or Beacon, and in keeping the ſame in Repair, with the Lights burning therein, as in Con-
" ſideration of the great Uſe and publick Benefit thereof, and alſo for and in Conſideration of the
" yearly Rent in and by theſe our Letters Patent reſerved, and of the Covenants and Clauſes herein
" expreſſed, on the Part and Behalf of the ſaid *William Trench*, his Executors, Adminiſtrators and As-
" ſigns, to be done and performed, of our eſpecial Grace, and by the Advice of our right truſty and
" well beloved Couſin and Counſellor *Robert* Earl of *Oxford*, and Earl *Mortimer*, our High Treaſurer
" of *Great Britain*, and of our beloved Counſellor Sir *William Wyndham* Baronet, Chancellor and Un-

" der Treaſurer of our Exchequer, have given and granted, and by theſe Preſents for us, our Heirs and " Succeſſors, do give and grant unto the ſaid *William Trench* all that the free Liberty, Licence, Power " and Authority of erecting, ſupporting and maintaining a Lighthouſe or Lighthouſes, Beacon or " Beacons, with Lights to be continually burning therein in the Night Seaſon, upon the ſaid Iſland " or Rock of *Skerries* near *Holyhead* in the County of *Angleſea*, in our Dominion of *Wales*; and alſo " full Power and Authority to demand, collect, receive and take of and for every Ship, Hoy, Bark, " Crayer, Catch or other Veſſel (except our Ships of War) which ſhall paſs to, from or by the ſaid " Iſland or Rock of *Skerries*, or in Sight thereof, or having any Benefit by the ſaid Lighthouſe or " Lighthouſes, the Duty of one Penny upon every Tun, according to the Burden of the Ship or Veſſel; " and alſo from all Ships, Hoys, Barks, Crayers, Catches, and other Veſſels or Bottoms whatſoever " (except our Ships of War) which ſhould paſs to, from, by or near the ſaid Iſland or Rock of *Skerries*, " or ſhall or may have any Benefit by the ſaid Lighthouſe or Lighthouſes, although ſuch Ship or Veſſel " do not uſually paſs in or to any of our Ports, Havens or Creeks, but in Caſes of neceſſity by Storm, " Tempeſt or Leakages, or for Relief of their Wants, and although ſuch Ship or other Veſſel ſhall not " unload or take in any Lading or Ballaſt, the like Sum or Duty of one Penny for every Tun, accord- " ing to the Burden of ſuch Ship or other Veſſel; and alſo the further Power and Authority to aſk, " demand, collect, levy and receive, the ſaid Duty of one Penny *per* Tun, in all and every or any of " our Cuſtomhouſes, Caſtles, Forts, Harbours, Roads, Creeks, Ports and Bays, when the ſaid Ships, " or other Bottoms or Veſſels whatſoever, ſhall harbour, put in, or caſt Anchor, whether the ſame be " there laden or not; to have, hold, &c."

" The Lighthouſe, &c. veſted in *Sutton Morgan*, for ever. Rates for Ships, 1 *d. per* Tun. Double for " Foreigners. Coal Ships only to pay for one Voyage in a Year from *Great Britain* to *Ireland*. 50 *l. per* " *Annum* to be paid by the Poſtmaſter General. Ships of War not chargeable. *Sutton Morgan*, to keep " the Lighthouſe in good Repair, and after reaſonable Charges, the Duties to be ſubject to pay the Debts. " *Sutton Morgan* may borrow Money on Security of the Duties."

Concerning Ships *ſee farther,* 5 *Geo.* 2. *c.* 20. 6 *Geo.* 2. *c.* 29. 7 *Geo.* 2. *c.* 15. 9 *Geo.* 2. *c.* 25. 10 *Geo.* 2. *c.* 14. 14 *Geo.* 2. *c.* 39. 17 *Geo.* 2. *c.* 34 & 36. 18 *Geo.* 2. *c.* 17 & 31. 19 *Geo.* 2. *c.* 30. 20 *Geo.* 2. *c.* 24 & 45. 22 *Geo.* 2. *c.* 3 & 33. 26 *Geo.* 2. *c.* 25. 29 *Geo.* 2. *c.* 27 & 34. 32 *Geo.* 2. *c.* 16 & 25. 33 *Geo.* 2. *c.* 19.

CAP. XXXVII.

An Act to explain, amend and render more effectual an Act made in the tenth Year of his late Majeſty's Reign, intituled, *An Act for repairing the Roads leading from* Stump Croſs, *in the Pariſh of* Cheſterford, *in the County of* Eſſex, *to* Newmarket Heath, *and the Town of* Cambridge *in the County of* Cambridge; and alſo an Act made in the eleventh Year of his ſaid late Majeſty's Reign, intituled, *An Act for repairing Part of the Road from* London *to* Cambridge, *beginning at the End of the Pariſh of* Foulmire *in the ſaid County, next to* Barley *in the County of* Hertford, *and ending at the Pavement in* Trumpington Street *in the Town of* Cambridge. P R.

The ſeveral Tolls of 10 *Geo.* 1. *c.* 12. and 11 *Geo.* 1. *c.* 5. which did commence from 30 May 1730, ſhall continue till the ſaid two former Acts ſhall be expired. Continued by 15 Geo. 2. c. 16.

Anno Regni GEORGII II. quarto.

'AT the Parliament begun and holden at *Weſtminſter* the twenty-third Day of *January*, *Anno Domini* one thouſand ſeven hundred and twenty-ſeven, in the firſt Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, &c. and from thence continued by ſeveral Prorogations to the twenty-firſt Day of *January* one thouſand ſeven hundred and thirty-one, being the fourth Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-one. EXP.

CAP. II.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for repairing the Roads leading from the moſt Southern Part of *Butt Lane* in the Pariſh of *Lawton* in the County Palatine of *Cheſter* to *Lawton*, and from thence to *Henſhall*'s Smithy upon *Cranage Green* in the ſaid County. P R.

The Toll took Place 1 *May* 1731. and is to have Continuance for 21 Years. Continued by 24 Geo. 2. c. 33.

CAP. IV.

An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-one. EXP. 2s. in the Pound.

CAP. V.

An Act for the further Application of the Sinking Fund, by paying off one million of *South-Sea* Annuities.

Moſt Gracious Sovereign,

'WHEREAS by an Act made in the ninth Year of his late Majeſty King GEORGE the Firſt (for reviving and adding two millions to the Capital Stock of the *South Sea* Company) the whole increaſed Capital Stock of the ſaid Company, being then computed at thirty-three millions eight hundred and two thouſand four hundred eighty-three Pounds fourteen Shillings and a Halfpenny, was divided into two equal Parts, and one Moiety thereof, being therein ſtated at ſixteen millions nine hundred and one thouſand two hundred and forty-one Pounds ſeventeen Shillings and a Farthing, was to be converted into a Joint Stock, attended with certain Annuities payable out of the Funds of the ſaid Company, in lieu of all the Dividends, Profits and Advantages ſuch Moiety was then intitled to, after the Rate of Five Pounds *per Centum per Annum*, until the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-ſeven, and from thenceforth with Annuities at four Pounds *per Centum per Annum*, redeemable by Parliament, and the ſame were thenceforward to be called *The Joint Stock of* South-Sea *Annuities*; and the other Moiety or Half Part of the ſaid whole Capital Stock, amounting to the like Sum of ſixteen millions nine hundred and one thouſand two hundred and forty-one Pounds ſeventeen Shillings and a Farthing, was to remain, continue and be in the ſaid Company as a Joint Stock in their own Right, attended with the Reſidue of the Annuities or yearly Funds payable in the Exchequer for their ſaid whole Capital, until the Redemption thereof by Parliament, and attended with the ſeveral Allowances ſettled or to be ſettled for Charges of Management, and with all the other Benefits, Profits of Trade, Privileges and Advantages then belonging to the ſaid Company; and by the ſame Act it was provided, That after the Feaſt of the Nativity of Saint *John Baptiſt* in the Year of our Lord one thouſand ſeven hundred and twenty-ſeven the ſame Stocks might be redeemed by any Payments not leſs than five hundred thouſand Pounds at a Time, and that ſuch Payments ſhould from Time to Time be applied, either towards diſcharging the Principal Sums which ſhould belong to the ſaid *South-Sea* Company in their own Right, or towards diſcharging the Principal Sums of the ſaid *South-Sea* Annuities, or towards diſcharging as well the Principal Sums of the ſaid Company, as of the ſaid *South-Sea* Annuities, in ſuch Proportions, Manner and Form, as ſhould be preſcribed by the reſpective Act or Acts of Parliament for furniſhing ſuch Sums: And whereas by reaſon or means of a ſmall Error in computing the Amount of the whole increaſed Capital Stock, and ſince rectified, and by a Payment and Application of a Sum of five hundred thouſand Pounds in Moieties towards reducing the Capital Sums both of the Stock of the Company and of the Joint Stock of Annuities, in purſuance of an Act of the firſt Year of the Reign of his preſent Majeſty, the Capital Sum remaining due on each of them did amount to ſixteen millions ſix hundred fifty-one thouſand one hundred and one Pounds twelve Shillings and nine Pence Farthing reſpectively, and no more; and by a further Payment and Application of one million of Pounds, towards reducing the Capital Sum of the Stock of the ſaid Company, in purſuance of an Act of the third Year of his Majeſty's Reign, the Capital Sum remaining due on the Stock of the ſame Company doth now amount to fifteen millions ſix hundred fifty-one thouſand one hundred and one Pounds twelve Shillings and nine Pence Farthing, and on the joint Stock of Annuities, to ſixteen millions ſix hundred fifty-one thouſand one hundred and one Pounds twelve Shillings and nine Pence Farthing, and no more: And whereas it is deemed juſt and equitable, that the Sum of one million Sterling ſhould be paid and applied for and towards paying off ſo much of the ſaid remaining Capital Stock or Principal Sum belonging to the ſaid Company, commonly called *South-Sea Annuities*;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as are or ſhall be in the Receipt of the Exchequer of the Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ariſen or to ariſe at or from the Feaſt of Saint *Michael the Archangel*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-one (after Payment of or reſerving ſufficient to pay ſuch Monies as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall be iſſued and applied to the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fiſhery, at the ſaid Feaſt-Day, and afterwards quarterly from Time to Time, as the ſame ſhall ariſe, ſuch Sum or Sums of Money as ſhall on ſuch Quarter-Day or Days be in the ſaid Receipt of Exchequer, for or towards redeeming Part of the Annuities attending on the ſaid Capital Stock of Annuities remaining due to the ſaid Company, until the ſame Payments ſhall in the whole amount to the Sum of one million Sterling; and that as the ſaid Payments of Principal Money ſhall be from Time to Time made, a proportional Part of their ſaid Capital Stock of Annuities, and of the Annuities attending thereon, ſhall alſo from time to time ceaſe and determine, for the Benefit of the Publick.

9 Geo. 1. c. 6.

1 Geo. 2. Stat. 2. c. 8.

3 Geo. 2. c. 16.

Sinking Fund at Michael. 1731, and ſo quarterly, to be applied for redeeming 1,000,000l. of South-Sea Annuities.

'II. But as it may ſo happen, that on the ſaid Feaſt-Day of Saint *Michael the Archangel*, which ſhall 'be in the Year of our Lord one thouſand ſeven hundred and thirty-one, there may not be ſufficient 'Money in the Receipt of the Exchequer, ariſen from the ſaid Surpluſſes, to ſatisfy and pay the ſaid in-'tire Sum of one million, and the ſaid *South-Sea* Company may deſire then to receive the whole Sum in 'one intire Payment, in order to make one Diſtribution of the whole amongſt all the Proprietors of 'their ſaid Capital Stock of Annuities at one Time;' Be it further enacted by the Authority aforeſaid, That upon Application being made by the ſaid Company to the Commiſſioners of his Majeſty's Treaſury now or for the time being, or the Lord High Treaſurer for the time being, and giving them Notice of ſuch their Deſire to have and receive the ſaid one million in one intire Payment ten Days at leaſt before the ſaid Feaſt-Day, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three or more of them, or the Lord High Treaſurer, by Warrant under their Hands to permit or ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance or lend to his Majeſty at the Receipt of his Exchequer ſo much Money, as together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ſhall be wanting to compleat the ſaid Sum of one million, upon Credit of the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies, and to be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with an Intereſt for the Forbearance thereof, in the mean Time, after a Rate not exceeding four Pounds *per Centum per Annum*; and in ſuch caſe the Money ſo to be lent or advanced, ſhall be iſſued and paid to the ſaid Company, together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, to compleat the Payment of the ſaid entire Sum of one million; and the Monies which from thenceforth ſhall ariſe from the ſaid Surpluſſes, ſhall quarterly be iſſued and applied to diſcharge and ſatisfy ſuch Loans with the Intereſt thereof, in the due Order and common Courſe of the Exchequer, in caſes of Loans; any thing herein before contained to the contrary notwithſtanding.

Money may be lent at 4 l. per Cent. on Credit of the Sinking Fund to make up a Deficiency at Michaelmas.

III. And be it enacted by the Authority aforeſaid, That the ſaid *South Sea* Company ſhall forthwith, upon the Receipt of the ſaid Sum of one million, or as ſoon after as conveniently may be, divide out, and diſtribute the ſame as near as may conveniently be done, amongſt all the ſeveral Proprietors of their ſaid Capital Stock of Annuities, towards ſinking and diſcharging ſo much of their Shares or Intereſts in the ſaid Capital Stock of Annuities, by even and equal Dividends amongſt them all, in Proportion to their reſpective Shares or Intereſts therein.

The Money to be diſtributed to the Annuity Proprietors.

IV. And to the End, Intent and Purpoſe that all truſt Eſtates and Intereſts in the ſaid Capital Stock of Annuities of the *South-Sea* Company, may be preſerved and improved for the Benefit of the Perſons concerned therein, with the leaſt Expence and Inconvenience to them: Be it enacted by the Authority aforeſaid, That in all and every Caſes where, in purſuance of this Act, any Payments or Dividends ſhall be made of the Capital of any ſuch Annuity Stock, as ſhall be veſted in any Perſon or Perſons in Truſt for other Perſons, who have or claim diſtinct or different Intereſts therein, or for any other Ends or Purpoſes, for which the Capital Sum or Annuity ought to be preſerved intire, ſuch Payments or Dividends of the Capital Stock of Annuities ſhall not be paid or applied as Dividends of Profit, Annuity or Intereſt, but ſhall remain in the Hands of ſuch Truſtees reſpectively, till otherwiſe diſpoſed of at Intereſt; and for that Purpoſe it ſhall and may be lawful to and for the Truſtee or Truſtees, who ſhall receive the ſame, at his or their Diſcretion, to lay out or diſpoſe of the ſame or any Part thereof, in the Purchaſe of ſo much other Capital Stock of the ſame Kind, as at the current Market Price of ſuch Annuity Stock the Monies received for ſuch Dividends ſhall, as near as conveniently may be, extend to purchaſe; which new purchaſed Stock of Annuities ſhall be transferred to ſuch Truſtee or Truſtees, and a Receipt or Receipts ſhall be given and ſigned by the Perſon or Perſons transferring the ſame, for the Monies paid for the ſame; and in caſe ſuch Truſtees reſpectively, by Writing indorſed on or annexed to ſuch Receipts, and ſigned or acknowledged before one of the Maſters of the High Court of Chancery, ſhall declare that the Monies in the ſaid Receipts were the Produce of the ſaid Dividends of the ſaid Capital Stock of Annuities, which Signing or Acknowledgment ſuch Maſters in Chancery are hereby required to accept or take; and each and every ſuch Maſter, before whom the ſame ſhall be done, ſhall at the ſame time certify the ſame, by ſubſcribing his Name thereto; for doing whereof ſuch Maſter ſhall be paid for each ſuch Certificate one Shilling and no more; then, and in every ſuch Caſe, the Annuity Stock mentioned in ſuch Receipts to be transferred, ſhall reſpectively go and be deemed ſubject and liable to the ſame Truſts, for the Benefit of the ſame Perſons, and for the ſame Uſes, Ends, Intents and Purpoſes, as the reſt of the truſt Annuity Stock remaining in ſuch Truſtees reſpectively will or ought to be ſubject and liable to; and ſuch Truſtees reſpectively ſhall from thenceforth be indemnified from any Loſs, Charges or Damages, on account of their ſo doing, at the Expences of the ſaid truſt Eſtates.

Truſtees of Annuitants how to act.

V. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to reſtrain or prohibit any ſuch Truſtees from laying out or diſpoſing of any of the ſaid truſt Monies in any other Purchaſes or any other Securities, whether publick or private, if they ſhall ſo think fit, in the ſame Manner and with the ſame Freedom and Security to themſelves as they might have done if this Act had not been made.

Farther Proviſions concerning this Company,
5 *Geo.* 2. *c.* 17.
6 *Geo.* 2. *c.* 25 & 28.
7 *Geo.* 2. *c.* 17.
9 *Geo.* 2. *c.* 34. 10 *Geo.* 2. *c.* 17. 20 *Geo.* 2. *c.* 3. §. 60. 24 *Geo.* 2. *c.* 2 & 11. 26 *Geo.* 2. *c.* 16.

CAP. VI.

An Act to indemnify Perſons who through Ignorance of Law have omitted to qualify themſelves for Imployments or Offices, by taking the Oaths, and making and ſubſcribing the Declaration againſt Tranſubſtantiation, and receiving the Sacrament, and Members of Corporations who have neglected to

to take the Oaths of Office, and Persons who have not read the *Common Prayer*, and declared their Assent and Consent to the same, according to Law, upon the Terms therein mentioned. EXP.

" Persons qualifying themselves before 23 *January* 1731 indemnified. Members of Corporations who " have neglected to take the Oaths of Office, qualifying themselves by 21 *January* 1731, indemnified. " Offices avoided by Law, not to be restored. Ecclesiastical Persons who have omitted to read the Com- " mon Prayer in time indemnified. But not to prejudice others lawfully instituted in their Places."

CAP. VII.

An Act to explain and amend an Act made in the third Year of his Majesty's Reign, intituled, *An Act for the better Regulation of Juries*, so far as the same relates to the County of *Middlesex*.

' WHEREAS by an Act of Parliament made in the third Year of his Majesty's Reign, intituled, *An Act for the better Regulation of Juries*, it is among other Things enacted, That no Persons shall be returned as Jurors to serve on Trials at any Assizes or *Nisi Prius*, or at the Great Sessions in *Wales*, or at the Sessions for the Counties Palatine of *Lancaster*, *Chester* and *Durham*, who have served within the Space of one Year before in the County of *Rutland*, or four Years in the County of *York*, or of two Years before in any other County, not being a County of a City or Town: And if any such Sheriff shall wilfully transgress therein, any Judge or Justice of Assize, or *Nisi Prius*, or of the said Great Sessions, or the Judge or Judges of the Sessions for the said Counties Palatine, may, and is hereby required, on Examination and Proof of such Offence in a summary Way, to set a Fine or Fines upon every such Offender, as he shall think meet, not exceeding five Pounds for any one Offence: And whereas by reason of the frequent Sessions of *Nisi Prius* in the Court of King's Bench, Common Pleas and Exchequer at *Westminster*, the said Provision cannot be put in Execution in the County of *Middlesex*, but is found to be impracticable:' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* in the Year of our Lord one thousand seven hundred and thirty-one, the said recited Clause or any Part thereof shall not extend or be construed to extend to the said County of *Middlesex*. 3 Geo. 2. c. 25. After 1 May 1731, Clause in the Jury Act not to extend to Middlesex.

II. Provided always, and be it enacted by the Authority aforesaid, That no Person shall be returned to serve as a Juror at any Session of *Nisi prius* in the County of *Middlesex*, who has been returned to serve as a Juror at any such Session of *Nisi prius* in the said County, in the two Terms or Vacations next immediately preceding, under such Penalty upon the Sheriff, Under Sheriff, Bailiff or other Officer imployed or concerned in the summoning or returning of Jurors in the said County of *Middlesex*, as might have been inflicted upon them or any of them for any Offence against the said recited Clause. None to be returned, who has been returned in the two Terms preceding. Made perpetual by 6 Geo. 2. c. 37.

III. And whereas by the very frequent Occasions there are for Juries in the County of *Middlesex*, and by the small Number of Freeholders that are in the said County, the Sheriffs of the said County may be under Difficulties in procuring Juries to answer the Purposes of this Act; for Remedy whereof be it enacted by the Authority aforesaid, That all Leaseholders upon Leases where the improved Rents or Value shall amount to fifty Pounds or upwards *per Annum* over and above all Ground Rents or other Reservations payable by virtue of the said Leases, shall be liable and obliged to serve upon Juries when they shall be legally summoned for that Purpose; any thing in this or any former Act to the contrary notwithstanding. Leaseholders, where the improved Rents amount to 50 l. per Annum, liable to serve on Juries. *Farther Provisions concerning Juries*, 6 Geo. 2. c. 37. 24 Geo. 2. c. 18. 29 Geo. 2. c. 19.

CAP. VIII.

An Act for the more effectual repairing the Road leading from *Godstone* in the County of *Surrey*, to *Highgate*, at the Entrance into *Ashdown Forest* in the Parish of *East Grinsted* in the County of *Sussex*. PR.

The Toll took Place 1 *May* 1731, and shall continue till the Expiration of the Act 10 *Geo.* 1. *c.* 13.

CAP. IX.

An Act for raising one million two hundred thousand Pounds by Annuities and a Lottery, in manner therein mentioned, and for appropriating the Supplies granted in this Session of Parliament, and for making forth Duplicates of Exchequer Bills, Lottery Tickets and Orders, lost, burnt or otherwise destroyed.

' WHEREAS in and by an Act made and passed in the ninth and tenth Years of the Reign of our late Sovereign Lord King WILLIAM the Third, of Glorious Memory, intituled, *An Act for granting to his Majesty, his Heirs and Successors, further Duties upon Stampt Vellum, Parchment and Paper*, it is enacted, That from and after the first Day of *August* in the Year of our Lord one thousand six hundred and ninety-eight, there shall be throughout the Kingdom of *England*, Dominion of *Wales* and Town of *Berwick upon Tweed*, raised, collected and paid unto his Majesty, his Heirs and Successors for ever, for the several and respective things therein mentioned, which should be written or ingrossed at any Time or Times, from and after the said first Day of *August* one thousand six hundred and ' ninety- 9 & 10 W. 3. c. 25.

'ninety-eight, over and above the Rates and Duties, and Sums of Money then payable to his Majeſty
'or to any Perſon or Perſons, Bodies Politick or Corporate whatſoever, for the ſame, the ſeveral and
'reſpective Rates, Impoſitions, Duties, Charges and Sums of Money, therein particularly expreſſed:
'And whereas in and by one other Act made and paſſed in the ſame Seſſion of Parliament, intituled,
9 & 10 W. 3. c. 44. 'An Act for raiſing a Sum not exceeding two millions, upon a Fund for Payment of Annuities after the Rate
'of eight Pounds per Centum per Annum, and for ſettling the Trade to the East-Indies, as alſo in and by
6 Ann. c. 17. 'one other Act made and paſſed in the ſixth Year of the Reign of her late Majeſty Queen ANNE, inti-
'tuled, An Act for aſſuring to the Engliſh Company trading to the East-Indies, on Account of the united Stock,
'a longer Time in the Fund and Trade therein mentioned, and for raiſing thereby the Sum of one million two hun-
'dred thouſand Pounds, for carrying on the War, and other her Majeſty's occaſions, all the Monies ariſing by
'the ſaid ſeveral additional Duties on ſtampt Vellum, Parchment and Paper, by the firſt recited Act
'granted for ever, are appropriated with other Duties on Salt and Rock Salt, for the raiſing and making
'good a yearly Fund of one hundred and ſixty thouſand Pounds, for and upon the reſpective principal
'Sums of two millions, and one million two hundred thouſand Pounds, advanced and paid in purſuance
3 Geo. 2. c. 14. 'of the two Acts laſt mentioned: And whereas by an Act made and paſſed in the third Year of the
'Reign of his preſent Majeſty King GEORGE the Second, intituled, An Act for reducing the Annuity or
'Fund of the united East-India Company, and for aſcertaining their Right of Trade to the East-Indies, and
'the Continuance of their Corporation for that Purpoſe, upon the Terms therein mentioned, it is amongſt other
'Things enacted, That from and after the twenty-ninth Day of September which ſhould be in the Year
'of our Lord one thouſand ſeven hundred and thirty, the ſaid Annuity or yearly Fund of one hundred
'and ſixty thouſand Pounds ſhould be and is thereby reduced to an Annuity or yearly Fund of one
'hundred and twenty-eight thouſand Pounds, in reſpect of the ſaid Capital Stock or Debt of three mil-
'lions two hundred thouſand Pounds, and that the ſaid reduced Annuity ſhould be and remain charged
'upon, and be payable from Time to Time out of the ſame Duties and Revenues, and by the like
'weekly or quarterly Payments, and with the ſame Proviſions for making good any Deficiencies from
'Time to Time in the ſaid reduced Fund, until ſome new or other Proviſion be made by Parliament,
'with Conſent of the ſaid United Company for the ſame: And whereas by another Act made and paſſed
3 Geo. 2. c. 20. 'in the third Year of his ſaid Majeſty's Reign, intituled, An Act for taking off certain Duties on Salt, and
'for making good any Deficiencies in the Funds that may happen thereby, and for charging the reduced Annuity
'payable to the East-India Company on the Aggregate Fund, and for Relief of Matthew Lyon, Executor of
'Matthew Page deceaſed, in reſpect of the Duty for Salt loſt by the overflowing of the River Mercy in the Year
'one thouſand ſeven hundred and twenty-four, it is amongſt other things enacted, That from and after the
'twenty-ninth Day of September one thouſand ſeven hundred and thirty, the reduced Annuity of one
'hundred and twenty-eight thouſand Pounds, payable to the United Company of Merchants of England
'trading to the Eaſt-Indies, ſhould be transferred from the ſeveral Duties and Revenues then before
'charged with the ſaid Annuity or yearly Fund of one hundred and ſixty thouſand Pounds, and be
'charged upon and payable out of the Monies ariſen or to ariſe into the Exchequer from Time to Time,
'for the ſeveral Duties and Revenues compoſing the Aggregate Fund, to be paid to the ſaid Company
'and their Succeſſors, by ſuch and the like quarterly Payments, as their then preſent Annuity was pay-
'able, and from and after ſuch Time as the ſaid reduced Annuity or yearly Fund of one hundred and
'twenty-eight thouſand Pounds ſhould become charged on the ſaid Aggregate Fund, the ſaid additional
'Duties on ſtampt Vellum, Parchment and Paper ſhould from thenceforth be diſcharged from the ſaid
'reduced Annuity or yearly Fund, and be deemed a Saving to the Publick, and ſhould go and be ap-
'plied to ſuch Uſes and Purpoſes as ſhould be directed by Parliament; and whereas by another Act made
3 Geo. 2. c. 16. 'and paſſed in the third Year of his ſaid Majeſty's Reign, intituled, An Act for raiſing five hundred and
'fifty thouſand Pounds by Exchequer Bills, towards the Supply granted to his Majeſty, and for the further Ap-
'plication of the Produce of the Sinking Fund, for applying the Arrears of former Land Taxes, for appropriat-
'ing the Supplies granted in this Seſſion of Parliament, and for giving Relief with Reſpect to an Over-payment
'to the Land Tax for the Year one thouſand ſeven hundred and twenty-one, by the Receiver General for the
'County of Salop, it was amongſt other Things enacted, That the Exchequer Bills which were made
'forth in Purſuance of the ſaid laſt mentioned Act, and the Intereſt, Premium, Rate and Charges inci-
'dent to or attending the ſame, ſhould be charged and chargeable upon the firſt Aids or Supplies which
'ſhould be granted in Parliament next after the twenty-ninth Day of September one thouſand ſeven hun-
'dred and thirty; and in the mean Time, and until ſuch Supplies ſhould be granted, the ſame ſhould
'be and are thereby charged and chargeable on ſuch Surplus Monies, as at any Time or Times from
'and after the twenty-fifth Day of March one thouſand ſeven hundred and thirty, ſhould ariſe into the
'Exchequer from the ſeveral Duties and Revenues then charged with the Annuity or yearly Fund of
'one hundred and ſixty thouſand Pounds, and ſhould be more than ſufficient to pay and ſatisfy the quar-
'terly Payments or Arrears of the ſaid Annuity or yearly Fund, or which ſhould thereafter ariſe by the
'ſaid Duties and Revenues, by the Reduction made in the ſaid Annuity or yearly Fund, ſhould be quar-
'terly applied towards the defraying and paying the Premium, Intereſt and Charges attending the ſaid
'Exchequer Bills, and ſubject thereto, towards cancelling and diſcharging the Principal of the ſaid Ex-
'chequer Bills in courſe, and ſubject thereto, the ſaid Surplus Monies ſhould be reſerved for the future
'Diſpoſition of Parliament: And whereas all the Exchequer Bills made forth in Purſuance of the laſt
'recited Act, which remained uncancelled and undiſcharged, with all Premiums, Rates, Intereſt and
'other Charges attending thereon, have been or are intended to be fully paid off, ſatisfied and diſcharg-
'ed, by and out of the Aids or Supplies granted or to be granted to his Majeſty for the Service of the
'Year one thouſand ſeven hundred and thirty-one, by Means whereof the ſaid additional Duties on
'ſtamped Vellum, Parchment and Paper are freed and diſcharged from all Incumbrances whatſoever,

'and

' and remain for the Diſpoſition of Parliament: ' Now we, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have cheerfully granted to your Majeſty in the eaſieſt Manner we are able for the Benefit of your Subjects, have freely and voluntarily given and granted, and do by this Act give and grant unto your Majeſty, the Sum of one million two hundred thouſand Pounds, to be raiſed in ſuch Manner and Form as is herein after directed; and to that End do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Annuities which by this Act ſhall be granted and made payable in Reſpect of the ſaid principal Sum of one million two hundred thouſand Pounds, until Redemption thereof by Parliament in Manner herein after mentioned, ſhall, from and after the Feaſt of the Nativity of Saint *John Baptiſt* one thouſand ſeven hundred and thirty-one, be charged and chargeable upon, and payable out of the Monies which, from and after the ſaid Feaſt-Day, ſhall from Time to Time ariſe into the Exchequer, by or from the ſaid additional Duties on ſtamped Vellum, Parchment and Paper; and the ſaid additional Duties are hereby appropriated for that Purpoſe.

1,200,000 l. to be raiſed and charged on the additional Stamp Duties.

II. And it is hereby enacted, That all the Monies ariſing by the ſaid additional Duties on ſtamped Vellum, Parchment and Paper for Payment of the ſeveral and reſpective Annuities which ſhall be payable upon this Act, ſhall be fairly and duly entered in one or more Book or Books to be kept in the Offices of the Auditor of the Receipt of Exchequer and Clerk of the Pells for that Purpoſe, to which all Perſons concerned, at all ſeaſonable Times, ſhall have free Acceſs without Fee or Charge.

The Monies ariſing by the additional Duties to be entred.

III. And for or towards raiſing the ſaid Sum or Sums of Money, not exceeding in the whole the Sum of one million two hundred thouſand Pounds, it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay into the Receipt of his Majeſty's Exchequer for his Majeſty's Uſe, at ſuch Time or Times as ſhall be appointed by the Commiſſioners of the Treaſury, or any three or more of them now being, or by the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, any Sum or Sums of Money not exceeding four hundred thouſand Pounds in Part of the ſaid whole Sum of one million two hundred thouſand Pounds, for the abſolute Purchaſe of any certain Annuity or Annuities, to commence from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-one, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, until the Redemption thereof by Parliament, in Manner herein after contained in that Behalf; which certain Annuities ſhall be computed at the Rate of three Pounds ten Shillings *per Annum* for every one hundred Pounds, and proportionably for any greater Sum ſo to be advanced and paid; and the Purchaſe Money ſo paid for every ſuch Annuity at the Rate aforeſaid, is hereby appointed to be paid into the ſaid Receipt of Exchequer at the Time or Times before mentioned; all which Annuities ſo to be purchaſed, ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year, that is to ſay, the Feaſt of the Annunciation of the bleſſed Virgin *Mary* and Saint *Michael the Archangel*, by even and equal Portions; the firſt Payment thereof to be due and payable at the Feaſt of the Annunciation of the bleſſed Virgin *Mary* in the Year of our Lord one thouſand ſeven hundred and thirty-two.

Annuities at 3 l. 10 s. per Cent. per Ann. to commence from 29 Sept. 1731.

and paid half yearly.

IV. And it is hereby enacted, That in the Offices of the Auditor of the Receipt and Clerk of the Pells in the Exchequer ſeverally, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entered the Names of all Perſons who ſhall be Contributors for ſuch certain Annuities as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sums paid for ſuch Annuities; to which Book it ſhall be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators and Aſſigns from Time to Time, and at all ſeaſonable Times, to have Reſort and to inſpect the ſame without Fee or Reward.

Contributors Names, &c. to be entred in the Books of the Auditor and Clerk of the Pells.

V. And be it further enacted by the Authority aforeſaid, That all and every the Annuities ſo to be purchaſed upon this preſent Act, ſhall be and are hereby charged upon, and ſhall be paid and payable, from Time to Time, out of the Money ariſing by the ſaid additional Duties on ſtamped Vellum, Parchment and Paper by this Act directed to be applied for the Payment thereof, and that all and every Contributor and Contributors upon this Act, duly paying the Conſideration or Purchaſe Money at the Rate aforeſaid, at the Time or Times in this Act limited in that Behalf for any ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint his, her or their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall have, receive and enjoy, and be intitled by Virtue of this Act to have, receive and enjoy the reſpective Annuity and Annuities ſo to be purchaſed out of the Monies by this Act appropriated, until the Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf; and that all and every ſuch Purchaſers, their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, ſhall have good, ſure, abſolute and indefeaſible Eſtates and Intereſts in the ſeveral Annuities, ſo by them reſpectively to be purchaſed, according to the Tenor and true Meaning of this Act; and that all ſuch Eſtates and Intereſts of and in the ſaid Annuities and every of them, ſhall be, and be adjudged, taken and accepted in Conſtruction of Law, and in all Courts of Law and Equity whatſoever, to be a Perſonal and not a Real Eſtate, and ſhall go to the Executors or Adminiſtrators of the Perſon or Perſons dying poſſeſſed thereof, intereſted therein or intitled thereunto, and not to the Heirs of ſuch Perſon or Perſons; any Law, Cuſtom or Uſage to the contrary

Annuities how to be paid,

a Perſonal Eſtate.

contrary notwithſtanding; and that all the ſaid Annuities to be purchaſed on this Act as aforeſaid, and every of them ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

Tallies and Orders to be ſtruck for the Annuities.

VI. And be it further enacted by the Authority aforeſaid, That every Contributor upon this Act for any ſuch Annuity or Annuities as aforeſaid, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, upon Payment of the Conſideration or Purchaſe Money for the ſame at the Rate aforeſaid, into the ſaid Receipt of Exchequer, at the Time or Times in this Act limited in that Behalf, ſhall immediately have one or more Tally or Tallies levied, importing the Receipt of the Purchaſe Money as ſhall be ſo paid for any ſuch Annuity or Annuities at the Rate aforeſaid; and every ſuch Contributor, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, ſhall have an Order for paying the ſaid Annuity or Annuities, until the Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf, which Order ſhall be ſigned by the Treaſurer and Under Treaſurer of the Exchequer, or any Three or more of the Commiſſioners of the Treaſury for the Time being; and, after ſigning thereof, the ſame ſhall be firm, good, valid and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and ſhall not be determinable by or upon the Deaths or Removal of any Treaſurer or Under Treaſurer of the Exchequer, or any Commiſſioner or Commiſſioners of the Treaſury, or by or upon the Determination of the Power, Office or Offices of them, or any of them; nor ſhall any Lord High Treaſurer of *Great Britain*, Treaſurer of the Exchequer, or any Commiſſioners of the Treaſury now or for the Time being, have Power to revoke, countermand or make void ſuch Orders ſo ſigned as aforeſaid, or any of them.

Orders aſſignable.

VII. And be it further enacted, That the Proprietors of the Orders to be made forth for the ſaid Annuities in Purſuance of this Act, ſhall or may, from Time to Time, by proper Words of Aſſignment to be indorſed on his, her or their Order, aſſign or transfer his, her or their Right, Title, Intereſt or Benefit of ſuch Order or Orders to any other Perſon or Perſons, which being notified in the Office of the Auditor of the Receipt, the Officers there ſhall cauſe an Entry or Memorial thereof to be made in the Book of Regiſtry for ſuch Orders, without Fee or Charge; and after ſuch Entry made, ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns to the Benefit thereof and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*, and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who ſhall make ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

'VIII. And whereas it may ſo happen, in Proceſs of Time, that ſeveral of the ſaid ſtanding Orders 'may become defaced, obliterated or incumbred with many Aſſignments indorſed thereon, or by Reaſon 'thereof, or ſome other Defects therein, it may become neceſſary that the ſaid defaced, obliterated, 'incumbred or otherwiſe defective Orders ſhould be taken in and cancelled, and new Orders made 'forth, and delivered to the Owners and Proprietors of the Orders ſo to be cancelled, in Lieu thereof;' Be it therefore enacted by the Authority aforeſaid, That in all or any of the ſaid Caſes, any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, may, if he or they ſhall ſo think fit, from Time to Time, cauſe to be made forth new ſtanding Orders for and in Lieu of ſuch defaced, obliterated, incumbred or otherwiſe defective Orders, ſo as ſuch defaced, obliterated, incumbred or otherwiſe defective Order or Orders be at the ſame Time delivered up and cancelled, and the new Order or Orders to be made out in Lieu thereof be made payable to the Perſon or Perſons who ſhall appear to be the Proprietor or Proprietors of the ſaid Order or Orders ſo delivered up and cancelled at the Time of ſuch Delivery up as aforeſaid; and the Auditor of the Receipt aforeſaid ſhall always take Care that ſuch Entries or Memorandums be made upon the ſaid new Orders as may denote their being made out in Lieu of ſuch defaced, obliterated, incumbred or otherwiſe defective Orders cancelled, and as may ſecure the Publick againſt any double Payments, for or by Reaſon of the making out or iſſuing ſuch new Orders in Manner aforeſaid.

New Orders to be made forth in Lieu of defaced ones.

IX. And for the preventing all Frauds and Abuſes in or about the ſaid ſtanding Orders or any Aſſignments thereof, or the receiving the Annuities due or to grow due thereon, Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act and aſſiſt in the forging or counterfeiting any Order or Orders made forth or to be made forth in Purſuance of this preſent Act, or any Aſſignment or Aſſignments of ſuch Order or Orders, or of the Annuities payable thereon, or of any Receipt or Diſcharge to the Exchequer for the Annuities due or to grow due on any ſuch Order or Orders, or of any Letter of Attorney, or other Authority or Inſtrument to transfer, aſſign, aliene or convey any ſuch Order or Orders, or to receive the Annuities due or to grow due thereon, or any Part thereof, or ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act or aſſiſt in the forging or counterfeiting any the Name or Names of any of the Proprietors of any ſuch Order or Orders, in or to any ſuch pretended Aſſignment, Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall knowingly or fraudulently demand, or endeavour to have or receive any ſuch Annuity or Annuities, or any Part thereof, by Virtue of any ſuch forged or counterfeited Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall falſly and deceitfully perſonate any true and real Proprietor or Proprietors of any of the ſaid Order or Orders, and thereby aſſigning or endeavouring to aſſign any of the ſaid Order or Orders, or receiving or endeavouring to receive the Money of ſuch true and lawful Proprietor, as if ſuch Offender were the true and lawful Owner thereof, then, and in every ſuch Caſe, all and every Perſon and Perſons, being thereof lawfully convicted in due Form of Law, ſhall be adjudged guilty of Felony, and ſhall ſuffer as in Caſes of Felony, without Benefit of Clergy.

Forging Orders or Aſſignments, &c. Felony. *For Forgery ſee farther 7 Geo. 2. c. 22. and 31 Geo. 2. c. 22.*

X. And

All Receipts and Iſſues to be without Fee.

X. And be it further enacted, for the better encouraging Perſons to advance the ſaid Sum of four hundred thouſand Pounds in Part of the ſaid whole Sum not exceeding one million two hundred thouſand Pounds, upon the reſpective Terms and Advantages in this Act mentioned, that all Receipts and Iſſues, and all other Things directed by this Act to be performed in the Exchequer, ſhall be done and performed by the Officers there, without demanding or receiving directly or indirectly any Fee, Reward or Gratuity for the ſame; and in caſe the Officers of the Exchequer ſhall take or demand any ſuch Fee or Reward, or ſhall divert or miſapply any of the Monies to be paid into the Receipt of the Exchequer, for making up the aforeſaid Fund, or ſhall pay or iſſue out of the ſame, otherwiſe than according to the Intent of this Act, or ſhall not keep Books or Regiſters, and make Entries, and do and perform all other Things which by this Act they are required to perform, every ſuch Officer ſhall forfeit his Office, and be for the future incapable of any Office or Place of Truſt whatſoever, and ſhall anſwer and pay treble Damages and Coſts of Suit to any Contributor or Perſon claiming under him, that will ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law, Injunction or Order of Reſtraint, or more than one Imparlance ſhall be granted or allowed; and in the ſaid Action the Plaintiff, upon Recovery, ſhall have full Coſts of Suit; one third of which Sum ſo to be recovered, ſhall be paid into the Receipt of the Exchequer, for the Benefit of his Majeſty, his Heirs and Succeſſors, and the other two Thirds ſhall be to and for the Uſe of the Proſecutor.

Charge of Management to be paid out of the additional Duties on Stamps.

XI. Provided always, and it is hereby enacted by the Authority aforeſaid, That out of the Monies from Time to Time ariſing at the ſaid Receipt of Exchequer, of or for the ſaid additional Duties on ſtamped Vellum, Parchment and Paper hereby appropriated as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, to reward the Officers and Clerks in the Exchequer, and others, that ſhall and may be any way employed in the Execution of this Act, in Relation to the ſaid Annuities to be payable thereupon, for their Labours, Pains and Services therein reſpectively, and to diſcharge and ſatisfy ſuch incident Charges as ſhall neceſſarily attend the Execution of the ſame, in ſuch Manner as the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being ſhall from Time to Time think fit and reaſonable in that Behalf; any Thing in this Act contained to the contrary notwithſtanding.

After 24 June 1731, a further yearly Sum of 24,000l. ſettled on the ſaid Duties for the Lottery.

'XII. And whereas it is intended that a further Sum, not exceeding eight hundred thouſand Pounds, 'ſhall be raiſed by way of a Lottery, and be charged on the ſame additional Duties upon ſtamped Vel'lum, Parchment and Paper, which, with the Sum of four hundred thouſand Pounds before by this Act 'directed to be charged thereupon, will complete the ſaid whole Sum of one million two hundred thou'ſand Pounds, intended by this Act to be raiſed upon the ſaid additional Duties;' Be it therefore enacted by the Authority aforeſaid, That yearly and every Year, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, a further certain yearly Sum of twenty-four thouſand Pounds, by and out of the Monies which, from and after the ſaid Feaſt-Day, ſhall ariſe and be paid into the Receipt of the Exchequer, of or for the ſaid additional Duties on ſtamped Vellum, Parchment and Paper, ſhall be, and the ſame yearly Sum of twenty-four thouſand Pounds is by this Act declared and enacted to be a Fund and Security for anſwering and paying all and every the Annuities or yearly Payments, after the Rate of three Pounds *per Centum per Annum*, to the Contributors in the Lottery herein after mentioned, their Executors, Adminiſtrators and Aſſigns, in Manner hereafter in this Act expreſſed, until the Redemption thereof by Parliament, according to the Proviſo hereafter in this Act contained in that Behalf; and that the ſaid yearly Sum of twenty-four thouſand Pounds, or ſo much thereof as ſhall be ſufficient to ſatisfy and diſcharge all the Sums which ſhall grow due from Time to Time, for or upon the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall, from Time to Time, be paid half yearly at *Chriſtmas* and *Midſummer*, by even and equal Portions, until Redemption of the ſaid Annuities, according to the true Meaning of this Act, at the ſaid Receipt of Exchequer, to the Chief Caſhier of the Governor and Company of the Bank of *England* for the Time being, by way of Impreſt and upon Account, for Payment of the ſame Annuities; the firſt Payment of the ſaid yearly Sum to the ſaid Caſhier to be made on the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-one; and the ſaid Commiſſioners of his Majeſty's Treaſury now being, and the High Treaſurer, Under Treaſurer and Commiſſioners of the Treaſury of his Majeſty, his Heirs and Succeſſors for the Time being, are hereby ſtrictly enjoined and required to cauſe the ſaid yearly Sum of twenty-four thouſand Pounds, or ſo much thereof as ſhall be ſufficient, to be impreſted and paid, from Time to Time, to the ſaid Caſhier accordingly, without any further or other Authority for the ſame; any former Statute or Law to the contrary notwithſtanding.

Any Perſons may purchaſe Tickets.

XIII. And be it further enacted by the Authority aforeſaid, That for or towards raiſing the ſaid Sum of eight hundred thouſand Pounds, it ſhall and may be lawful for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate to contribute, by paying at or before the reſpective Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpoſe, as is herein after mentioned, the Sum of ten Pounds, or divers intire Sums of ten Pounds, upon this Act; and that every ſuch Contributor or Adventurer for every ſuch Sum of ten Pounds which he, ſhe or they ſhall ſo advance, ſhall be intereſted in ſuch Lot or Share of and in the ſaid yearly Fund eſtabliſhed by this Act, as is herein after directed and appointed in that Behalf; and the ſame intire Sums of ten Pounds each are hereby appointed to be paid unto ſuch Receiver or Receivers, at ſuch Time or Times, and in ſuch Proportions at a Time on or before the twentieth Day of *Auguſt* one thouſand ſeven hundred and thirty-one, as ſhall be appointed by the Commiſſioners of the Treaſury, or any three or more of them, or the Lord High Treaſurer for the Time being; and the ſaid Commiſſioners of his Majeſty's Treaſury,

Allowance for prompt Payment.

or the High Treaſurer for the Time being, are hereby impowered to cauſe ſuch an Allowance out of the Sums ſo to be contributed, or any of them, for prompt Payment to be made, as he or they in his or their Diſcretions ſhall think meet and reaſonable.

" Treaſury to appoint Managers. Tickets to be prepared. Treaſury to appoint Receivers. Managers " to examine the Books, and deliver them to the Receivers. Tickets to be delivered at 10*l.* apiece. " Receivers on 30 *Aug.* 1731, to re-deliver the Books to the Managers. Tickets not diſpoſed of, to be " returned into the Exchequer as Caſh. Tickets of the middle Columns to be rolled up, and put into " a Box marked (*A*). The Managers ſhall prepare Books divided into two Columns, and upon the " innermoſt Column ſhall be printed 80,000 Tickets, &c. and 8,000 ſhall be called *The Fortunate Tickets*, " that is to ſay, Two of them ſeverally 10,000*l.* four of 5,000*l.* two of 3,000*l.* five of 2,000*l.* fourteen " of 1,000*l.* twenty-one of 500*l.* two hundred and thirty-ſeven of 100*l.* ſeven thouſand ſeven hundred " and fifteen of 20*l.* which with 500*l.* to the firſt drawn Ticket, and 1,000*l.* to the laſt drawn, will " amount in the whole to 260,000*l.* which being added to 540,000*l.* (the Principal payable on the re- " maining 72,000 blank Tickets) amount to 800,000*l.* Tickets in the outermoſt Columns to be put " into the Box (*B*). No Money to be received after 30 *Aug.* 1731. The whole to be performed by 18 " *Nov.* 1731. On 24 *Nov.* 1731, the Boxes to be brought into *Guildhall*. Fortunate Tickets to be printed. " Forging Tickets, &c. Felony. Managers to be ſworn. Contributors failing in Payment of the whole " Sum, to forfeit the Money advanced. Undiſpoſed Tickets to be kept as Caſh. Managers, &c. to be " rewarded out of the additional Duties on Stamps. Guardians may contribute for Infants. The " Tickets to be exchanged for Certificates. EXP.

Accountant General of the Bank to give Credit to the Perſons named in the Certificates for the Sums therein contained. Certificates aſſignable.

XXIX. And be it further enacted by the Authority aforeſaid, That the ſaid Accountant General of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall, upon receiving and taking in of the ſaid Certificates or any of them, give Credit to the Perſons named therein, in a Book or Books to be by him provided and kept for that Purpoſe, for the principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit every the ſaid principal Sums ſhall be entred in the ſaid Book or Books, his, her or their Executors and Adminiſtrators ſhall and may have Power to aſſign and transfer the ſame, or any Part, Share or Proportion thereof, to any other Perſon or Perſons, Bodies Politick and Corporate whatſoever, in other Books to be provided and kept by the ſaid Accountant General for that Purpoſe; and the principal Sums, ſo aſſigned or transferred, ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by this Act, according to the Power and Authority herein after mentioned, until Redemption thereof as aforeſaid; and the ſaid Accountant General of the Bank of *England* for the Time being is hereby authorized and directed to cancel and file the Certificates as they ſhall from Time to Time be received and taken in by him, and to give the Perſons bringing the ſame, a Note under his Hand, teſtifying the principal Money for which they have Credit in the ſaid Book or Books, by Reaſon or Means of the Certificates ſo received, taken in and cancelled as aforeſaid, and of the Annuity attending the ſame.

Annuities on Tickets to bear Intereſt at 3*l.* per Cent. per Ann. payable half yearly.

XXX. And it is hereby enacted, That every Perſon ſo to be named in the ſaid Certificates, his, her and their Executors, Adminiſtrators and Aſſigns ſhall have, receive and enjoy, and be intitled, by Force and Virtue of this Act, to have, receive and enjoy an Annuity or Annuities after the Rate of three Pounds *per Centum per Annum* for the reſpective principal Sums ſpecified in ſuch Certificate, until Redemption thereof, according to the Proviſo herein after contained in that Behalf, out of the Money of the ſaid yearly Fund by this Act eſtabliſhed and appropriated for that Purpoſe; which Annuities ſhall be payable and paid half yearly at the Feaſt-Days above mentioned, by even and equal Portions, or within ſix Days next after every or any ſuch Feaſt-Days, until the ſaid Annuities ſhall be redeemed, by paying off the ſaid reſpective principal Sums, and all Arrearages of the ſame Annuities, if any be, according to the Proviſo herein after mentioned; the firſt Payment to begin and be made at the Feaſt of the Nativity of our Lord Chriſt one thouſand ſeven hundred and thirty-one, or within ſix Days after; and that the ſaid yearly Sum of twenty-four thouſand Pounds, or ſo much thereof as ſhall be ſufficient from Time to Time to anſwer and ſatisfy the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, as the ſame ſhall become due, are and ſhall be appropriated and applied thereunto, and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever.

To be free from Taxes.

XXXI. And it is hereby enacted, That the ſaid Annuities, payable after the Rate of three Pounds *per Centum per Annum*, and all and every the principal Sums for which the ſame are to be payable, ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

Bank to appoint a Chief Caſhier and Accountant General.

XXXII. And be it enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England* and their Succeſſors, ſhall from Time to Time, until the ſaid Annuities after the Rate of three Pounds *per Centum per Annum* ſhall be redeemed according to this Act, appoint and employ one ſufficient Perſon within their Office in the City of *London*, to be their Chief or Firſt Caſhier, and one other ſufficient Perſon within the ſame Office, to be their Accountant General; and that the ſaid Caſhier or Caſhiers, to whom the ſaid Monies ſhall from Time to Time be iſſued for Payment of the ſaid Annuities after the Rate of three Pounds *per Centum per Annum*, ſhall from Time to Time without Delay apply and pay the ſame accordingly, and render his Account thereof according to the due Courſe of the Exchequer; and the ſaid Accountant General for the Time being ſhall from Time to Time inſpect and examine all Receipts and Payments of the ſaid Caſhier, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all Perſons and Corporations who ſhall be intitled to any of the ſame Annuities ſo to be payable by the Caſhier of the Bank of *England* for the Time being,

purſuant

purſuant to this Act, and all Perſons claiming under them ſhall be poſſeſſed thereof as a Perſonal Eſtate, and the ſame ſhall not be deſcendable to the Heir, and ſhall not be liable to any foreign Attachment by the Cuſtom of *London* or otherwiſe; any Law, Statute or Cuſtom to the contrary notwithſtanding.

Lottery Annuities to be one Joint Stock.

XXXIII. And be it further enacted by the Authority aforeſaid, That all the principal Monies, for which the ſaid ſeveral Annuities after the Rate of three Pounds *per Centum per Annum* ſhall be payable by the Caſhier of the Bank of *England* for the Time being as aforeſaid, ſhall be deemed and taken to be one Capital or Joint Stock, on which the ſame Annuities ſhall be attending, and ſhall be called *The Joint Stock of Lottery Annuities for the Year one thouſand ſeven hundred and thirty-one*; and that all Perſons and Corporations, in Proportion to their reſpective Annuities, ſhall have a Share in ſuch Stock, and that all ſuch Shares ſhall be aſſignable, transferrable and deviſeable, in the ſame Manner as is preſcribed by Act or Acts of Parliament made in the firſt Year of his late Majeſty's Reign, touching the Annuities after the Rate of five Pounds *per Centum per Annum* therein mentioned, and that no Stamp Duties whatſoever ſhall be chargeable on ſuch Transfers; and that the ſaid Governor and Company of the Bank of *England* (notwithſtanding the Redemption of all or any other Funds or Annuities in Purſuance of the Acts for eſtabliſhing the ſame, or any of them) ſhall continue a Corporation to all Intents and Purpoſes relating to the receiving, paying or accounting for the ſaid Annuities of three Pounds *per Centum per Annum* ſo payable by their Caſhier, till the ſame ſhall be redeemed according to this Act; and that the ſaid Governor and Company of the Bank of *England*, or any Members thereof, ſhall not incur any Diſability for or by Reaſon of their doing any Matter or Thing in Purſuance of this Act.

Shares therein aſſignable.

Bank to continue a Corporation till theſe Annuities be redeemed.

No Fee to be taken.

XXXIV. And it is hereby enacted by the Authority aforeſaid, That no Fee or Gratuity whatſoever ſhall or may be demanded or taken of any of his Majeſty's Subjects for paying the ſaid Annuities of three Pounds *per Centum per Annum*, or any of them, by the ſaid Caſhier for the Time being; and that no Fee or Gratuity ſhall be demanded or taken for any Transfer of any Sum, great or ſmall, to be made in Purſuance of this Act, upon Pain that any Officer or Perſon offending, by taking any Fee or Gratuity contrary to this Act, ſhall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Coſts in any of his Majeſty's Courts of Record at *Weſtminſter*.

Additional Duties on the Stamps how to be applied.

XXXV. And be it further enacted by the Authority aforeſaid, That all the Monies of the ſaid additional Duties on ſtamped Vellum, Parchment and Paper by this Act appropriated or mentioned to be appropriated as aforeſaid, ſhall be iſſued and applied in Manner and Form following; that is to ſay (ſuch Charges as are herein before directed to be paid thereout excepted) to anſwer and pay the Annuity of fourteen thouſand Pounds, being after the Rate of three Pounds ten Shillings *per Centum per Annum*, upon the principal Sum of four hundred thouſand Pounds, by this Act before directed to be advanced and paid into the Receipt of the Exchequer, upon Credit of the ſaid additional Duties, reckoning the firſt Payment thereupon to be paid and payable at the Feaſt of the Annunciation of the bleſſed Virgin *Mary* in the Year of our Lord one thouſand ſeven hundred and thirty-two, and the ſubſequent Payments half yearly, by even and equal Portions, until the Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf; and after reſerving ſufficient to pay and ſatisfy from Time to Time ſo much as at any half yearly Feaſt-Day ſhall be grown due upon the ſaid Annuity of fourteen thouſand Pounds, by this Act made payable at the Receipt of Exchequer as aforeſaid, then to iſſue and pay unto the ſaid Caſhier of the Bank of *England*, out of the Monies remaining in the ſaid Receipt of Exchequer, ariſen by the ſaid additional Duties on ſtamped Vellum, Parchment and Paper, the further yearly Sum or Annuity of twenty-four thouſand Pounds, for anſwering and paying all and every the Annuities or yearly Payments after the Rate of three Pounds *per Centum per Annum*, to the Contributors in the Lottery in this Act before mentioned, reckoning the firſt Payment thereupon to be paid and payable at the Feaſt-Day of the Birth of our Lord Chriſt in the Year of our Lord one thouſand ſeven hundred and thirty-one, and the ſubſequent Payments half yearly, until Redemption thereof by Parliament as aforeſaid; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Deficiency how to be ſupplied.

XXXVI. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times the Produce of the ſaid additional Duties on ſtamped Vellum, Parchment and Paper ſhall happen to be ſo low or deficient, as that the Monies ariſing therefrom into the Exchequer ſhall not be ſufficient to pay and diſcharge both or either of the reſpective Annuities by this Act appropriated and directed to be paid thereout, at the End of either of the reſpective half yearly Days of Payment, at which the ſame are hereby directed to be made, then and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of the overplus Monies that ſhall or may happen to ariſe and be paid into the Exchequer, in any or either of the ſubſequent half Years, as the ſaid reſpective Annuities ſhall from Time to Time in courſe become due and payable; and in caſe ſuch overplus Monies ſhall not be ſufficient to ſatisfy the Deficiencies hereby intended from Time to Time to be paid thereout, that then, and in every ſuch Caſe, the Deficiencies ſo from Time to Time happening, ſhall from Time to Time be anſwered and made good by and out of the firſt Supplies which ſhall be granted in Parliament next after ſuch Deficiencies ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiencies ſhall happen, then the ſame ſhall be made good out of any the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes or Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſame Sinking Fund as are appropriated to any particular Uſe or Uſes, by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may from Time to Time be iſſued and applied accordingly.

Monies out of the Sinking Fund how to be replaced.

XXXVII. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Sinking Fund, shall from Time to Time be replaced by and out of the first Supplies to be then after granted in Parliament.

Surplus Monies to be reserved for the Disposition of Parliament.

XXXVIII. Provided always, and be it enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Monies arising by the said additional Duties at the End of any one Year, after the said several and respective Annuities and all Arrears thereof are satisfied, or Money sufficient shall be reserved for that Purpose, such Surplus or Remainder shall from Time to Time be reserved for the Disposition of Parliament, and shall not be issued but by Authority of Parliament, and as shall be directed by future Act or Acts of Parliament; any Thing in any former or other Act or Acts of Parliament to the contrary notwithstanding.

Redemption of the Annuities.

XXXIX. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the Royal Exchange in *London*, by the Authority of Parliament, at any of the half yearly Feast-Days for Payment of the said respective Annuities, or either of them, and upon Repayment by Parliament of the respective principal Sums, for which the said respective Annuities, or either of them, shall be payable to such respective Persons or Corporations as shall be intitled to the same Annuities, and also upon full Payment of all Arrearages of the same Annuities; then, and not till then, the said respective Annuities shall cease and determine, and be understood to be redeemed, and from and after such Redemption the Monies arising from the said additional Duties on stamped Vellum, Parchment and Paper shall not be issued or applied to any Use or Purpose, but as shall be directed by future Act or Acts of Parliament; any Thing in this or any former Act or Acts of Parliament to the contrary notwithstanding; and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing to be inserted in the said *London Gazette*, and affixed on the Royal Exchange in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice, within the Words and Meaning of this Act.

General Issue.

XL. And it is enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued or prosecuted for any Thing by him or them done or executed in Pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

Arrears of former Land Taxes. Duties on Malt and compound Liquors to be applied to this Year's Supply.

XLI. And be it further enacted by the Authority aforesaid, That the Sum of thirty-two thousand five hundred and sixteen Pounds twelve Shillings and eleven Pence three Farthings, remaining in the Receipt of his Majesty's Exchequer for Arrears on former Land Taxes, payable in the Year one thousand seven hundred and twenty-eight or before, and also the Sum of six hundred and sixty-nine Pounds nine Shillings and ten Pence Half-penny, remaining in the said Receipt of Exchequer, on Arrears of former Duties on Malt, and likewise the Sum of nine thousand five hundred and twenty-eight Pounds three Shillings and one Penny, remaining in the said Receipt of Exchequer, for the Duty on Compound Liquors, and for Licence Money for retailing the said Liquors, and for Forfeitures on the said Retailers, shall and may be issued and applied as Part of his Majesty's Supply granted for the Service of the Year one thousand seven hundred and thirty-one; any Law, Statute or Provision to the contrary in any wise notwithstanding.

Appropriation of the several Sums granted this Session.

XLII. Provided always, and be it enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thousand seven hundred and thirty-one*, and so much Money, if any such be, of the Duties thereby granted and continued, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate or Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and thirty-one*, and so much Money, if any such be, of the Tax thereby granted, as shall arise and remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium or Rate and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved to discharge the same; and also all the Monies coming into the Exchequer, by granting Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*, and by Contributions by way of a Lottery, on this Act; and the Sum of thirty-two thousand five hundred and sixteen Pounds twelve Shillings and eleven Pence three Farthings, remaining in the Receipt of his Majesty's Exchequer on Arrears of former Land Taxes; and the Sum of six hundred and sixty-nine Pounds nine Shillings and ten Pence Half-penny, remaining in the Receipt of his Majesty's Exchequer, on Arrears of former Duties on Malt; and also the Sum of nine thousand five hundred twenty-eight Pounds three Shillings and one Penny, remaining in the Receipt of his Majesty's Exchequer, for the Duty on Compound Liquors, and for Licence Money for retailing the said Liquors, and for Forfeitures on the said Retailers, shall be appropriated and applied, and are hereby appropriated for and towards the several Uses,

es, Intents and Purpoſes herein expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after ſcribed; that is to ſay,

XLIII. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ll and may be iſſued and applied any Sum or Sums of Money not exceeding ſeven hundred thirty-two ouſand thirty-four Pounds four Shillings and four Pence, for or towards the naval Services herein after re particularly expreſſed; that is to ſay, for or towards defraying the Charge of the Ordinary of his ajeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear the Navy, and the Victualling thereof performed and to be performed, and for or towards extraor- ary Repairs of his Majeſty's Navy performed and to be performed, and for or towards other Services the Navy performed and to be performed. 732,034 l. 4 s. 4 d. for Naval Services.

XLIV. And it is hereby further enacted, That out of all or any the Aids or Supplies as aforeſaid, re ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand inds, upon Account, for and towards the Support of the Royal Hoſpital at *Greenwich*, for the better intenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their untry. 10,000 l. for Greenwich Hoſpital.

XLV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ll and may be iſſued and applied any Sum or Sums of Money, not exceeding eighty-ſix thouſand e hundred and twenty-three Pounds ten Shillings and ten Pence, for or towards defraying the Charge the Office of Ordnance for Land Service performed and to be performed, and for defraying the ex- ordinary Expence of the Office of Ordnance for Land Service not provided for by Parliament. 86,923 l. 10 s. 10 d. for the Office of Ordnance for Land Service.

XLVI. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as afore- l, there ſhall or may be iſſued and applied any Sum or Sums of Money, not exceeding one million o hundred and fourteen thouſand eight hundred and nine Pounds ten Shillings and nine Pence, for or vards maintaining his Majeſty's Land Forces, and other Services herein after more particularly ex- ſſed; that is to ſay, any Sum of Money not exceeding ſix hundred and fifty-one thouſand four hun- d and eighty-four Pounds ſeventeen Shillings one Penny Half-penny, for defraying the Charge of enteen thouſand ſeven hundred and nine Men, including Commiſſion and Non-Commiſſion Officers l Invalids, for Guards, Gariſons and ſix independent Companies for the Service of the *Highlands*, l other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, and other Services relating to Forces for the Year one thouſand ſeven hundred and thirty-one; and any Sum or Sums of Money, exceeding one hundred ſixty-nine thouſand eight hundred and thirty-five Pounds eight Shillings and e Penny Half-penny, for maintaining his Majeſty's Forces and Gariſons in the Plantations, *Minorca* l *Gibraltar*, and for Proviſions for the Gariſons at *Annapolis Royal*, *Placentia* and *Gibraltar*, for the ar one thouſand ſeven hundred and thirty-one; and any Sum or Sums of Money, not exceeding rty-two thouſand four hundred and eighty-three Pounds two Shillings and ſix Pence, upon Account for t-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty-one, including Sum of ſeven thouſand Pounds, towards making good the Deficiencies of the Surplus of the Deduc- ns of Poundage, and Day's Pay of the Forces, and of the annual Sums granted in Parliament, on Ac- unt of the Expences of *Chelſea* Hoſpital, as eſtimated on the twenty-fourth Day of *December* one thou- d ſeven hundred and twenty-nine; and any Sum or Sums of Money, not exceeding thirty thouſand e hundred and twenty-ſix Pounds five Shillings and eleven Pence, for defraying ſeveral extraordinary pences and Services incurred, and not provided for by Parliament; and any Sum or Sums of Money, exceeding ſixty-one thouſand one hundred and fifty-eight Pounds fifteen Shillings and ten Pence, on Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the rvice of the Year one thouſand ſeven hundred and thirty-one; ſubject nevertheleſs to ſuch Rules to obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; l the Sum of two hundred and forty-one thouſand two hundred and fifty-nine Pounds one Shilling d three Pence, for defraying the Expence of twelve thouſand *Heſſians*, taken into his Majeſty's Pay the Service of the Year one thouſand ſeven hundred and thirty-one; and any Sum or Sums of oney, not exceeding twenty-five thouſand Pounds, for one Year's Subſidy to the Duke of *Brunſwick* enburgh *Wolfenbuttell*, purſuant to a Treaty dated the twenty-fifth Day of *November* one thouſand en hundred and twenty-ſeven; and any Sum or Sums of Money, not exceeding two thouſand ſix ndred and ſixty-two Pounds, for paying off Penſions to the Widows of ſuch reduced Officers of his ajeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain* (and o were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſix- n) for the Year one thouſand ſeven hundred and thirty-one; which ſaid Sum of two thouſand ſix hun- d and ſixty-two Pounds ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or arrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them d over to ſuch Widows of half-pay Officers or their Aſſigns, according to ſuch Eſtabliſhments, Liſts other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions or other Al- vances for the ſame, as his Majeſty by ſuch or the like Warrant or Warrants ſhall be graciouſly pleaſed, m Time to Time, to direct or appoint. 1,214,809 l. 10 s. 9 d. for the Land Forces and other Services.

XLVII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as afore- , there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred rty-four thouſand three hundred and twelve Pounds fourteen Shillings and ſix Pence, towards ma- g good the Deficiency of the Grants for the Year one thouſand ſeven hundred and thirty; and any m or Sums of Money, not exceeding thirty-nine thouſand three hundred and fifty-three Pounds four illings and eleven Pence, for making good the Deficiency of the Fund commonly called *The General nd*, for raiſing ſeven hundred twenty-four thouſand eight hundred forty-nine Pounds ſix Shillings and Supply for Deficiencies of former Grants.

and ten Pence and one fifth Part of a Penny, for the Year ended at *Michaelmas* one thouſand ſeven hundred and thirty; and any Sum or Sums of Money, not exceeding five hundred ten thouſand four hundred Pounds to diſcharge ſuch Exchequer Bills as remain uncancelled, which were made forth in Purſuance of an Act of the third Year of his Majeſty's Reign, and were to be repaid out of the firſt Aids or Supplies to be granted in Parliament, after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty, and, until ſuch Supplies ſhould be granted, were charged upon ſuch Surplus Monies or Savings, as from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty ſhould ariſe into the Exchequer from the ſeveral Duties and Revenues then charged with the Annuity or yearly Fund of one hundred and ſixty thouſand Pounds, payable to the United Company of Merchants of *England* trading to the *Eaſt-Indies*; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the *Royal African* Company of *England*, on the Coaſt of *Africa*.

Theſe Supplies not to be iſſued for any other Uſe.

XLVIII. And be it enacted, That the ſaid Aids or Supplies, provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments, directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules to be obſerved in Application of the Half-pay.

XLIX. And as to the ſaid Sum of ſixty-one thouſand one hundred and fifty-eight Pounds fifteen Shillings and ten Pence, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, that no Perſon ſhall have or receive any Part of the ſame, who was a Minor and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

Overplus of the Sum for reduced Officers by the Act of laſt Seſſion, to be diſpoſed to the Compaſſionate Liſt.

'L. And whereas by an Act of Parliament made in the third Year of his Majeſty's Reign, intituled, *An Act for raiſing five hundred and fifty thouſand Pounds by Exchequer Bills, towards the Supply granted to his Majeſty, and for the further Application of the Produce of the Sinking Fund, for applying the Arrears of former Land Taxes, for appropriating the Supplies granted in this Seſſion of Parliament, and for giving Relief, with Reſpect to an Over-payment to the Land Tax for the Year one thouſand ſeven hundred and twenty-one, by the Receiver General of the County of* Salop, ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which any Sum or Sums of Money, not exceeding ſixty-four thouſand Pounds, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines; ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared, by the Authority aforeſaid, That ſo much of the ſaid Sum of ſixty-four thouſand Pounds as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe, his Majeſty ſhall judge to be proper objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that behalf; any thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

Clauſe in Aid of thoſe who have loſt Exchequer Bills, &c. EXP.

CAP. X.

An Act to enable Ideots and Lunaticks, who are ſeiſed or poſſeſſed of Eſtates in Fee, or for Lives, or Terms of Years, in Truſt, or by way of Mortgage, to make Conveyances, Surrenders or Aſſignments of ſuch Eſtates.

Refer to 17 Ed. 2. c. 9 & 10.

'WHEREAS many Inconveniencies do and may ariſe, by Reaſon that Perſons being Ideot, Lunatick, or *Non compos mentis*, having Eſtates in Lands, Tenements or Hereditaments, in Truſt only for others, or by way of Mortgage, cannot (though by the Direction of the *Ceſtuy que Truſt*, or Mortgagor) convey any ſure Eſtate in any ſuch Lands, Tenements or Hereditaments, to any other Perſon or Perſons;' For Remedy thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, it ſhall and may be lawful to and for

Idcots or Lunaticks ſeiſed of Eſtates in Truſt, &c. may make Conveyances, &c. of ſuch Eſtates.

any

any ſuch Perſon or Perſons, being Ideot, Lunatick or *Non compos mentis*, or for the Committee or Committees of ſuch Perſon or Perſons, in his, her or their Name or Names, by the Direction of the Lord Chancellor of *Great Britain*, or the Lord Keeper or Commiſſioners of the Great Seal of *Great Britain* for the Time being, ſignified by an Order made, upon hearing all Parties concerned, on the Petition of the Perſon or Perſons, for whom ſuch Perſon or Perſons being Ideot, Lunatick or *Non compos mentis*, ſhall be ſeiſed or poſſeſſed in Truſt, or of the Mortgagor or Mortgagors, or of the Perſon or Perſons intitled to the Monies ſecured by or upon any Lands, Tenements or Hereditaments, whereof any ſuch Perſon or Perſons being Ideot, Lunatick, or *Non compos mentis*, is or are or ſhall be ſeiſed or poſſeſſed by way of Mortgage, or of the Perſon or Perſons intitled to the Redemption thereof, to convey and aſſure any ſuch Lands, Tenements or Hereditaments, in ſuch Manner as the Lord Chancellor of *Great Britain*, or Lord Keeper or Commiſſioners of the Great Seal of *Great Britain*, ſhall by ſuch Order ſo to be obtained direct, to any other Perſon or Perſons; and ſuch Conveyance or Aſſurance, ſo to be had and made as aforeſaid, ſhall be as good and effectual in Law, to all Intents and Purpoſes whatſoever, as if the ſaid Perſon or Perſons being Ideot, Lunatick or *Non compos mentis*, was or were, at the Time of the making ſuch Conveyance or Aſſurance, of ſane Mind, Memory and Underſtanding, and not Ideot, Lunatick or *Non compos mentis*, or had by him, her or themſelves executed the ſame; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Ideots, &c. or their Committees, may be compelled by Order, to make Conveyances, &c.

II. And be it further enacted by the Authority aforeſaid, That all and every ſuch Perſon and Perſons being Ideot, Lunatick, or *Non compos mentis*, and only Truſtee or Truſtees, Mortgagee or Mortgagees as aforeſaid, or the Committee or Committees of all and every ſuch Perſon and Perſons, being Ideot, Lunatick, or *Non compos mentis*, and only ſuch Truſtee or Mortgagee as aforeſaid, ſhall and may be impowered and compelled, by ſuch Order ſo as aforeſaid to be obtained, to make ſuch Conveyance or Conveyances, Aſſurance or Aſſurances as aforeſaid, in like Manner as Truſtees or Mortgagees of ſane Memory are compellable to convey, ſurrender or aſſign their Truſt Eſtates or Mortgages.

See 15 *Geo.* 2. *c.* 30. *for preventing the Marriage of Lunaticks.*

CAP. XI.

An Act for continuing the Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer, that ſhall be vended or ſold within the Town of *Dundee* and Privileges thereof, for paying the publick Debts of the ſaid Town, repairing the Harbour there, and for other Purpoſes therein mentioned. P R.

" The Duty of two Pennies *Scots* continued for 25 Years, from 25 *March* 1731, *&c.* Truſtees may " aſſign over the Duty. Overſeers appointed. Debts of the Town to be laid before the Overſeers. New " Overſeers to be elected in caſe of Death, *&c.* Additional Proviſion for the Miniſters of *Dundee*. " Continued by 20 Geo. 2. c. 17.

CAP. XII.

An Act to continue the Duties for Encouragement of the Coinage of Money.

May it pleaſe your moſt Excellent Majeſty,

' WHEREAS great Benefit and Advantage did accrue to *England* by one Act of Parliament paſſed ' in the eighteenth Year of the Reign of his Majeſty King CHARLES the Second, intituled, *An* 18 Car. 2. c. 5. ' *Act for encouraging of Coinage*, and continued by another Act made in the twenty-fifth Year of the Reign 25 Car. 2. c. 8. ' of his ſaid Majeſty King CHARLES, intituled, *An Act for continuing a former Act concerning Coinage*, both ' which ſaid Acts were revived by an Act made in the firſt Year of the Reign of his Majeſty King 1 Jac. 2. c. 7. ' JAMES the Second, and were continued by an Act made in the fourth Year of King WILLIAM and 4 & 5 W. & M. ' Queen MARY, of Bleſſed Memory, and were further continued by an Act made in the twelfth Year c. 24. ' of the Reign of the ſaid late King WILLIAM, and were further continued by an Act made in the 12 W. 3. c. 11. § 16. ' ſeventh Year of the Reign of her late Majeſty Queen ANNE, of Bleſſed Memory, and then extended 4 *Ann.* c. 22. ' to *Scotland*, and were further continued by an Act made in the firſt Year of the Reign of his late Majeſty 7 Ann. c. 24. ' King GEORGE the Firſt, of Glorious Memory, to be in Force for ſeven Years from the firſt Day of 1 Geo. 1. Sat. 2. c. 43. ' *March* one thouſand ſeven hundred and fifteen, and until the End of the firſt Seſſion of Parliament ' then next following, and were further continued by another Act made in the ninth Year of his 9 Geo. 1. c. 19. ' ſaid late Majeſty's Reign, for ſeven Years, from the firſt Day of *March* one thouſand ſeven hundred ' and twenty three, and until the End of the firſt Seſſion of Parliament then next following; ſo 12 *Geo.* 2. *c.* 5. ' that unleſs the ſaid Act be continued, the Encouragement given thereby will ceaſe, and this Kingdom ' be deprived for the future of ſo great a good, as it hath for many Years laſt paſt enjoyed:' Now we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, do give and grant unto Your Majeſty, the Rates, Duties and Impoſitions herein after mentioned, for and during the Term and Time herein after expreſſed; and do humbly pray that it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſuch and the like Rates, Duties and Impoſitions, as by the ſaid Act of Parliament of the eighteenth Year of King CHARLES the Second were granted, and by the ſaid ſubſequent Acts were continued, for and upon the Importation of Wines, Vinegar, Cyder, Beer, Brandy and Strong Waters imported, during the reſpective Terms or Times therein mentioned, ſhall be further continued, and be paid and payable to his Majeſty, his Heirs and Succeſſors, for and upon all Wines, Vinegar, Cyder, Beer, &

Coinage Duties continued for ſeven Years.

' Farther continued by 19 Geo. 2. c. 14. 27 *Geo.* 2. *c.* 11. & 1 *Geo.* 3. *c.* 16.

Beer, Brandy and Strong Waters which ſhall be imported or brought into *Great Britain* within or during the Space of ſeven Years, to commence from the firſt Day of *March* one thouſand ſeven hundred and thirty, and until the End of the firſt Seſſion of Parliament then next following and no longer, and that all the ſaid former Acts, and all other Acts of Parliament concerning Coinage, and every of them, and every Clauſe, Article and Sentence in them or any of them contained, now being in Force, ſhall be and are by Virtue of this Act continued, and ſhall be in Force, and be duly put in Execution, for and during all ſuch Time and Term as are before mentioned, as fully and effectually, as if the ſame were particularly repeated and re-enacted in the Body of this preſent Act; any former Law, Statute, Proviſion, Matter or Thing whatſoever to the contrary notwithſtanding.

Treaſury, out of the Monies ariſing by this Act or other publick Supplies, to defray the Expences of the Mints.

II. And to the End the Importers of Gold and Silver into the Mints of *England* and *Scotland* reſpectively, may not be diſcouraged by any Deficiency of the Revenue by this Act ſettled for defraying the Coinage thereof, Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the Treaſury, or any three or more of them now being, or the Lord High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, out of the Monies ariſing by this Act, or out of any other publick Supplies granted or to be granted by Parliament, to cauſe ſo much Money to be applied, as ſhall be neceſſary for defraying the Expences of the ſaid Mints of *England* and *Scotland* reſpectively, by way of Impreſt, and upon Account for that Service, ſo as the ſame, together with the Coinage Duties ariſing by this Act, do not exceed in any one Year the Sum of fifteen thouſand Pounds, and ſo as the ſaid Monies be iſſued out of the Exchequer of *Great Britain* to the Maſter of the Mint in *England* and the Maſter of the Mint in *Scotland* reſpectively, for the ſaid Purpoſes.

CAP. XIII.

An Act for the further continuing the Duties granted by an Act paſſed in the Parliament of *Scotland* in the Year one thouſand ſix hundred and ninety-five, and continued by an Act paſſed in the Year one thouſand ſeven hundred and ſeven, for paying off the Debts of the Town of *Aberdeen*, and for the other publick Uſes of the ſaid Town. P R.

" The Duty of 2 *d. Scots* upon Ale ſold in *Aberdeen* further continued for 25 Years. Magiſtrates of *Aber-*
" *deen* appointed Truſtees. Overſeers to order the Works. Truſtees may aſſign over the Duties for
" Monies to be borrowed. Overſeers dying, Survivors may chooſe others.'

CAP. XIV.

An Act to prevent Frauds in the Revenue of Exciſe, with reſpect to Starch, Coffee, Tea, and Chocolate.

For former Duties on Starch, refer to 10 *Ann. c.* 26. 12 *Ann. St.* 2. *c.* 9. 1 *Geo.* 1. *St.* 1. *c.* 2. 3 *Geo.* 1. *c.* 4.

'WHEREAS the Laws relating to the Duties upon Starch have not in many Inſtances been found ſo effectual as is neceſſary for the raiſing, levying and collecting the Duties thereby intended to be raiſed, levied and collected, nor ſufficient to prevent the Frauds that have been committed, and are ſtill carrying on by the Makers of Starch, to the great Damage and Loſs of the fair Traders, and to the leſſening of the Revenue;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, all and every Maker or Makers of Starch ſhall make uſe of regular, ſquare or oblong Boxes only, for boxing and draining their green Starch, before the ſame ſhall be dried in the Stove, and that if any ſuch Maker of Starch ſhall make uſe of any other Sort of Box or Baſket, or any other Kind of Veſſel whatſoever, for the Purpoſes aforeſaid, he, ſhe or they ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Pounds; and that the proper Officer for the Duties upon Starch may know the exact Time when ſuch Starch ſhall be put into ſuch Boxes as aforeſaid, and may not by unneceſſary Delays be hindered from giving due Attendance to his other Buſineſs, by which Means his other Buſineſs muſt either be neglected, or an Opportunity given to the Makers of Starch to commit Frauds; Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* all and every Maker of Starch, reſiding within the Limits of the weekly Bills of Mortality, is and are hereby required to give Notice in Writing of his, her or their Intention to put any green Starch into any ſuch Boxes as aforeſaid, to the proper Officer or Officers for the Duties upon Starch, twelve Hours at leaſt before he, ſhe or they ſhall begin to box the ſame; and that all and every Maker of Starch, living out of the Limits aforeſaid, is and are hereby required to give ſuch Notice as aforeſaid, to the proper Officer or Officers for the Duties upon Starch, twenty-four Hours at leaſt before he, ſhe or they ſhall begin to box any green Starch, on Pain of forfeiting and paying the Sum of twenty Pounds; and that all and every Maker of Starch ſhall, within the Space of two Hours, after ſuch Notice in Writing by them reſpectively ſhall have been given as aforeſaid, begin to Box or put in Boxes, all their green Starch, and ſhall from thence continue to Box and put into Boxes, all and every Part of their green Starch, that ſhall then be in readineſs and Condition fit to be boxed, till the whole making is boxed, ſo that the proper Officer may have a Gage of the whole making in the Boxes, on Pain of forfeiting and paying the Sum of twenty Pounds.

After 24 June 1731. all Starch Makers to uſe regular, ſquare, or oblong Boxes only, for draining their green Starch. Forfeiture 10 l.

Starch Makers within the weekly Bills to give Notice to Officers when they box any green Starch 12 Hours before; without the Bills, 24 Hours.

Forfeiture 20 l.

II. And be it further enacted by the Authority aforeſaid, That if any Maker or Makers of Starch ſhall remove or cauſe to be removed any Quantity whatever of Starch, after the ſame ſhall be dried, out of his, her or their Stove or Stoves, or out of any other Place or Places made uſe of by them for the drying of Starch, before the ſame has been weighed, and an Account taken thereof by the proper Officer

Removing Starch before weighed forfeits 50 l.

ficer appointed for that Purpoſe, he ſhe or they, ſhall reſpectiveiy forfeit and pay the Sum of fifty Pounds.

Officers of Exciſe may ſeize any ſuſpected Starch,

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Officer or Officers of Exciſe or Cuſtoms, to ſeize any Quantity of Starch or Hair Powder, together with the Horſes and Package containing the ſame, that ſhall be found in any Ship or Veſſel, or ſhall be carrying in any Cart or Waggon, or in any other Carriage whatſoever, where they ſhall have good Reaſon to ſuſpect and believe the ſame hath been made in ſome private Workhouſe or other Place, or clandeſtinely imported without Payment of any Duty, or that the ſame is Starch or Hair Powder, which hath been exported and relanded again, after the Duty had been repaid and drawn back for the ſame, at the Time of Exportation thereof, and that after ſuch Seizure ſhall have been made, the ſaid reſpective Officer or Officers of Exciſe or Cuſtoms are hereby required, within ten Days next after ſuch Seizure, to exhibit an Information before any three or more of his Majeſty's Commiſſioners of Exciſe, or any two or more Juſtices of the Peace reſiding near the Place where any ſuch Seizures ſhall be made, and if at the hearing of ſuch Information, the Party in whoſe Poſſeſſion any ſuch Starch or Hair Powder hath been found, does not make it appear that the Duty hath been paid for the ſame, all the ſaid Starch and Hair Powder ſo ſeized for the Cauſes aforeſaid, ſhall be forfeited, together with the Horſes and Package contained in the ſame; and the Perſon in whoſe Poſſeſſion ſuch Starch or Hair Powder ſhall be found, ſhall likewiſe forfeit and pay the Sum of five Pounds for every Hundred Weight, and ſo in Proportion for any greater or leſſer Quantity; and the ſaid Commiſſioners or Juſtices of the Peace ſhall then proceed to give Judgement for the Forfeiture of the ſaid Starch or Hair Powder, together with the Horſes and Package containing the ſame, and likewiſe for the Forfeiture of the ſaid Sum, in Proportion as aforeſaid.

and ſhall within 10 Days exhibit an Information before Commiſſioners of Exciſe, or two Juſtices. Such Starch forfeited, if not made appear that the Duty was paid, and 5l. for every c. wt.

Officers by Warrant may ſearch for Starch concealed.

IV. Provided always, and be it enacted by the Authority aforeſaid, That in caſe any Officer or Officers for the Duties upon Starch, or any Officer or Officers of the Cuſtoms, ſhall have cauſe to ſuſpect that Starch is privately making in any Place or Places whatſoever, or that any Starch is lodged or concealed in any Place or Places whatſoever, with an Intent to defraud his Majeſty of his Duty; then and in every ſuch Caſe, upon Oath made by ſuch Officer or Officers before the Commiſſioners for the Duties upon Starch, or any one or more of them, or before one or more Juſtice or Juſtices of the Peace, reſiding near the Place where ſuch Officer or Officers ſhall ſuſpect the ſame to be privately making, or to be lodged or concealed, ſetting forth the Ground of his or their Suſpicion, it ſhall and may be lawful to and for the ſaid Commiſſioner or Commiſſioners, Juſtice or Juſtices of the Peace reſpectively, before whom ſuch Affidavit or Affidavits ſhall be made, if he or they ſhall judge it reaſonable, by ſpecial Warrant under his or their reſpective Hands and Seals, to authorize and impower ſuch Officer or Officers, by Day or by Night (but if in the Night, then in the Preſence of a Conſtable, or other lawful Officer of the Peace) to enter into all and every ſuch Place or Places, where he or they ſhall ſo ſuſpect that any Starch is ſo privately making, lodged or concealed, and to ſeize and carry away all ſuch Starch as they ſhall there find ſo privately making, together with all the Materials that ſhall be there ready and preparing for the making of Starch, and likewiſe all ſuch Starch as they ſhall find ſo lodged and concealed in any Place or Places whatever, as forfeited, for the Uſe of ſuch Perſons as by this Act is hereafter directed, together with all and every the Boxes, and all and every other Thing or Things, wherein the ſame ſhall be contained, and the Perſon or Perſons that ſhall be found ſo privately making Starch as aforeſaid, or the Perſon or Perſons in whoſe Poſſeſſion any Starch ſhall be found, unleſs he, ſhe or they do make it appear that the Duty has been paid for the ſame as aforeſaid, ſhall reſpectively forfeit and pay the Sum of fifty Pounds; and if any Perſon or Perſons whatever ſhall let, obſtruct or hinder any of the aforeſaid Officers from entering any ſuch Place or Places for the Purpoſes aforeſaid, or in ſeizing and carrying away any Starch, or any Materials for the making of Starch, which is and are before declared to be forfeited for the Cauſes aforeſaid, together with all and every the Boxes, Thing or Things wherein the ſame is contained, the Perſon or Perſons offending therein ſhall for every ſuch Offence forfeit and pay the Sum of fifty Pounds.

Penalty for concealing Starch,

Penalty for mixing with Hair Powder, any Alabaſter, &c.

V. And for the better preventing Frauds and Abuſes in the making of Hair Powder, Be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, if any Maker or Makers of Hair Powder, or any Perfumer, Peruke-maker, Barber, or any Seller or Sellers of or Dealers in Hair Powder, ſhall mix or cauſe to be mixed, any Powder of Alabaſter, Plaiſter of Paris, Talk, Chalk, Whiting, Lime, or any other Material or Materials of any other Kind or Nature whatſoever (Rice firſt made into Starch, and Sweet Scents only excepted) with any Starch, or with any Powder of Starch to be made uſe of for making of Hair Powder, and ſhall make or cauſe to be made any Hair Powder, with any of the Materials before mentioned, or with any other Material or Materials of any other Kind or Nature whatſoever, other than Starch or Powder of Starch, or of Rice firſt made into Starch, and ſhall uſe, ſell or offer to ſell, any Hair Powder ſo mixed or made, he, ſhe or they ſhall forfeit all the Hair Powder ſo mixed or made, and likewiſe the Sum of twenty Pounds.

Makers of Hair Powder to make true Entries at the Exciſe Office.

VI. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, who is, are or ſhall be a Maker or Makers of Hair Powder, ſhall at the chief Office of Exciſe in *London*, or at the Office of Exciſe next adjoining to the Place where he, ſhe or they ſhall reſpectively inhabit or reſide, make a true Entry in Writing of his, her or their reſpective Place or Places of Abode, together with all and every the Workhouſe or Workhouſes, and all and every other Place or Places whatſoever, that ſhall be made uſe of by any Perſon or Perſons whatſoever, for the making of Hair Powder, on Pain of forfeiting and paying the Sum of twenty Pounds.

Officers may enter Workhouſes, &c. to examine Hair Powder.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Officer or Officers for the Duties upon Starch, at all Times by Day, at his or their Requeſt, to enter the Houſe or Houſes, Workhouſe or Workhouſes, and all and every other Place or Places whatſoever, belonging to or that ſhall be made uſe of by any Perſon or Perſons, for the making of Hair Powder, and likewiſe the Shop or Shops belonging to any Perfumer, Peruke-maker, Barber, or other Seller or Sellers of or Dealers in Hair Powder, and there to examine all and every Parcel or Parcels of Hair Powder, and to carry away any Sample or Parcel of the ſame, paying a reaſonable Price for the ſame, according to the Price that Hair Powder ſhall then commonly bear and be ſold for; and if upon Examination of the Hair Powder ſo bought, it ſhall appear that the ſame is mixed, or made with any Alabaſter, Plaiſter of *Paris*, Talk, Chalk, Whiting, Lime, or with any other Material or Materials of any other Kind or Nature whatſoever, other than Starch or Powder of Starch (Rice firſt made into Starch and Sweet Scent only as before excepted) the Perſon or Perſons in whoſe Cuſtody the ſame ſhall have been found, ſhall forfeit and pay the Sum of twenty Pounds.

Penalty for having in Cuſtody any Alabaſter, &c.

VIII. And be it further enacted by the Authority aforeſaid, That if any Starch-maker or Starch-makers, Powder-maker or Powder-makers, Dealer or Dealers in Hair Powder whatſoever, ſhall have in his, her or their Poſſeſſion, any Alabaſter, Plaiſter of *Paris*, Talk, Chalk, Whiting, Lime, or any other Material or Materials whatſoever, beſides Starch or Powder of Starch, or of Rice firſt made into Starch, for the making, mixing or counterfeiting of Hair Powder, he, ſhe or they ſhall forfeit all and every the ſaid Material or Materials, and likewiſe the Sum of ten Pounds.

Penalty for not permitting Officers to enter Warehouſes, &c.

IX. And be it further enacted by the Authority aforeſaid, That if any Starch-maker or Starch-makers, or Maker or Makers of Hair Powder, or Perfumer, Peruke-maker or Barber, or any other Seller or Sellers of or Dealers in Hair Powder, upon due Requeſt or Demand made by any ſuch Officer or Officers as aforeſaid, in the Day-time, ſhall refuſe to permit, or ſhall not permit ſuch Officer or Officers to enter and go into all and every the Workhouſe or Workhouſes, Shop or Shops, and all and every other Place or Places belonging to or that ſhall be made uſe of by him, her or them, for the making or keeping of any Hair Powder, or ſhall refuſe to ſuffer or permit any ſuch Officer or Officers to examine, and to take and carry away with him or them, any Parcel or Sample of Hair Powder, upon his or their offering to pay for the ſame the Price that Hair Powder ſhall then commonly bear and be ſold for, every ſuch Perſon or Perſons as aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of twenty Pounds.

Penalties to be ſued for, as by the Laws of Exciſe.

X. And be it further enacted by the Authority aforeſaid, That all the Penalties and Forfeitures incurred by any Perſon or Perſons, for any Offence or Offences committed by them contrary to this Act, ſhall be ſued for, levied, recovered and mitigated by ſuch Ways and Means, as any Penalty or Forfeiture for any Offence or Offences committed by any Perſon or Perſons, againſt any of the Laws of Exciſe, or either of them, can or may be ſued for, levied, recovered or mitigated, or by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed; and that one Moiety of every ſuch Penalty or Forfeiture ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall diſcover, inform or ſue for the ſame within ſix Months next after the Offence committed.

10 *Geo.* 1. *c.* 10.

Penalty for ſophiſticating Tea.

'XI. And whereas ſeveral ill diſpoſed Perſons do frequently dye, fabricate or manufacture, very great 'Quantities of Sloe Leaves, Liquoriſh Leaves, and the Leaves of Tea that have been before uſed, or the 'Leaves of other Trees, Shrubs or Plants in Imitation of Tea, and do likewiſe mix, colour, ſtain and 'dye ſuch Leaves, and likewiſe Tea, with *Terra Japonica*, Sugar, Moloſſes, Clay, Logwood, and with 'other Ingredients, and do ſell and vend the ſame as true and real Tea, to the Prejudice of the Health of 'his Majeſty's Subjects, the Diminution of the Revenue, and to the Ruin of the fair Trader:' For Remedy of ſuch Frauds and Abuſes for the future, Be it enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-one, if any Perſon or Perſons, who ſhall be a Dealer in or Seller of Tea, ſhall dye, fabricate or manufacture any Sloe Leaves, Liquoriſh Leaves, or the Leaves of Tea that have been uſed, or the Leaves of any other Tree, Shrub or Plant in Imitation of Tea, or ſhall mix, colour, ſtain or dye ſuch Leaves of Tea, with *Terra Japonica*, Sugar, Moloſſes, Clay, Logwood, or with any other Ingredients or Materials whatſoever, or ſhall ſell and vend, utter, or offer or expoſe to Sale, or ſhall have in his, her or their Cuſtody or Poſſeſſion, any ſuch dyed, fabricated or manufactured Leaves in Imitation of Tea, or any ſuch coloured, ſtained or dyed Leaves, or Tea mixed with any of the Ingredients before mentioned, or with any other Ingredients whatſoever, ſuch Perſon or Perſons ſhall reſpectively, for every Pound of ſuch Leaves ſo dyed, fabricated or manufactured in Imitation of Tea, and for every Pound of ſuch mixed, coloured, ſtained or dyed Leaves or Tea, forfeit and pay the Sum of ten Pounds.

Penalty for importing Cocoa Nutſhels or Huſks without the Nuts.

Concerning Tea, &c. ſee farther, 5 *Geo.* 2. *c.* 24. 18 *Geo.* 2. *c.* 26. 21 *Geo.* 2. *c.* 14.

'XII. And whereas great Quantities of Cocoa Nutſhels and Huſks have been lately imported, and 'after ſuch Importation are fabricated and worked up, ſo as to imitate either Coffee or Chocolate, and 'then after are vended and ſold as ſuch, to the endangering the Healths of his Majeſty's Subjects, and to 'the great Diminution and leſſening of the Inland Duties charged upon thoſe Commodities:' For preventing whereof, Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons, from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-one, ſhall import any Cocoa Nutſhels or Huſks, without the Nuts thereunto belonging, it ſhall and may be lawful for any of his Majeſty's Officers of the Cuſtoms, Exciſe, or the ſaid Inland Duties, to ſeize and ſecure the ſame, wherever ſuch Cocoa Nutſhels or Huſks ſhall be imported or found, together with the Bags, Boxes and other Package where the ſame ſhall be contained, and that after ſuch Seizure the ſaid Cocoa Nutſhels or Huſks, together with the Bags and other Package, ſhall be condemned according to due Form of Law,

and

and after such Condemnation, such Cocoa Nutshels or Husks shall be destroyed or otherwise disposed of as his Majesty's Commissioners of the Customs, Excise or Inland Duties respectively concerned, or any three or more of them shall think fit to direct and appoint; and for the Encouragement of his Majesty's said Officers to discover the Importation of such Cocoa Nutshels and Husks, his Majesty's Commissioners of the Customs, Excise and Inland Duties respectively concerned, or any three or more of them, are hereby authorized and required to reward any such Officer or Officers, making Seizure of such Cocoa Nutshels or Husks imported as aforesaid, in any Sum not exceeding twenty Shillings *per* Hundred Weight, out of the Duties arising upon the Importation of Cocoa Nuts, or by the Inland Duties upon Chocolate, or either of them.

CAP. XV.

An Act for importing from his Majesty's Plantations in *America* directly into *Ireland*, Goods not enumerated in any Act of Parliament.

'WHEREAS by several Acts of Parliament made in this Kingdom, and now in Force, it is enacted, That no Sugars, Tobacco, Cotton, Wool, Indigo, Ginger, Speckle Wood or *Jamaica* Wood, Fustick, or other dying Wood, Rice, Molasses, Beaver Skins, and other Furs, Copper Ore, Pitch, Tar, Turpentine, Masts, Yards and Bowsprights, of the Growth, Product or Manufacture of any of his Majesty's Lands, Islands, Plantations or Colonies in *America*, shall be carried, conveyed or imported from any of the said Plantations to any Land, Territory, Dominion, Port or Place whatsoever, other than to such other Plantations as do belong to his Majesty, his Heirs and Successors, or to the Kingdom of *Great Britain:* And whereas by an Act of Parliament made in this Kingdom in the seventh and eighth Years of the Reign of King WILLIAM the Third, intituled, *An Act for preventing Frauds and regulating Abuses in the Plantation Trade*, it is (amongst other Things) enacted, That it shall not be lawful, on any Pretence whatsoever, to put on Shore in the Kingdom of *Ireland* any Goods or Merchandizes of the Growth or Product of any of his Majesty's Plantations in *America*, unless the same have been first landed in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, and paid the Rates and Duties wherewith they are chargeable by Law, under the Penalty of the Forfeiture of the Ship and Goods: And whereas the said Act of the seventh and eighth Years of his said late Majesty King WILLIAM the Third, hath been construed to extend to prohibit the importing from his Majesty's Plantations in *America* into the Kingdom of *Ireland*, as well such Goods and Merchandise of the Growth or Product of his Majesty's said Plantations as are not enumerated, as those Goods and Merchandize of the Growth, Product or Manufacture of the said Plantations which are in the several Acts for that Purpose enumerated, and required to be imported into this Kingdom of *Great Britain*, or to some other of the said Plantations, to the great Prejudice of the Trade and Navigation of this his Majesty's Kingdom of *Great Britain*, and his Majesty's said Plantations:' For Remedy whereof be it enacted, And it is hereby enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to import into the said Kingdom of *Ireland* from His Majesty's Plantations in *America*, and to land and put on Shore in the said Kingdom of *Ireland*, all Goods and Merchandizes of the Growth, Product or Manufacture of any of his Majesty's said Plantations (except Sugars, Tobacco, Cotton, Wool, Indigo, Ginger, Speckle Wood or *Jamaica* Wood, Fustick, or other dying Wood, Rice, Molasses, Beaver Skins, and other Furs, Copper-Ore, Pitch, Tar, Turpentine, Masts, Yards and Bowsprights, of the Growth, Product or Manufacture of the said Plantations); any Thing in the said recited Act of the seventh and eighth Years of his said late Majesty King WILLIAM the Third, or in any other Act contained, or any Law or Usage to the contrary thereof in any wise notwithstanding.

12 *Car.* 2. *c.* 18. 15 *Car.* 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 26. 25 *Car.* 2. *c.* 7. 7 & 8 W. 3. c. 22. 11 *W.* 3. *c.* 12. 3 & 4 *Ann.* *c.* 5 & 10. 6 *Ann.* *c.* 30 & 27. 8 *Ann.* *c.* 13. 9 *Ann.* *c.* 17 & 27. 10 *Ann.* *c.* 22 & 26. 4 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 12 & 15. 13 *Geo.* 1. *c.* 5. 3 *Geo.* 2. *c.* 12 & 28.

Goods not enumerated in any Act of Parliament, may be imported into Ireland from the Plantations, in British Ships, &c.

II. Provided always, That the Goods and Merchandize to be imported into the said Kingdom of *Ireland* from his Majesty's Plantations in *America*, by Virtue of this Act, shall be imported in *British* Shipping, whereof the Master and three Fourths of the Mariners at least are *British*.

Explained as to the Importation of Hops into Ireland, 5 G. 2. c. 9.

Further Provisions concerning Plantations, 5 *Geo.* 2. *c.* 7 & 9. 6 *Geo.* 2. *c.* 13. 8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

CAP. XVI.

An Act to prevent the stealing of Linen, Fustian and Cotton Goods and Wares from Fields, Grounds and other Places used for whitening, bleaching or drying the same.

'Repealed by 18 Geo. c. 27.'

FOR the more effectual preventing of Thefts frequently committed in Fields or Grounds and other Places used for whitening, bleaching or drying of Linen, Fustian and Cotton Goods or Wares; May it please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons, who at any Time after the twenty-fourth Day of *June* one thousand seven hundred and thirty-one shall by Day or Night feloniously take, steal and carry away, or who shall wilfully or maliciously hire, or procure for Money or other Reward, any other Person or Persons feloniously to take, steal and carry away, out of and from any whitening or bleaching Croft, Lands, Fields or Grounds, Bowking-house, Drying-house or other Building, Ground or Place made use of by any Whitster, Crofter, Bowker or Bleacher for whitening, bowking, bleaching or drying any Linen, Fustian or Cotton Cloth, or Cloth worked,

Stealing from whitening Grounds, &c. any Linen, &c. to the Value of 10*s.*

worked, woven or made of any Cotton and Linen Yarn mixed, or any Thread, Linen or Cotton Yarn, Linen or Cotton Tape, Incle, Filleting, Laces, or any other Linen, Fuſtian or Cotton Goods or Wares whatſoever, laid, placed or expoſed to be whitened, bowked, bleached or dried in any ſuch whitening, bowking, bleaching or drying Croft, Lands, Fields, Grounds, Houſes, Buildings or other Places, to the Value of ten Shillings, or who ſhall buy or receive any ſuch Goods or Wares, knowing the ſame to be ſtolen, ſhall be deemed adjudged and taken to be a Felon and Felons, and every Perſon offending in the Premiſſes, being convicted thereof according to due Form of Law, ſhall be and is hereby declared to be guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy, unleſs the Judge or Court before whom ſuch Trial and Conviction ſhall be, ſhall think it reaſonable upon the Circumſtances of the Caſe, that the Party offending, inſtead of ſuffering Death, ſhould be tranſported to ſome of his Majeſty's Colonies or Plantations beyond the Seas; in which Caſe it ſhall and may be lawful for ſuch Judge or Court, or for any ſubſequent Court, with the like Authority as the former, to be holden for the ſame County, Riding, Diviſion, Liberty or Place where ſuch Felon or Felons, Offender or Offenders were or ſhall be tried and convicted, notwithſtanding ſuch ſubſequent Court ſhall happen to be held at or in any other Town or Place than that wherein ſuch Trials or Convictions were or ſhall be, to order the Perſon or Perſons ſo convicted for any Offence aforeſaid to be tranſported to any of his Majeſty's Colonies or Plantations in *America* for the Space of ſeven Years, in like Manner as is directed for the Tranſportation of Offenders by an Act made in the fourth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Tranſportation of Felons and unlawful Exporters of Wool, and for declaring the Law upon ſome Points relating to Pirates*, or as is directed by another Act made in the ſixth Year of his ſaid late Majeſty's Reign, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Tranſportation of Felons*, and for that Purpoſe all Powers and Authorities contained in the ſaid Acts, or either of them, and which are now in Force concerning other Felonies, ſhall be obſerved in the Execution of this Act.

or buying or receiving the ſame, knowing it to be ſtolen, is Felony without Benefit of Clergy; or the Judge may order him to be tranſported.

4 Geo. 1. c. 11.

6 Geo. 1. c. 23.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ordered to be tranſported in purſuance of this Act ſhall refuſe ſo to be, or ſhall break Priſon, eſcape, come on ſhore, or return into this Realm before the Term expired, for which he, ſhe or they ſhall be ordered to be tranſported, he, ſhe or they offending in any ſuch Manner ſhall and may be treated, apprehended and tried, and being convicted ſhall ſuffer Death in like Manner as any Perſon ordered to be tranſported, according to the ſaid recited Acts, or either of them, may by the Laws of this Realm in like Caſes be treated, tried or ſuffered; any Law, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding.

Such Perſons refuſing ſo to be, or returning, &c. to ſuffer Death. *See further* 15 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 30. 18 *Geo.* 2. *c.* 24, 25, 27 & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

CAP. XVII.

An Act for repairing and keeping in Repair the Pier or Piers and Harbour of *Newhaven*, in the County of *Suſſex*. P R.

'WHEREAS good Harbours and Ports for Shipping are the greateſt Encouragement to Trade and Navigation, upon which the Riches and Strength of this Kingdom do chiefly depend: And whereas there hath been Time immemorial a Pier or Piers of Timber built near the Town of *Newhaven*, in the County of *Suſſex*, and a ſafe and good Harbour for Ships of a conſiderable Burthen, but the ſame (for want of a Proviſion for the Maintenance thereof) is of late become neglected, and frequently choaked with Sands and Beech, and the Pier or Piers thereof are fallen to Ruin, to the great Damage of the Merchants, Owners of Ships and Inhabitants of the ſaid Town, the Port of *Lewes* and other Places adjacent, and of all his Majeſty's Subjects, whoſe Lives and Eſtates are many Times loſt, which might be prevented, if the ſaid Haven and Pier or Piers were reſtored and rebuilt with a proper and convenient Sluice or Sluices to ſcour and cleanſe the ſame, by which the ancient Trade of the ſaid Town and Port of *Lewes* might be revived, his Majeſty's Cuſtoms augmented, and the adjacent Lands improved:' To the End therefore that the ſaid Haven or Harbour and Peir or Piers may be reſtored and rebuilt, and ſuch Sluice or Sluices made, Be it enacted, *&c.*

" Commiſſioners appointed for repairing the Piers and Harbour of *Newhaven*. The Duties on Goods " exported or imported. For every Chalder or Tun of Coals, Salt, Plaiſter of Paris, Tarris, Tobacco-" Pipe-Clay, Stone and Marble Blocks, Lead, Buſhel Iron, caſt and Bar Iron, and other Goods paying " by the Tun, 1 *s.* For every Load of Timber, *&c.* 1 *s.* For every Load of Tan or Bark, 2 *s.* For " every Hundred of Single Deals, Spars, Ufers, Pipe, Hogſhead and Barrel Staves, 1 *s.* For every " Hundred of Double Deals, 2 *s.* and of three Inch Deals, 3 *s.* For every Quarter of Wheat, Peas, " Tares, Beans and Hay Seeds, 3 *d.* For every Quarter of Barley, Malt, Oats, Saint Foin and light " Grains, 2 *d.* For every Hogſhead of Wine and other Liquids, 6 *d.* For every Hogſhead of Sugar, " Tobacco and other dry Goods, 9 *d.* and for every Tierce, 6 *d.* For every Barrel of Pitch, Tar, Gro-" ceries, and other Goods contained in Barrels, 4 *d.* and in Proportion for ſmaller Caſks. For every " Bundle, Bail, Pack, Baſket, Crate, Hamper and Cheſt of Hemp, Linens, Woollen, Glaſs, Fruits, " Earthen Ware, not exceeding three hundred Weight, 3 *d.* For every hundred Weight of Allum, " Cheeſe, Tallow, Colours, Shot, Nails, Chains, and wrought Iron, Braſiers and Pewterers Wares, " and other Goods paying Duty or Freight *per* Hundred, 1 *d.* For every Groce of Bottles, Stone or " Glaſs, 3 *d.* For every hundred Feet of paving Stones or paving Marble, 2 *s.* For every thouſand of " Tiles, Bricks and Clinkers, 1 *s.* For every Ship (Fiſhing Veſſels excepted) that comes to load or

" unload,

" unload, 2 *d. per* Tun. For every Veſſel that ſhall come in, and neither load nor unload, 2 *s.* each, " from twelve to fifty Tuns, and if above fifty Tuns, 4 *s.* For all Goods not enumerated, one twelfth " Part of the uſual Freight from *London* to *Newhaven*. Duty to be paid by the Importer. Commiſ- " ſioners to appoint Collectors. Commiſſioners may aſſign the Duties as a Security for Money to be bor- " rowed. The Books to be laid before the Quarter-Seſſions of *Suſſex* yearly at *Michaelmas*. No Ballaſt " or Duſt, *&c.* to be thrown into the Harbour. Commiſſioners dying or refuſing to act, ſurviving Com- " miſſioners to elect others.'

CAP. XVIII.

An Act to prevent counterfeiting the Paſſes, commonly called *Mediterranean Paſſes*.

For former Laws concerning Forgery, refer to 5 *Eliz. c.* 14. 8 *Geo.* 1. *c.* 22. 12 *Geo.* 1. *c.* 32. 4 *Geo.* 2. *c.* 9. § 9.

'WHEREAS certain Treaties or Conventions have been concluded, and are ſubſiſting between the King's moſt Excellent Majeſty and the ſeveral States and Governments of *Barbary*, for eſtabliſhing and preſerving a firm and inviolable Peace between his Majeſty and the ſaid States and Governments, and their reſpective Dominions and Subjects, by which Treaties it is ſtipulated and agreed, That all Ships and Veſſels belonging to his Majeſty, or any of his Subjects, may freely paſs the Seas, and ſafely enter and come into the Ports and Harbours of the ſaid reſpective States and Governments, without any Lett, Hindrance, Seizure or Moleſtation, upon producing Paſſes of a certain Form under the Hand and Seal of the Lord High Admiral of *Great Britain* and *Ireland*, or of the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* and *Ireland* for the time being; and in Conformity to thoſe Treaties, and purſuant to ſeveral Orders of his Majeſty's moſt Honourable Privy Council, ſuch Paſſes have from Time to Time been iſſued and are commonly called *Mediterranean Paſſes*: And whereas divers wicked and ill-diſpoſed Perſons, Subjects of his Majeſty, have made and forged ſuch Paſſes, and have counterfeited the Seal of the ſaid Office and the Hands of ſeveral of the Commiſſioners for executing the ſaid Office of Lord High Admiral of *Great Britain* and *Ireland*, and have ſold and publiſhed ſuch falſe and counterfeit Paſſes in Parts beyond the Seas, or elſewhere, which Practices do not only tend to the manifeſt Prejudice of his Majeſty's Revenue and the Loſs and Damage of the Merchants of this Kingdom, by ſubjecting their Ships, Perſons and Effects to be ſeized and detained; but may alſo occaſion a Breach of the Peace, Amity and Friendſhip between this Kingdom and the States and Governments afore-mentioned, ſhould ſuch Offenders go unpuniſhed: And whereas the ſaid Crimes and Offences, being frequently committed in foreign Parts, are not triable or cognizable in any Court of *Great Britain* or *Ireland*;' For remedying ſuch Defect and Inconvenience, and alſo for inflicting a more exemplary Puniſhment upon ſuch Offenders, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons, after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-one, ſhall within *Great Britain* or *Ireland*, or any other His Majeſty's Dominions, or without, falſly make, forge or counterfeit, or cauſe or procure to be falſly made, forged or counterfeited, or wittingly or knowingly act or aſſiſt in the falſe making, forging or counterfeiting any Paſs or Paſſes for any Ship or Ships whatſoever, commonly called a *Mediterranean Paſs* or *Mediterranean Paſſes*, or ſhall counterfeit the Seal of the ſaid Office, or the Hand or Hands of the Lord High Admiral of *Great Britain* and *Ireland* for the Time being, or of any Commiſſioner or Commiſſioners for executing the ſaid Office for the Time being, to any ſuch Paſs or Paſſes, or ſhall alter or eraſe any true and authentick Paſs or Paſſes iſſued or made out by the Lord High Admiral of *Great Britain* and *Ireland*, or the Commiſſioners for executing the ſaid Office for the Time being, or ſhall utter or publiſh as true any ſuch falſe, forged, counterfeited, altered or eraſed Paſs or Paſſes, knowing the ſame to be falſe, forged, counterfeited, altered or eraſed, all and every ſuch Perſon and Perſons, being in due Form of Law convicted of any of the Offences aforeſaid in any proper Court of *Great Britain*, *Ireland*, or any of his Majeſty's Plantations beyond the Seas, where ſuch Offence ſhall be committed reſpectively, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy.

Counterfeiting Mediterranean Paſſes, Felony without Benefit of Clergy.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That all and every the Crimes and Offences before-mentioned, which ſhall be done or committed in any Country or Place out of *Great Britain*, either within the Dominions of his Majeſty, his Heirs or Succeſſors, or without, ſhall and may be enquired of, tried, heard, determined and adjudged in any Shire or County of *Great Britain*, by virtue of the King's Commiſſion or Commiſſions of *Oyer* and *Terminer* and Gaol Delivery, or before any Court of Juſticiary in *Scotland* reſpectively, in the ſame Manner as if ſuch Offence or Offences was or were done or committed within the ſame County or Shire where ſuch Offender or Offenders ſhall be tried; any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding.

Theſe Crimes committed in his Majeſty's Dominions, or without, may be tried in any Shire of Great Britain, &c.

Concerning Forgery, ſee farther 7 *Geo.* 2. *c.* 22. 31 *Geo.* 2. *c.* 22.

CAP. XIX.

An Act for repairing and keeping in Repair the Pier and Harbour of *Ilfordcombe*, in the County of *Devon*. P R.

'WHEREAS the Harbour of *Ilfordcombe* in the County of *Devon* hath by long Experience been found to be of great Uſe and Benefit to the Weſtern Parts of this Kingdom, and to all ſeafaring Men, who by the Streſs of Weather have been driven upon that Coaſt; and whereas the Key or Pier of the ſaid Port or Harbour, which contains eight hundred fifty and ſix Feet in Length or thereabouts,

' and

worked, woven or made of any Cotton and Linen Yarn mixed, or any Thread, Linen or Cotton Yarn, Linen or Cotton Tape, Incle, Filleting, Laces, or any other Linen, Fuſtian or Cotton Goods or Wares whatſoever, laid, placed or expoſed to be whitened, bowked, bleached or dried in any ſuch whitening, bowking, bleaching or drying Croft, Lands, Fields, Grounds, Houſes, Buildings or other Places, to the Value of ten Shillings, or who ſhall buy or receive any ſuch Goods or Wares, knowing the ſame to be ſtolen, ſhall be deemed adjudged and taken to be a Felon and Felons, and every Perſon offending in the Premiſſes, being convicted thereof according to due Form of Law, ſhall be and is hereby declared to be guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy, unleſs the Judge or Court before whom ſuch Trial and Conviction ſhall be, ſhall think it reaſonable upon the Circumſtances of the Caſe, that the Party offending, inſtead of ſuffering Death, ſhould be tranſported to ſome of his Majeſty's Colonies or Plantations beyond the Seas; in which Caſe it ſhall and may be lawful for ſuch Judge or Court, or for any ſubſequent Court, with the like Authority as the former, to be holden for the ſame County, Riding, Diviſion, Liberty or Place where ſuch Felon or Felons, Offender or Offenders were or ſhall be tried and convicted, notwithſtanding ſuch ſubſequent Court ſhall happen to be held at or in any other Town or Place than that wherein ſuch Trials or Convictions were or ſhall be, to order the Perſon or Perſons ſo convicted for any Offence aforeſaid to be tranſported to any of his Majeſty's Colonies or Plantations in *America* for the Space of ſeven Years, in like Manner as is directed for the Tranſportation of Offenders by an Act made in the fourth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Tranſportation of Felons and unlawful Exporters of Wool, and for declaring the Law upon ſome Points relating to Pirates*, or as is directed by another Act made in the ſixth Year of his ſaid late Majeſty's Reign, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Tranſportation of Felons*, and for that Purpoſe all Powers and Authorities contained in the ſaid Acts, or either of them, and which are now in Force concerning other Felonies, ſhall be obſerved in the Execution of this Act.

or buying or receiving the ſame, knowing it to be ſtolen, is Felony without Benefit of Clergy; or the Judge may order him to be tranſported.

4 Geo. 1. c. 11.

6 Geo. 1. c. 23.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ordered to be tranſported in purſuance of this Act ſhall refuſe ſo to be, or ſhall break Priſon, eſcape, come on ſhore, or return into this Realm before the Term expired, for which he, ſhe or they ſhall be ordered to be tranſported, he, ſhe or they offending in any ſuch Manner ſhall and may be treated, apprehended and tried, and being convicted ſhall ſuffer Death in like Manner as any Perſon ordered to be tranſported, according to the ſaid recited Acts, or either of them, may by the Laws of this Realm in like Caſes be treated, tried or ſuffered; any Law, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding.

Such Perſons refuſing ſo to be, or returning, &c. to ſuffer Death. *See further* 15 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 30. 18 *Geo.* 2. *c.* 24, 25, 27 & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

CAP. XVII.

An Act for repairing and keeping in Repair the Pier or Piers and Harbour of *Newhaven*, in the County of *Suſſex*. P R.

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" Commiſſioners appointed for repairing the Piers and Harbour of *Newhaven*. The Duties on Goods " exported or imported. For every Chalder or Tun of Coals, Salt, Plaiſter of Paris, Tarris, Tobacco-" Pipe-Clay, Stone and Marble Blocks, Lead, Buſhel Iron, caſt and Bar Iron, and other Goods paying " by the Tun, 1 *s.* For every Load of Timber, *&c.* 1 *s.* For every Load of Tan or Bark, 2 *s.* For " every Hundred of Single Deals, Spars, Ufers, Pipe, Hogſhead and Barrel Staves, 1 *s.* For every " Hundred of Double Deals, 2 *s.* and of three Inch Deals, 3 *s.* For every Quarter of Wheat, Peas, " Tares, Beans and Hay Seeds, 3 *d.* For every Quarter of Barley, Malt, Oats, Saint Foin and light " Grains, 2 *d.* For every Hogſhead of Wine and other Liquids, 6 *d.* For every Hogſhead of Sugar, " Tobacco and other dry Goods, 9 *d.* and for every Tierce, 6 *d.* For every Barrel of Pitch, Tar, Gro-" ceries, and other Goods contained in Barrels, 4 *d.* and in Proportion for ſmaller Caſks. For every " Bundle, Bail, Pack, Baſket, Crate, Hamper and Cheſt of Hemp, Linens, Woollen, Glaſs, Fruits, " Earthen Ware, not exceeding three hundred Weight, 3 *d.* For every hundred Weight of Allum, " Cheeſe, Tallow, Colours, Shot, Nails, Chains, and wrought Iron, Braſiers and Pewterers Wares, " and other Goods paying Duty or Freight *per* Hundred, 1 *d.* For every Groce of Bottles, Stone or " Glaſs, 3 *d.* For every hundred Feet of paving Stones or paving Marble, 2 *s.* For every thouſand of " Tiles, Bricks and Clinkers, 1 *s.* For every Ship (Fiſhing Veſſels excepted) that comes to load or " unload,

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Counterfeiting Mediterranean Paſſes, Felony without Benefit of Clergy.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That all and every the Crimes and Offences before-mentioned, which ſhall be done or committed in any Country or Place out of *Great Britain*, either within the Dominions of his Majeſty, his Heirs or Succeſſors, or without, ſhall and may be enquired of, tried, heard, determined and adjudged in any Shire or County of *Great Britain*, by virtue of the King's Commiſſion or Commiſſions of *Oyer* and *Terminer* and Gaol Delivery, or before any Court of Juſticiary in *Scotland* reſpectively, in the ſame Manner as if ſuch Offence or Offences was or were done or committed within the ſame County or Shire where ſuch Offender or Offenders ſhall be tried; any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding.

These Crimes committed in his Majeſty's Dominions, or without, may be tried in any Shire of Great Britain, &c.

Concerning Forgery, ſee further 7 *Geo.* 2. *c.* 22. 31 *Geo.* 2. *c.* 22.

CAP. XIX.

An Act for repairing and keeping in Repair the Pier and Harbour of *Ilfordcombe*, in the County of *Devon*. PR.

'WHEREAS the Harbour of *Ilfordcombe* in the County of *Devon* hath by long Experience been found to be of great Uſe and Benefit to the Weſtern Parts of this Kingdom, and to all ſeafaring Men, who by the Streſs of Weather have been driven upon that Coaſt; and whereas the Key or Pier of the ſaid Port or Harbour, which contains eight hundred fifty and ſix Feet in Length or thereabouts,

' and

'and about forty-two Feet in Height, and the Warp-houſe, Light-houſe and Pilot-boats and Taw-boats 'belonging to the ſaid Port or Harbour, were at firſt founded and built, and have conſtantly been re-'paired and maintained at the private Expence of the Anceſtors of Sir *Bourchier Wrey*, Baronet, 'Lords of the Manor of *Ilfordcombe* aforeſaid, without any Aſſiſtance, except only ſome ſmall Ac-'knowledgments which have been paid to them, as Lords of the ſaid Manor of *Ilfordcombe*: 'And whereas by Length of Time and Violence of the Sea, the Key or Pier of the Port or 'Harbour aforeſaid is very much ſunk and decayed, the Warp and Warp-houſe by long Uſage gone 'to Decay, and the Light-houſe and the ſaid Boats for piloting and tawing of Veſſels very much out 'of Repair, to the great Prejudice of his Majeſty's Revenue, and the Trade of the ſaid Town 'of *Ilfordcombe*, and Parts adjacent; ſo that unleſs ſome ſpeedy Care be taken to repair the ſaid Key 'or Pier, Light-houſe, Warp-houſe and Boats for piloting and tawing of Veſſels, the ſaid Harbour 'will become uſeleſs to the Kingdom and dangerous to Navigation, and the Charges of repair-'ing and maintaining the ſame will be too great to be borne by the ſaid Sir *Bourchier Wrey* and his 'Heirs, although the ancient Duties and Acknowledgments ſhould be duly paid and anſwered, 'which of late Years have been much ſunk and loſt for want of a Power to recover the ſame:' Be it therefore enacted, *&c.*

Toll for Woollen Goods, &c.

"For Woollen and Bay Yarn and Flocks, 2*q. per* Stone, each 18 Pounds; and for every Tun of other "Goods, 8*d.* And for every Ship which ſhall come into the Harbour, not being their diſcharging Port, "the Keelage following, that is to ſay, For every Ship uſing the Coaſting Trade belonging to the Port, "6*d.* For every Ship or Veſſel not belonging to the Port, uſing the Coaſting Trade, 1*s.* 6*d.* and for "every other Ship coming from the Plantations or bound thither, 2*s.* 6*d.* and for every Ship, 6*d.* for "each Top. And for the Keelage of every Boat belonging to any other Port, 4*d.* For the Light (which "ſhall be ſet up at *Michaelmas*, and continue till the firſt of *March*) there ſhall be paid by every Ship "belonging to the Port, 6*d.* and by every other Ship, 1*s.* And for laying up of Ships there ſhall be "paid the Duties following, that is to ſay, For every Ship belonging to the Harbour, 4*s.* 4*d.* and for "every other Ship, 6*s.* 8*d.* For every Boat imployed in the Herring Fiſhery, 4*s.* 4*d.* and for every "Boat fiſhing for Mackrel, 4*s.* 4*d.* And for every Barrel of Herrings exported to or from the ſaid To Sir Bourchier Wrey for keeping Weights, &c. "Port, 1*d.* And for every Horſe Load of Goods imported or exported, 3*d.* There ſhall be paid for "every Dicker of Leather landed, 3*d.* For every Hogſhead of Tobacco, 3*d.* For every Wey of "Coals, 6*d.* For every Horſe, 1*d.* For every Bullock, 2*q.* For every Score of Sheep, 4*d.* For "every Dozen of Earthen Ware, 2*q.* For every Meaſe of Herrings unſalted carried out, 3*d.* For "every Tun of Ballaſt, 2*d.* For every Tun of Lime-Stones landed, 1*d.* For every Tun of Groce-"ries or Saltery Wares, 1*s.* 6*d.* For every Hundred of Barrel Staves, 4*d.* For every Bundle of Hoops, "2*q.* For every Pack of Bays or Stuff, 3*d.* For every Hundred of Cheeſe, 2*d.* And for the laying "up of every fiſhing Boat as ſhall not pay Duty, 2*s.* 2*d.* Cuſtom Officers not to take Entries, *&c.* "till theſe Duties are paid. Sir *B. Wrey* may appoint a Water-Bailiff."

CAP. XX.

An Act for rebuilding the Pariſh Church of *Graveſend* in the County of *Kent*, as one of the fifty new Churches directed to be built by two Acts of Parliament, one made in the ninth, and the other in the tenth Year of the Reign of her late Majeſty Queen *Anne*. PR.

"*Graveſend* Church to be rebuilt as one of the fifty new Churches. 5,000*l.* allotted for the Rebuilding. "Church to be built with Brick as well as Stone."

CAP. XXI.

An Act to explain a Clauſe in an Act made in the ſeventh Year of the Reign of her late Majeſty Queen *Anne*, *For naturalizing foreign Proteſtants*, which relates to the Children of the natural-born Subjects of the Crown of *England*, or of *Great Britain*.

7 Ann. c. 5.

'WHEREAS by an Act of Parliament made in the ſeventh Year of the Reign of her late Ma-'jeſty Queen ANNE, intituled, *An Act for naturalizing of foreign Proteſtants*, it is, amongſt other 'Things, enacted, That the Children of all natural-born Subjects, born out of the Ligeance of her ſaid 'late Majeſty, her Heirs and Succeſſors, ſhould be deemed, adjudged and taken to be natural-born 10 Ann. c. 5. 'Subjects of this Kingdom to all Intents, Conſtructions and Purpoſes whatſoever: And whereas in the 'tenth Year of her ſaid late Majeſty's Reign another Act was made and paſſed to repeal the ſaid Act '(except what related to the Children of her Majeſty's natural-born Subjects, born out of her Majeſty's 'Allegiance:) And whereas ſome Doubts have ariſen upon the Conſtruction of the ſaid recited Clauſe 'in the ſaid Act of the ſeventh Year of her late Majeſty's Reign:' Now for the explaining the ſaid re-cited Clauſe in the ſaid Act, relating to Children of natural-born Subjects, and to prevent any Diſputes touching the true Intent and Meaning thereof, May it pleaſe your moſt Exeellent Majeſty that it may be declared and enacted, and be it declared and enacted by the King's moſt Excellent Majeſty, by and with Children of natural-born Subjects born out of the Allegiance of the Crown, declared to be natural-born. the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Children born out of the Ligeance of the Crown of *England*, or of *Great Britain*, or which ſhall hereafter be born out of ſuch Ligeance, whoſe Fathers were or ſhall be natural-born Subjects of the Crown of *England*, or of *Great Britain*, at the

Time of the Birth of ſuch Children reſpectively, ſhall and may, by virtue of the ſaid recited Clauſe in the ſaid Act of the ſeventh Year of the Reign of her ſaid late Majeſty, and of this preſent Act, be adjudged and taken to be, and all ſuch Children are hereby declared to be natural-born Subjects of the Crown of *Great Britain*, to all Intents, Conſtructions and Purpoſes whatſoever. 7 Ann. c. 5. ſ. 3.

II. Provided always, and be it further enacted and declared by the Authority aforeſaid, That nothing in the ſaid recited Act of the ſeventh Year of her ſaid late Majeſty's Reign, or in this preſent Act contained, did, doth or ſhall extend, or ought to be conſtrued, adjudged or taken to extend, to make any Children born or to be born out of the Ligeance of the Crown of *England*, or of the Crown of *Great Britain*, to be natural-born Subjects of the Crown of *England*, or of *Great Britain*, whoſe Fathers at the Time of the Birth of ſuch Children reſpectively were or ſhall be attainted of High Treaſon, by Judgment, Outlawry or otherwiſe, either in this Kingdom or in *Ireland*, or whoſe Fathers at the Time of the Birth of ſuch Children reſpectively, by any Law or Laws made in this Kingdom or in *Ireland*, were or ſhall be liable to the Penalties of High Treaſon or Felony, in caſe of their returning into this Kingdom or into *Ireland* without the Licence of his Majeſty, his Heirs or Succeſſors, or of any of his Majeſty's Royal Predeceſſors, or whoſe Fathers at the Time of the Birth of ſuch Children reſpectively were or ſhall be in the actual Service of any foreign Prince or State then in Enmity with the Crown of *England*, or of *Great Britain*, but that all ſuch Children are, were and ſhall be and remain in the ſame State, Plight and Condition to all Intents, Conſtructions and Purpoſes whatſoever, as they would have been in, if the ſaid Act of the ſeventh Year of her ſaid late Majeſty's Reign, or this preſent Act, had never been made; any Thing herein, or in the ſaid Act of the ſeventh Year of her ſaid late Majeſty's Reign contained to the contrary in any wiſe notwithſtanding. Children of Parents attainted of Treaſon, or in actual Service of foreign Princes in Enmity with the Crown, excepted.

III. Provided always, and be it further enacted by the Authority aforeſaid, That if any Child, whoſe Father at the Time of the Birth of ſuch Child was attainted of High Treaſon as aforeſaid, or was liable to the Penalties of High Treaſon or Felony, in caſe of returning into this Kingdom or *Ireland* without Licence as aforeſaid, or was in the actual Service of any foreign Prince or State then in Enmity with the Crown of *England*, or of *Great Britain* (other than and excepting always out of this Proviſo all Children of ſuch Perſons, who went out of *Ireland* in purſuance of the Articles of *Limerick*) hath come into *Great Britain* or *Ireland*, or any other of the Dominions belonging to the Crown of *Great Britain*, and hath continued to reſide within *Great Britain* or *Ireland*, or other the Dominions aforeſaid, for the Space of two Years, at any Time between the ſixteenth Day of *November* in the Year of our Lord one thouſand ſeven hundred and eight, and the twenty-fifth Day of *March* in the Year of our Lord one thouſand ſeven hundred and thirty-one, and during ſuch Reſidence hath profeſſed the Proteſtant Religion; or if any Child, whoſe Father at the Time of his or her Birth was within any of the Deſcriptions before-mentioned, hath come into *Great Britain* or *Ireland*, or any other of the Dominions belonging to the Crown of *Great Britain*, and profeſſed the Proteſtant Religion, and died within *Great Britain* or *Ireland*, or any other of the Dominions aforeſaid, at any Time between the ſaid ſixteenth Day of *November* in the Year of our Lord one thouſand ſeven hundred and eight, and the ſaid twenty-fifth Day of *March* in the Year of our Lord one thouſand ſeven hundred and thirty-one; or if any Child, whoſe Father at the Time of his or her Birth was within any of the Deſcriptions before-mentioned, hath been and continued in the actual Poſſeſſion or Receipt of the Rents and Profits of any Lands, Tenements or Hereditaments in *Great Britain* or *Ireland*, for the Space of one whole Year, at any Time between the ſaid ſixteenth Day of *November* in the Year of our Lord one thouſand ſeven hundred and eight, and the ſaid twenty-fifth Day of *March* in the Year of our Lord one thouſand ſeven hundred and thirty-one, or hath *bona fide*, and for good and valuable Conſideration, ſold, conveyed or ſettled any Lands, Tenements or Hereditaments in *Great Britain* or *Ireland*, and any Perſon claiming Title thereto, under ſuch Sale, Conveyance or Settlement, hath been and continued in the actual Poſſeſſion or Receipt of the Rents and Profits thereof for the Space of ſix Months, between the ſaid ſixteenth Day of *November* in the Year of our Lord one thouſand ſeven hundred and eight, and the ſaid twenty-fifth Day of *March* in the Year of our Lord one thouſand ſeven hundred and thirty-one, every ſuch Child ſhall be deemed, adjudged and taken to be and to have been a natural-born Subject of the Crown of *England*, or of the Crown of *Great Britain*, to all Intents, Conſtructions and Purpoſes whatſoever; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding. Proviſo.

CAP. XXII.

An Act to explain and amend an Act paſſed in the thirteenth Year of his late Majeſty's Reign, intituled, *An Act for amending the ſeveral Roads leading from the City of* Briſtol. P R.

" Truſtees to meet at the Guildhall in *Briſtol* on 1 *June* 1731, &c. The ſeparate Truſtees to erect Toll
" Gates and appoint Surveyors and Collectors, *&c.* On Adjournment three Truſtees not appearing, to
" be further adjourned to that Day ſevennight. After Repayment of Charges, *&c.* the Toll to be ap-
" plied ſeparately. Application of Toll for common Roads near *Briſtol*. Truſtees may aſſign over the
" ſeveral Tolls. Roads ſufficiently amended, and Loans paid off, Toll to ceaſe. Truſtees may com-
" pound with Travellers, and elect a Treaſurer. Truſtees to chooſe new ones to ſupply Vacancies.
" The Act to continue from 24 *June* 1731, for 21 Years." 13 Geo. 1. c. 12. 22 Geo. 2. c. 28.

CAP.

CAP. XXIII.

An Act for repairing the Road leading from *Chappel on the Heath* in the County of *Oxon*, to the Quarry above *Bourton on the Hill* in the County of *Glouceſter*. PR.

The Toll took Place the 29th of *May* 1731, and is to have Continuance for 21 Years. Continued by 17 Geo. 2. c. 10.

CAP. XXIV.

An Act to explain and amend a Clauſe in an Act paſſed in the ſecond Year of his Majeſty's Reign (*For making more effectual ſeveral Acts relating to Watermen, Wherrymen and Lightermen rowing on the River* Thames) ſo far as the ſame relates to Ferry Boats and flat-bottomed Boats.

2 Geo. 2. c. 26.

'WHEREAS by a Clauſe in an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty King GEORGE the Second, intituled, *An Act for making more effectual ſeveral Acts paſſed relating to Watermen, Wherrymen and Lightermen rowing on the River* Thames, *and for better ordering and governing ſuch Watermen, Wherrymen and Lightermen*, it is amongſt other Things enacted, That if any Perſon or Perſons, not having ſerved for the Space of ſeven Years to any Waterman, Wherryman or Lighterman (except Trinitymen, Fiſhermen, Ballaſtmen and Perſons imployed in rowing or any ways navigating Weſtern Barges, Mill Boats, Chalk Hoys, Faggot and Wood Lighters, Dung Boats and Gardiners Boats, in ſuch Manner as had been accuſtomed and was allowed and reſerved in an Act made in the eleventh and twelfth Years of King WILLIAM the Third) ſhould row or cauſe to be rowed or worked any Boat, Wherry, Lighter or other Veſſel or Craft, upon the ſaid River for Hire or Gain between *Graveſend* in the County of *Kent* and *Windſor* in the County of *Berks*, and being thereof convicted, ſhould be liable to ſuch Forfeiture and Puniſhment as therein is mentioned: And whereas ſome Doubts have lately ariſen touching Ferry Boats worked or uſed at or between the Towns of *Kingſton* and *Windſor* on the River of *Thames*, whether the ſame be deemed large Craft, and alſo touching flat-bottomed Boats and Barges navigated from and to the ſaid Towns of *Kingſton* and *Windſor*, or Places between the ſaid Towns on the ſaid River of *Thames*, from and to other Places on the ſaid River, whether the ſame be deemed Weſtern Barges or not, and by Means whereof ſeveral Proſecutions have been had, to the Interruption of Trade and enhancing the Price of the Carriage of Goods:' For Remedy whereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all ſuch Ferry Boats ſhall not be deemed or taken to be large Craft, and that all flat-bottomed Boats and Barges navigated from the ſaid Towns of *Kingſton* or *Windſor*, or Places between the ſaid Towns, to any other Place or Places on the ſaid River of *Thames*, and from thence to the ſaid Towns of *Kingſton* or *Windſor*, or Places between the ſaid Towns, ſhall be deemed and taken to be Weſtern Barges, and ſhall and may navigate on the ſaid River of *Thames* as far as *London Bridge*, as freely as any Weſtern Barge may navigate thereon; and that no Perſon or Perſons working or uſing ſuch Ferry Boats at or between the ſaid Towns, nor any Perſon or Perſons navigating ſuch flat-bottomed Boats or Barges on the ſaid River, ſhall be ſubject or liable to any Pains, Penalties or Forfeitures laid or impoſed by the ſaid recited Act of Parliament or any Act of Parliament therein mentioned.

11 & 12 W. 3. c. 21.

Ferry Boats, flat-bottomed Boats and Barges navigated from Kingſton or Windſor, exempted from the Penalties. 2 Geo. 2. c. 26.

II. And be it enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken in all Courts and Places within this Kingdom to be a publick Act; and all Judges, Juſtices and other Perſons are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

Publick Act. *See further concerning Watermen*, 10 *Geo.* 2. c. 31.

CAP. XXV.

An Act for confirming an Agreement lately entered into between the Mayor, Aldermen and Citizens of the City of *Worceſter*, and the Guardians of the Poor of the ſaid City, for continuing the Hop-Market of the ſaid City in the Workhouſe there; and for veſting the Right of the ſaid Mayor, Aldermen and Citizens, of keeping a Hop-Market in the ſaid City, in the Guardians of the Poor of the ſaid City, and their Succeſſors for ever. PR.

'WHEREAS the Mayor, Aldermen and Citizens of the City of *Worceſter*, have agreed to grant unto the Guardians of the Poor of the ſaid City, and their Succeſſors for ever, the Liberty, Privilege and Power of holding and keeping in or at the publick Workhouſe of the ſaid City, now veſted in the ſaid Guardians, a publick and open Market for the buying and ſelling of Hops only, commonly called a *Hop-Market*, and all their Right and Title thereto, and to the Tolls, Profits and Advantages ariſing therefrom; ſubject nevertheleſs, and charged and chargeable with the Payment of the yearly Rent of ſixty Pounds clear of all Taxes, Pariſh Rates and Outgoings whatſoever, impoſed or to be impoſed thereupon; reſerving to the ſaid Mayor, Aldermen and Citizens of the ſaid City, and their Succeſſors for ever, the Liberty and Power of nominating and appointing a Hop-weigher to attend the ſaid Market, and to be imployed in the weighing of all Hops to be bought and ſold in the ſaid Market, who is to be allowed a yearly Salary of twenty Pounds, to be paid by the ſaid Mayor,

'Aldermen and Citizens of the ſaid City, out of the ſaid yearly Rent of ſixty Pounds; and whereas 'the ſettling, holding and keeping of a Hop-Market at the ſaid Workhouſe, and the granting the Tolls 'and Profits thereof to the ſaid Guardians of the Poor of the ſaid City, and their Succeſſors, at the ſaid 'yearly Rent of ſixty Pounds, and ſubject to the Power herein before mentioned, will (as there is good 'reaſon to believe) greatly increaſe the Income and Revenue of the Poor of the ſaid City, and prove a 'general Benefit and Advantage to the Citizens and Inhabitants thereof:' Therefore the Guardians of the Poor of the ſaid City of *Worceſter* do, in all humble Manner, beſeech your Majeſty that it may be enacted, *&c.*

"A publick Hop-Market to be held by the Guardians of the Workhouſe at *Worceſter*, with the ſole Pro- 2 & 3 Ann. c. 8.
"perty thereof. Chargeable to the Mayor, *&c.* with the full yearly Rent of 6*o*l. Hops to be brought 3 Geo. 2. c. 23.
"to the Hop-Market, and there publickly ſold, *&c.* Mayor, *&c.* to conſtitute the Hop-weigher.
"Hop-weigher to give Security. On Miſbehaviour may be diſplaced. Mayor, *&c.* abſent, his place
"to be ſupplied by any of the Chamber. Freemen may weigh in their private Houſes Hops weighed
"in the Hop-Market, and ſell them.

CAP. XXVI.

An Act that all Proceedings in Courts of Juſtice within that Part of *Great Britain* called *England*, and in the Court of Exchequer in *Scotland*, ſhall be in the *Engliſh* Language.

'WHEREAS many and great Miſchiefs do frequently happen to the Subjects of this King-'dom, from the Proceedings in Courts of Juſtice being in an unknown Language, thoſe who 'are ſummoned and impleaded having no Knowledge or Underſtanding of what is alledged for or 'againſt them in the Pleadings of their Lawyers and Attornies, who uſe a Character not legible to 'any but Perſons practiſing the Law:' To remedy theſe great Miſchiefs, and to protect the Lives and Fortunes of the Subjects of that Part of *Great Britain* called *England*, more effectually than heretofore, from the Peril of being enſnared or brought in danger by Forms and Proceedings in Courts of Juſtice, in an unknown Language, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, of *Great Britain* in Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three, all Writs, Proceſs and Returns thereof, and Proceedings thereon, and all Pleadings, Rules, Orders, Indictments, Informations, Inquiſitions, Preſentments, Verdicts, Prohibitions, Certificates, and all Patents, Charters, Pardons, Commiſſions, Records, Judgments, Statutes, Recognizances, Bonds, Rolls, Entries, Fines and Recoveries, and all Proceedings relating thereunto, and all Proceedings of Courts Leet, Courts Baron and Cuſtomary Courts, and all Copies thereof, and all Proceedings whatſoever in any Courts of Juſtice within that Part of *Great Britain* called *England*, and in the Court of Exchequer in *Scotland*, and which concern the Law and Adminiſtration of Juſtice, ſhall be in the *Engliſh* Tongue and Language only, and not in *Latin* or *French*, or any other Tongue or Language whatſoever, and ſhall be written in ſuch a common legible Hand and Character, as the Acts of Parliament are uſually ingroſſed in, and the Lines and Words of the ſame to be written at leaſt as cloſe as the ſaid Acts uſually are, and not in any Hand commonly called *Court Hand*, and in Words at Length and not abbreviated; any Law, Cuſtom or Uſage heretofore to the contrary thereof notwithſtanding: And all and every Perſon or Perſons offending againſt this Act, ſhall for every ſuch Offence forfeit and pay the Sum of fifty Pounds to any Perſon who ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record in *Weſtminſter-Hall*, or Court of Exchequer in *Scotland* reſpectively, wherein no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

This Act extended to Wales by 6 Geo. 2. c. 14.

After 25 March 1733, all Proceedings in Courts in England, or Exchequer in Scotland, to be in Engliſh, and in Words at length. 6 Geo. 2. c. 6.

Penalty 50l. Altered by 6 Geo. 2. c. 14. ſ. 5.

II. And be it further enacted by the Authority aforeſaid, That Miſtranſlation, Variation in Form by reaſon of Tranſlation, Miſpelling or Miſtake in Clerkſhip, or Pleadings or Proceedings begun or to be begun before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three, being part in *Latin* and part in *Engliſh*, ſhall be no Error, nor make void any Proceedings by reaſon thereof; but that all manner of Miſtranſlation, Errors in Form, Miſpellings, Miſtakes in Clerkſhip, may at any Time be amended, whether in Paper or on Record or otherwiſe, before or after Judgment, upon Payment of reaſonable Coſts only.

Miſtranſlation before 25 March 1733, may be amended before or after Judgment.

III. Provided always, That nothing in this Act, nor any thing herein contained, ſhall extend to certifying beyond the Seas any Caſe or Proceedings in the Court of Admiralty; but that in ſuch Caſes the Commiſſions and Proceedings may be certified in *Latin* as formerly they have been.

Not to extend to the certifying Proceedings in Court of Admiralty.

'IV. And whereas ſeveral good and profitable Laws have been enacted, to the Intent that the Par-'ties in all manner of Actions and Demands might not be delayed and hindred from obtaining the 'Effect of their Suits, after Iſſue tried and Judgment given, by reaſon of any ſubtile, ignorant or de-'fective Pleadings, nor for any Defect in Form, commonly called *Jeofails*;' It is hereby enacted and declared, That all and every Statute and Statutes for the Reformation and Amending the Delays ariſing from any *Jeofails* whatſoever, ſhall and may extend to all and every Form and Forms, and to all Proceedings in Courts of Juſtice (except in criminal Caſes) when the Forms and Proceedings are in *Engliſh*; and that all and every Error and Miſtake whatſoever, which would or might be amended and remedied by any Statute of *Jeofails*, if the Proceedings had been in *Latin*, all ſuch Errors and Miſtakes of the ſame and like Nature, when the Forms are in *Engliſh*, ſhall be deemed, and are hereby

Statutes for reforming Delays by Jeofails, to be extended to the Engliſh Forms.

hereby declared to be amended and remedied by the Statutes now in Force for the Amendment of any *Jeofails*; and this Clauſe ſhall be taken and conſtrued in all Courts of Juſtice in the moſt ample and beneficial Manner, for the Eaſe and Benefit of the Parties, and to prevent frivolous and vexatious Delays.

CAP. XXVII.

An Act for the further encouraging the Manufacture of *Britiſh* Sail Cloth, by taking off the Duties and Drawbacks therein mentioned; and allowing an additional Bounty on *Britiſh* made Sail Cloth exported; and for ſtamping *Britiſh* made Sail Cloth with the Name and Place of Abode of the Maker.

Former Proviſions relating hereto, 1 *Jac.* 1. *c.* 24. 7 & 8 *W.* 3. *c.* 10 & 29. 12 *Ann. St.* 1. *c.* 16.

'WHEREAS the Wealth and Proſperity of this Kingdom does very much depend upon the Preſervation and Improvement of its Manufactures, and whereas the Manufacture of Sail Cloth does give a comfortable Support and Maintenance to many of his Majeſty's Subjects employed in the ſame, and there is reaſon to believe that it would be greatly improved in this Kingdom, and the Exportation of it to foreign Parts conſiderably increaſed, if the Duties payable upon the Importation of rough and undreſſed Flax, and the Drawback upon the Re-exportation of foreign Sail Cloth or foreign made Sails, were taken off, and an additional Bounty allowed on all *Britiſh* made Sail Cloth exported;' Therefore may it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

Undreſſed Flax to be imported without Duty, on Entry, &c.

That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, it ſhall and may be lawful for any Perſon or Perſons whatſoever to import into this Kingdom any Quantity of rough or undreſſed Flax, without paying any Subſidy, Cuſtom, Impoſition or other Duty whatſoever, for the ſame, ſo as a due Entry be firſt made thereof in the Cuſtomhouſe belonging to the Port into which the ſame ſhall be imported, in ſuch Manner and Form, and expreſſing the Quantities of ſuch rough or undreſt Flax, as were uſed and practiſed before the making of this Act, and ſo as the ſame be landed in the preſence of the proper Officer appointed for that Purpoſe, and the Importation thereof be according to the Rules preſcribed and enjoined by an Act of Parliament paſſed in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation.*

12 Car. 2. c. 18.

Flax liable to the Duties on Non-compliance with the Act.

II. Provided nevertheleſs, and be it further enacted, That on Failure of the Conditions or Directions herein laſt mentioned being performed, or any of them, in manner aforeſaid, all ſuch rough or undreſt Flax ſhall be liable to the reſpective Duties charged thereon, as the ſame might or would have been liable to, if this Act had never been made; any thing in this Act contained to the contrary notwithſtanding.

No Drawback on Re-exportation of foreign Sail Cloth.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, there ſhall not be allowed or made, on the Re-exportation of foreign Sail Cloth, or any foreign made Sails, any Drawback or Repayment of any of the Cuſtoms or Duties charged and paid on the Importation thereof into this Kingdom, by any Act or Acts of Parliament; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

Allowance of one Penny per Ell on Britiſh Sail Cloth exported.

IV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, there ſhall be allowed, over and above the Allowance already given, a further Reward or Recompence of one Penny for every Ell of *Britiſh* made Sail Cloth exported, the ſame to be given and paid out of the Money ariſing from an additional Duty laid on all Sail Cloth imported into this Kingdom, by an Act of the twelfth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain, and continued by ſubſequent Acts; which ſaid further Reward of one Penny *per* Ell ſhall be ſubject to the ſame Proviſoes and Penalties as the Allowance already given is ſubject and liable to.

12 Ann. c. 16.

V. And to the End that no Perſon or Perſons, Body Politick or Corporate, who is or are intitled to to any Part, Share or Intereſt, in the Monies ariſing by the ſaid Duties on rough or undreſt Flax imported into this Kingdom, may be no Loſers or receive any Prejudice, by taking off the ſaid Duties, Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury now being, the High Treaſurer or any three or more of the Commiſſioners of the Treaſury for the Time being, and they are hereby enjoined and required, on or before the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, to cauſe an Account to be made up and ſtated of the Monies which ſhall have ariſen by the ſaid Duties on rough or undreſt Flax, for ſeven Years laſt paſt.

Treaſury to ſtate an Account of Monies ariſing on rough Flax for 7 Years paſt.

The Medium of the Produce charged on the Aggregate Fund for Security to the Creditors.

VI. And it is hereby enacted, That the Medium of the Monies appearing to have ariſen by the ſaid Duties within ſeven Years, ſhall be a certain annual Sum to be charged on the Fund called *The Aggregate Fund*, and being ſo charged, ſhall from Time to Time be iſſued, paid, diſtributed and applied, to make good to the ſeveral publick Creditors or other Perſon or Perſons, Body Politick or Corporate, having Intereſt or Security in the Money ariſing from the ſame Duties on rough or undreſt Flax, would have been apportioned and applied, in caſe the ſaid Duties had been continued, and not been determined by this Act.

'VII. And

'VII. And whereas foreign unwrought Hemp re-exported does draw back Part of the Duties payable 'upon Importation thereof, to the great Diſcouragement of manufacturing of Cordage within this 'Kingdom, to be exported to *America*,' Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, there ſhall not be allowed or made on the Re-exportation of Hemp unwrought to any of his Majeſty's *Britiſh* Dominions in *America*, any Drawback or Re-payment of any of the Duties or Cuſtoms, charged and paid on the Importation thereof into this Kingdom, by any Act or Acts of Parliament; any Law, Cuſtom or Uſage to the contrary notwithſtandſng.

No Allowance on Re-exportation of unwrought Hemp to the Britiſh Dominions in America.

VIII. And be it enacted by the Authority aforeſaid, That every Manufacturer or Maker of Sail Cloth in *Great Britain* ſhall after the ſaid twenty-fourth Day of *June* affix at the End of every Piece of ſuch Sail Cloth a Stamp containing the Name and Place of Abode of ſuch Manufacturer or Maker, in plain diſtinct Letters and Words at Length; and if any Manufacturer or Maker of Sail Cloth ſhall ſell or expoſe to ſale, any Piece or Pieces of Sail Cloth, without being ſtamped as aforeſaid, ſuch Manufacturer or Maker ſo offending, and being thereof lawfully convicted, upon the Oath of any one or more credible Witneſs or Witneſſes, before any one or more Juſtice or Juſtices of the Peace for the County, City or Town, where the Offence ſhall be committed (which Oath ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter) ſhall forfeit and pay the Sum of five Pounds for each and every Piece of Sail Cloth, by him or them ſold or expoſed to ſale, not being ſtamped as aforeſaid, and if any Perſon or Perſons whatſoever ſhall wilfully or maliciouſly cut off, deſtroy or obliterate, any Stamp ſo affixed as aforeſaid, or ſhall affix or make uſe of any Stamp, on which ſhall be marked the Name and Place of Abode of any other Perſon or Perſons, and not his or their real Name or Names, and Place or Places of Abode, ſuch Perſon or Perſons being convicted of any of the Offences aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of ten Pounds; both which laſt mentioned Forfeitures ſhall and may be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hands and Seals of two or more Juſtices of the Peace for the County, Riding, City or Place, where the Offence ſhall be committed, and ſhall go and be applied to the Uſe of the Informer or Informers.

Manufacturers to affix his Name and Place of Abode. 9 Geo. 2. c. 37. ſ. 3.

Penalty 5l.

Maliciouſly cutting off ſuch Mark, forfeit 10l.

See farther, 9 *Geo.* 2. *c.* 37. 10 *Geo.* 2. *c.* 27. 19 *Geo.* 2. *c.* 27. 23 *Geo.* 2. *c.* 21 & 32. 26 *Geo.* 2. *c.* 32.

CAP. XXVIII.

An Act for the more effectual preventing Frauds committed by Tenants, and for the more eaſy Recovery of Rents, and Renewal of Leaſes.

FOR ſecuring to Leſſors and Land Owners their juſt Rights, and to prevent Frauds frequently committed by Tenants, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in caſe any Tenant or Tenants for any Term of Life, Lives or Years, or other Perſon or Perſons, who are or ſhall come into Poſſeſſion of any Lands, Tenements or Hereditaments, by, from or under, or by Colluſion with ſuch Tenant or Tenants, ſhall wilfully hold over any Lands, Tenements or Hereditaments, after the Determination of ſuch Term or Terms, and after Demand made, and Notice in Writing given, for delivering the Poſſeſſion thereof, by his or their Landlords or Leſſors, or the Perſon or Perſons to whom the Remainder or Reverſion of ſuch Lands, Tenements or Hereditaments ſhall belong, his or their Agent or Agents thereunto lawfully authorized; then and in ſuch Caſe ſuch Perſon or Perſons ſo holding over, ſhall, for and during the Time he, ſhe and they ſhall ſo hold over, or keep the Perſon or Perſons intitled, out of Poſſeſſion of the ſaid Lands, Tenements, and Hereditaments, as aforeſaid, pay to the Perſon or Perſons ſo kept out of Poſſeſſion, their Executors, Adminiſtrators or Aſſigns, at the Rate of double the yearly Value of the Lands, Tenements and Hereditaments ſo detained, for ſo long time as the ſame are detained, to be recovered in any of his Majeſty's Courts of Record, by Action of Debt, whereunto the Defendant or Defendants ſhall be obliged to give ſpecial Bail, againſt the recovering of which ſaid Penalty there ſhall be no Relief in Equity.

Former Proviſions with regard to Rents, 32 *H.* 8. *c.* 37. 8 *Ann. c.* 14. Perſons holding over Lands, &c. after Expiration of Leaſes, to pay double the yearly Value.

'II. And whereas great Inconveniencies do frequently happen to Leſſors and Landlords, in Caſes 'of Re-entry for Nonpayment of Rent, by reaſon of the many Niceties that attend Re-entries at 'Common Law; and foraſmuch as when a legal Re-entry is made, the Landlord or Leſſor muſt be 'at the Expence, Charge, and Delay, of recovering in Ejectment, before he can obtain the actual 'Poſſeſſion of the demiſed Premiſſes; and it often happens that after ſuch a Re-entry made, the Leſſee 'or his Aſſignee, upon one or more Bills filed in a Court of Equity, not only holds out the Leſſor or 'Landlord by an Injunction, from recovering the Poſſeſſion, but likewiſe, pending the ſaid Suit, do run 'much more in Arrear, without giving any Security for the Rents due, when the ſaid Re-entry was 'made, or which ſhall or do afterwards incur:' For remedy whereof, be it enacted by the Authority aforeſaid, That in all Caſes between Landlord and Tenant, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, as often as it ſhall happen that one half Year's Rent ſhall be in Arrear, and the Landlord or Leſſor, to whom the ſame is due, hath Right by Law to re-enter for the Nonpayment thereof, ſuch Landlord or Leſſor ſhall and may, without any formal Demand or Re-entry, ſerve a Declaration in Ejectment for the Recovery of the demiſed Premiſſes, or in caſe the ſame cannot be legally ſerved, or no Tenant be in actual Poſſeſſion of the Premiſſes, then to affix the ſame upon the Door of any demiſed Meſſuage, or in caſe ſuch Ejectment ſhall not be for the Recovery of any Meſſuage, then upon ſome notorious Place of the Lands, Tenements or Hereditaments, comprized in ſuch Declaration in Ejectment, and ſuch affixing ſhall be deemed legal Service thereof,

On half a Year's Rent in Arrear, Landlord may re-enter ſerving a Declaration of Ejectment.

thereof, which Service or Affixing ſuch Declaration in Ejectment, ſhall ſtand in the Place and Stead of a Demand and Re-entry; and in caſe of Judgment againſt the caſual Ejector, or Nonſuit for not confeſſing Leaſe, Entry and Ouſter, it ſhall be made appear to the Court where the ſaid Suit is depending, by Affidavit, or be proved upon the Trial, in caſe the Defendant appears, that half a Year's Rent was due before the ſaid Declaration was ſerved, and that no ſufficient Diſtreſs was to be found on the demiſed Premiſſes, countervailing the Arrears then due, and that the Leſſor or Leſſors in Ejectment had Power to re-enter; then and in every ſuch caſe the Leſſor or Leſſors in Ejectment ſhall recover Judgment and Execution, in the ſame Manner as if the Rent in Arrear had been legally demanded, and a Re-entry made; and in caſe the Leſſee or Leſſees, his, her or their Aſſignee or Aſſignees, or other Perſon or Perſons claiming or deriving under the ſaid Leaſes, ſhall permit and ſuffer Judgment to be had and recovered on ſuch Ejectment, and Execution to be executed thereon, without paying the Rent and Arrears, together with full Coſts, and without filing any Bill or Bills for Relief in Equity, within ſix Calendar Months after ſuch Execution executed; then and in ſuch caſe the ſaid Leſſee or Leſſees, his, her or their Aſſignee or Aſſignees, and all other Perſons claiming and deriving under the ſaid Leaſe, ſhall be barred and foreclоſed from all Relief or Remedy in Law or Equity, other than by Writ of Error, for Reverſal of ſuch Judgment, in caſe the ſame ſhall be erroneous, and the ſaid Landlord or Leſſor ſhall from thenceforth hold the ſaid demiſed Premiſſes diſcharged from ſuch Leaſe; and if on ſuch Ejectment Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall be nonſuited therein, except for the Defendant or Defendants not confeſſing Leaſe, Entry and Ouſter, then in every ſuch caſe ſuch Defendant or Defendants ſhall have and recover his, her and their full Coſts: Provided always, That nothing herein contained ſhall extend to bar the Right of any Mortgagee or Mortgagees of ſuch Leaſe, or any Part thereof, who ſhall not be in Poſſeſſion, ſo as ſuch Mortgagee or Mortgagees ſhall and do, within ſix Calendar Months after ſuch Judgment obtained, and Execution executed, pay all Rent in Arrear, and all Coſts and Damages ſuſtained by ſuch Leſſor, Perſon or Perſons intitled to the Remainder or Reverſion as aforeſaid, and perform all the Covenants and Agreements, which on the Part and Behalf of the firſt Leſſee or Leſſees are and ought to be performed.

When Leſſor in Ejectment may recover Judgment, &c.

Not to bar the Right of any Mortgagee.

Leſſees filing Bill in Equity, not to have an Injunction againſt Proceeding at Law, &c.

III. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Leſſee or Leſſees, his, her or their Aſſignee or Aſſignees, or other Perſon or Perſons claiming any Right, Title or Intereſt, in Law or Equity, of, in or to the ſaid Leaſe, ſhall, within the Time aforeſaid, file one or more Bill or Bills, for Relief in any Court of Equity, ſuch Perſon or Perſons ſhall not have or continue any Injunction, againſt the Proceedings at Law on ſuch Ejectment, unleſs he, ſhe or they do or ſhall, within forty Days next after a full and perfect Anſwer ſhall be filed by the Leſſor or Leſſors of the Plaintiff in ſuch Ejectment, bring into Court, and lodge with the proper Officer ſuch Sum and Sums of Money as the Leſſor or Leſſors of the Plaintiff in the ſaid Ejectment ſhall, in his, her or their Anſwer, ſwear to be due and in Arrear, over and above all juſt Allowances, and alſo the Coſts taxed in the ſaid Suit, there to remain till the hearing of the Cauſe, or to be paid out to the Leſſor or Landlord on good Security, ſubject to the Decree of the Court; and in caſe ſuch Bill or Bills ſhall be filed within the Time aforeſaid, and after Execution is executed, the Leſſor or Leſſors of the Plaintiff ſhall be accountable only for ſo much and no more as he, ſhe or they ſhall really and *bona fide* without Fraud, Deceit or wilful Neglect, make of the demiſed Premiſſes from the Time of his, her or their entring into the actual Poſſeſſion thereof, and if what ſhall be ſo made by the Leſſor or Leſſors of the Plaintiff, happen to be leſs than the Rent reſerved on the ſaid Leaſe, then the ſaid Leſſee or Leſſees, his, her or their Aſſignee or Aſſignees, before he, ſhe or they ſhall be reſtored to his, her or their Poſſeſſion or Poſſeſſions, ſhall pay ſuch Leſſor or Leſſors, or Landlord or Landlords, what the Money ſo by them made, fell ſhort of the reſerved Rent, for the Time ſuch Leſſor or Leſſors of the Plaintiff, Landlord or Landlords, held the ſaid Lands.

Tenant paying all Rent with Coſts, Proceedings to ceaſe.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That if the Tenant or Tenants, his, her or their Aſſignee or Aſſignees, do or ſhall at any time before the Trial in ſuch Ejectment, pay or tender to the Leſſor or Landlord, his Executors or Adminiſtrators, or his, her or their Attorney in that Cauſe, or pay into the Court where the ſame Cauſe is depending, all the Rent and Arrears, together with the Coſts, then and in ſuch caſe, all further Proceedings on the ſaid Ejectment ſhall ceaſe and be diſcontinued; and if ſuch Leſſee or Leſſees, his, her or their Executors, Adminiſtrators or Aſſigns, ſhall, upon ſuch Bill filed as aforeſaid, be relieved in Equity, he, ſhe and they ſhall have, hold and enjoy the demiſed Lands, according to the Leaſe thereof made, without any new Leaſe to be thereof made to him, her or them.

Method of recovering Seck Rents, &c.

'V. And whereas the Remedy for recovering Rents Seck, Rents of Aſſize and chief Rents, are tedi-
'ous and difficult,' Be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, all and every Perſon or Perſons, Bodies Politick and Corporate, ſhall and may have the like Remedy by Diſtreſs, and by impounding and ſelling the ſame, in caſes of Rents Seck, Rents of Aſſize and chief Rents, which have been duly anſwered or paid for the Space of three Years, within the Space of twenty Years before the firſt Day of this preſent Seſſion of Parliament, or ſhall be hereafter created, as in caſe of Rent reſerved upon Leaſe; any Law or Uſage to the contrary notwithſtanding.

Chief Leaſes may be renewed without ſurrendering all the Under Leaſes.

'VI. And whereas many Perſons hold conſiderable Eſtates by Leaſes for Lives or Years, and leaſe
'out the ſame in Parcels to ſeveral Under Tenants: And whereas many of thoſe Leaſes cannot by Law
'be renewed without a Surrender of all the Under Leaſes derived out of the ſame, ſo that it is in the
'Power of any ſuch Under Tenants to prevent or delay the Renewing of the principal Leaſe, by refuſing
'to ſurrender their Under Leaſes, notwithſtanding they have covenanted ſo to do, to the great Prejudice
'of their immediate Landlords the firſt Leſſees:' For preventing ſuch Inconveniencies, and for making the renewal of Leaſes more eaſy for the future, Be it enacted by the Authority aforeſaid, That in caſe

any Leaſe ſhall be duly ſurrendered in order to be renewed, and a new Leaſe made and executed by the chief Landlord or Landlords, the ſame new Leaſe ſhall without a Surrender of all or any the Under Leaſes be as good and valid to all Intents and Purpoſes as if all the Under Leaſes derived thereout had been likewiſe ſurrendered at or before the taking of ſuch new Leaſe; and all and every Perſon and Perſons in whom any Eſtate for Life or Lives or for Years, ſhall from Time to Time be veſted by virtue of ſuch new Leaſe, and his, her and their Executors and Adminiſtrators, ſhall be intitled to the Rents, Covenants and Duties, and have like Remedy for Recovery thereof, and the Under Leſſees ſhall hold and enjoy the Meſſuages, Lands and Tenements, in the reſpective Under Leaſes compriſed, as if the original Leaſes, out of which the reſpective Under Leaſes are derived, had been ſtill kept on foot and continued, and the Chief Landlord and Landlords ſhall have and be intitled to ſuch and the ſame Remedy, by Diſtreſs or Entry in and upon the Meſſuages, Lands, Tenements and Hereditaments compriſed in any ſuch Under Leaſe, for the Rents and Duties reſerved by ſuch new Leaſe, ſo far as the ſame exceed not the Rents and Duties reſerved in the Leaſe out of which ſuch Under Leaſe was derived, as they would have had in caſe ſuch former Leaſe had been ſtill continued, or as they would have had in caſe the reſpective Under Leaſes had been renewed under ſuch new principal Leaſe; any Law, Cuſtom or Uſage to the contrary hereof notwithſtanding.

VII. Provided always, That nothing in this Act contained ſhall extend to that Part of *Great Britain* called *Scotland*. Not to extend to Scotland.

See farther, 13 Geo. 2. c. 19. containing Directions concerning Diſtreſſes for Rent.

CAP. XXIX.

An Act for granting an Allowance upon the Exportation of *Britiſh* made Gunpowder.

'WHEREAS the Wealth and Proſperity of this Kingdom doth very much depend upon the Improvement of its Manufactures, and the profitable Trade carried on by Exportation of the ſame, which Trade ought by all proper Means to be encouraged, for the Enlargement of the Commerce of *Great Britain*: And whereas the Exportation of Gunpowder to foreign Parts has of late Years conſiderably decreaſed, by Reaſon of the Duties payable upon the Importation of Salt Petre and Brimſtone, the principal Ingredients uſed for making the ſame: And whereas his Majeſty's trading Subjects, from the Greatneſs of the Price of Gunpowder made here, are obliged to furniſh themſelves at foreign Markets, in order to carry on their Trade to *Africa*, and other Parts beyond the Seas, to the great Prejudice and Diſcouragement of the ſaid Manufacture;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That there ſhall be paid to every Perſon or Perſons, who at any Time or Times within or during the Term of five Years, to be reckoned from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, or at any Time or Times before the End of the then next Seſſion of Parliament, ſhall really and truly export out of this Kingdom, by way of Merchandize, any Quantities of Gunpowder of the Manufacture of *Great Britain*, an Allowance of the Sum of four Shillings and ſix Pence for every Barrel of ſuch Gunpowder, containing one hundred Pounds net Weight, and ſo in Proportion for greater or leſs Quantities; which Allowance ſhall be paid and anſwered by the Cuſtomer or Collector of the Cuſtoms, with the Privity of the Comptroller of the Port from whence the ſame ſhall be exported, on a Debenture to be made forth by the Cuſtomer or Collector, according to the Entry of ſuch Gunpowder, without Fee or Reward, and the Shipping thereof verified by the Searcher, and Oath, or being of the People called *Quakers*, ſolemn Affirmation, made by the Exporter, on the Entry or Debenture, before the Cuſtomer or Collector or Comptroller of ſuch Port, that the ſaid Gunpowder is of *Britiſh* Manufacture, and is exported or intended to be exported to Parts beyond the Seas, by way of Merchandize, and not for the Uſe of the Ship in her Voyage, and not relanded or intended to be relanded in any Part of *Great Britain*, the Exporter firſt giving Security to the ſaid Cuſtomer or Collector of the Port, in a Penalty of five Pounds for each Barrel, containing one hundred Pounds net Weight (which Security they are hereby impowered to take in the Name, and to the Uſe of his Majeſty, his Heirs and Succeſſors) that the Gunpowder ſo ſhipped or intended to be ſhipped, or any Part thereof, ſhall not be relanded or brought on Shore again into any Port or Part of *Great Britain*, and ſuch Securities ſhall be diſcharged in the Manner hereafter mentioned, (that is to ſay) For ſo much of the ſaid Gunpowder as ſhall be entred for or landed in the Kingdom of *Ireland*, the Iſlands of *Guernſey* and *Jerſey*, *Alderney*, *Sark* or *Man*, or any of his Majeſty's Colonies or Plantations abroad, the Condition of the Bond ſhall be to bring Certificates in Diſcharge thereof from each Place reſpectively, importing that ſuch Gunpowder was there landed, and teſtifying the Landing thereof; which Certificate ſhall be ſigned by the proper Officer or Officers of his Majeſty's Cuſtoms as reſpectively reſide there, and for want of ſuch Officers reſiding there, then by the Governor of thoſe Iſlands and Colonies or Plantations, or the Deputy Governor thereof reſpectively, who are hereby required to give the ſame without Fee or Reward; and for ſuch Gunpowder as ſhall be ſo entred for any foreign Port or Place, to bring a Certificate under the Hand of any of his Majeſty's Conſuls reſiding in ſuch Port or Place, or under the Hands of two known *Britiſh* Merchants then being at ſuch Port or Place, that ſuch Gunpowder was there landed; or ſuch Bond or Bonds ſhall be diſcharged, upon Proof in either of the ſaid Caſes, that the ſame was taken by Enemies, or periſhed in the Seas; the Examination and Proof thereof being left to the Judgment of the Commiſſioners of the Cuſtoms in *England* or *Scotland* reſpectively for the Time being.

Former Proviſions concerning Gunpowder, 16 Car. 1. c. 21. 1 Jac. 2. c. 8. 5 Geo. 1. c. 29. 11 Geo. 1. c. 25.

An Allowance of 4s. per Barrel for Britiſh Gunpowder exported as Merchandize,

'Continued by 24 Geo. 2. c. 42.' *And farther continued by* 31 Geo. 2. c. 36.

to be paid by the Cuſtomer.

The Exporter to give Security not to reland it.

Security how to be diſcharged,

'II. And

'II. And whereas Gunpowder exported for *Africa* is ſold and delivered in very ſmall Parcels, and at 'Places along the Coaſt, where no Certificates can be had,' Therefore be it further enacted by the Authority aforeſaid, That in every ſuch Caſe upon Proof made upon Oath, or being of the People called *Quakers*, upon ſolemn Affirmation of the Maſter, Mate, Purſer or other Perſon, having the Charge of the Ship during the Voyage, importing that ſuch Gunpowder was ſold and delivered upon the Coaſt of *Africa*, and alſo of the Oath or ſolemn Affirmation as aforeſaid of the Merchant Exporter, if living, that to the beſt of his Knowledge and Belief, the ſaid Goods have been diſpoſed of at the Places to be mentioned in the reſpective Oaths, Affidavits or Affirmations of the Maſter, Mate, Purſer or other Perſon, having Charge of the Ship during the Voyage, and that they have not been relanded or brought on Shore again in any Port or Part of *Great Britain*, the ſame ſhall be taken in lieu of the Certificates aforeſaid, and be allowed of in full Diſcharge of the Bonds to be given in Purſuance of this Act; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Gunpowder exported for Africa.

III. And be it further enacted by the Authority aforeſaid, That if any Gunpowder ſhipped to be exported, for which Allowance is hereby made, ſhall be relanded or unſhipped in any Port or Place in *Great Britain*, contrary to the true Intent and Meaning of this Act, without the Licence of one or more of the principal Officers of ſuch Port or Place firſt had and obtained, or unleſs it be in caſe of Diſtreſs to ſave the ſaid Gunpowder from periſhing, which ſhall be forthwith made known to one or more of the ſaid Officers, the ſaid Gunpowder, over and above the Penalty of the Bond to be levied and recovered to his Majeſty's Uſe as aforeſaid, and treble the Value of ſuch Gunpowder, ſhall be forfeited and loſt, and ſhall and may be proſecuted and divided in the Manner herein after mentioned.

Penalty for relanding.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Allowance ſhall be forthwith paid by the reſpective Cuſtomer or Collector, out of any Money in his Hands ariſing from Cuſtoms or other Duties upon Goods imported from Parts beyond the Seas; and the Money ſo paid ſhall be accepted of in his or their Account, as ſo much paid to his Majeſty, and he and they is, are and ſhall be diſcharged thereof accordingly.

Allowance to be paid by the Cuſtomer.

V. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe any of the Duties now payable upon the Importation of Salt Petre and Brimſtone, ſhall during the Continuance of this Act be redeemed, or otherwiſe ceaſe to be payable, ſo much of the Allowance to be made on the Exportation of Gunpowder ſhall be abated, as ſhall bear a Proportion to the Duties ſo redeemed, or that ſhall ceaſe to be payable on the Importation of Salt Petre and Brimſtone; any Thing herein contained to the contrary thereof notwithſtanding.

When Duties on Importation of Salt Petre and Brimſtone, ſhall be redeemed, Allowance for Gunpowder to be abated.

VI. And be it further enacted by the Authority aforeſaid, That the Penalties in this Act mentioned ſhall and may be proſecuted and determined by Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer at *Edinburgh* reſpectively; wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance ſhall be allowed; and one Moiety ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons who will ſue or proſecute for the ſame.

Penalties how to be levied.

VII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in Purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in Purſuance and by the Authority of the ſaid Act; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants, and if the Plaintiff ſhall be nonſuited or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as the Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Concerning Gunpowder ſee farther, 15 *Geo.* 2. *c.* 32. 22 *Geo.* 2. *c.* 38. 29 *Geo.* 2. *c.* 16.

CAP. XXX.

An Act for rendring more effectual an Act made in the third Year of his Majeſty's Reign, intituled, *An Act for the better Regulation of the Coal Trade*, ſo far as the ſame relates to the preventing the inhancing the Price of Coals in the River of *Thames* by the keeping of Turn in delivering of Coals there.

3 *Geo.* 2. *c.* 26.

'WHEREAS by a Clauſe in an Act paſſed in the third Year of his preſent Majeſty's Reign, intituled, *An Act for the better Regulation of the Coal Trade*, it is enacted, That from and after 'the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty, every Maſter of a Ship or 'Veſſel uſing the Coal Trade ſhould be ſubject to the Direction of the Owner or Owners of the 'major Part of his Ship or Veſſel, provided there was nothing contained in ſuch Directions, which 'ſhould relate to the reſtraining or inhancing the Price of Coals in the River of *Thames*, or to the keeping of Turn in delivering of Coals there: And whereas notwithſtanding the Proviſion made by the 'ſaid in Part recited Clauſe, the ſame has been evaded, by Means whereof the Price of Coals may be 'advanced to the Prejudice of ſeveral Manufactures, as well as to the Oppreſſion of the Poor: For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the fifteenth Day of *May* one thouſand ſeven hundred and thirty-one, it ſhall not be lawful for any Owner or Owners of any Ship or Veſſel imployed in the Coal Trade, or any Perſon authorized by them, or any other Perſon or Perſons whatſoever,

Penalty on keeping Turn in delivering Coals in the Thames, 100 l.

ever, directly or indirectly, by Writing or otherwiſe, to give any Orders or Directions to any Maſter or Perſon having the Command or Rule of any Ship or Veſſel imployed in the Coal Trade, or to any Agent or Servant imployed in the ſelling of Coals, which ſhall any Ways relate to the keeping of Turn in ſelling or delivering of Coals in the River of *Thames*, and that no Maſter or Maſters, or other Perſon having the Command or Rule of any Ship or Veſſel as aforeſaid, ſhall obey any ſuch Orders or keep Turn as aforeſaid; upon Pain that every Perſon giving ſuch Directions, and the Perſon or Perſons obſerving and following the ſame, or any otherwiſe directly or indirectly acting contrary to the true Intent and Meaning of this Act, ſhall reſpectively forfeit and pay the Sum of one hundred Pounds for every ſuch Offence, one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall ſue for the ſame, within the Space of ſix Months next after ſuch Offence or Offences ſhall be committed, to be recovered with treble Coſts of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection, Wager of Law, nor more than one Imparlance ſhall be allowed.

'II. And whereas in order to oblige Ships imployed in the Coal Trade to keep Turn, a Method has 'been or may be practiſed, for the Maſters of ſuch Ships to deliver their Cocquets into the Hands of 'particular Agents imployed by the Owners of ſuch Ships, by which Means ſuch Maſters have been or 'may be diſabled from delivering their Coals, until permitted by ſuch Agents,' Be it therefore enacted by the Authority aforeſaid, That the Maſter of every Ship or Veſſel loaded with Coals, or other Perſon having the Care or Charge thereof, ſhall deliver or cauſe to be delivered, to the proper Officer of the Cuſtoms at the Port of *London*, the Cocquets containing the Lading of ſuch Ship or Veſſel, within the Space of four Days after the Arrival of ſuch Ship or Veſſel as high as *Graveſend*, in the ſaid River of *Thames*, on Pain of forfeiting the Sum of fifty Pounds, on their Neglect or Refuſal ſo to do, to be ſued for, recovered and diſpoſed of in the Manner before directed.

Cocquets to be delivered within four Days after Arrival of the Ship.

Penalty 50*l.*

III. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

Publick Act.

Concerning Coals ſee farther, 10 *Geo.* 2. *c.* 32.

(which is made perpetual by 31 *Geo.* 2. *c.* 42.) 11 *Geo.* 2. *c.* 15. 13 *Geo.* 2. *c.* 21. 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. *c.* 15.

CAP. XXXI.

An Act for making more effectual an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King GEORGE the Firſt, for repairing, widening and amending the Roads from *Wigan* to *Preſton* in the County of *Lancaſter*. PR.

Act 13 *Geo.* 1. *c.* 9. continued from the firſt Day of *June* 1731. for 21 Years. Farther continued by 23 *Geo.* 2. *c.* 7.

CAP. XXXII.

An Act for the more effectual puniſhing Stealers of Lead or Iron Bars fixed to Houſes, or any Fences belonging thereunto.

'WHEREAS the pernicious Practice of ſtealing Lead, Iron Bars, Iron Gates, Iron Paliſadoes 'and Iron Rails fixed to Dwelling-houſes, Out-houſes, Coach-houſes, Stables, and other Build-'ings, and fixed in Gardens, Orchards, Court-yards, Fences and Outlets belonging to Dwelling-houſes 'and other Buildings, hath of late Time been much uſed to the great Detriment of his Majeſty's Sub-'jects; and it is neceſſary for the more effectual preventing of ſuch Offences, to inflict a more exem-'plary Puniſhment on ſuch Offenders, than by the Laws of this Realm can now be done;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, all and every Perſon and Perſons, who ſhall ſteal, rip, cut or break, with Intent to ſteal, any Lead, Iron Bar, Iron Gate, Iron Paliſadoe or Iron Rail whatſoever, being fixed to any Dwelling-houſe, Out-houſe, Coach-houſe, Stable or other Building, uſed or occupied with ſuch Dwelling-houſe, or thereunto belonging, or to any other Building whatſoever, or fixed in any Garden, Orchard, Court-yard, Fence or Outlet, belonging to any Dwelling-houſe or other Building, ſhall be deemed and conſtrued to be guilty of Felony; and every ſuch Felon and Felons ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony; and the Court, by and before whom ſuch Perſon or Perſons ſhall be tried, ſhall, and hereby have Power and Authority to tranſport ſuch Felons for the Space of ſeven Years, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm; and all and every Perſon and Perſons who ſhall be aiding, abetting or aſſiſting in ſtealing, or in ſuch ripping, cutting or breaking any Lead, Iron Bar, Iron Gate, Iron Paliſadoe or Iron Rail, fixed to any Dwelling-houſe, Out-houſe, Coach-houſe, Stable or other Building, or fixed in any Garden, Orchard, Court-yard, Fence or Outlet, belonging to any Dwelling-houſe or other Building, or who ſhall buy or receive any ſuch Lead, Iron Bar, Iron Gate, Iron Paliſadoe or Iron Rail, knowing the ſame to be ſtolen, ſhall be ſubject and liable to the ſame Puniſhments, as if he, ſhe or they had ſtolen the ſame; any Law to the contrary in any wiſe notwithſtanding.

Stealers of Lead, Iron Bars, &c. fixed to Houſes, or any Fences belonging thereto, ſhall be guilty of Felony,

and be tranſported for ſeven Years.

CAP.

CAP. XXXIII.

An Act for obviating a Doubt which hath ariſen concerning the uſual Allowance made upon the Delivery of Letters ſent by the Penny Poſt to Places out of the Cities of *London* and *Weſtminſter* and Borough of *Southwark*, and the reſpective Suburbs thereof.

'WHEREAS upon the firſt Eſtabliſhment of the Office called the *Penny Poſt Office*, the Carriage or Conveyance of the Letters by that Poſt was confined to the Cities of *London* and *Weſtminſter*, the Borough of *Southwark*, and the reſpective Suburbs thereof; and whereas upon the Application of the Inhabitants of ſeveral Towns and Places within the Compaſs of ten Miles round the City of *London*, and upon their voluntary Offer to allow and pay to the Meſſengers or Perſons carrying or tranſmitting ſuch Letters, in conſideration of their being obliged to travel with an Horſe to Places at that Diſtance, one Penny upon the Delivery of every Letter directed to any Perſon at any Place out of the Cities of *London* and *Weſtminſter* and Borough of *Southwark*, and the reſpective Suburbs thereof, over and above the Penny paid upon putting every ſuch Letter into the Penny Poſt Office in *London*, the Carriage and Conveyance of Letters and Pacquets by the ſaid Poſt, commonly called *The Penny Poſt*, was extended ten Miles round the City of *London*, and one Penny hath been conſtantly allowed to and taken by ſuch Meſſengers, on the Delivery of every Letter directed to any Perſon at any Place out of the Cities of *London* and *Weſtminſter*, the Borough of *Southwark*, and the reſpective Suburbs thereof, over and above the Penny paid upon putting ſuch Letter into the Penny Poſt Office in *London*; and whereas by Reaſon of the Proviſions contained in an Act of Parliament made in the ninth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for eſtabliſhing a General Poſt Office for all her Majeſty's Dominions, and for ſettling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majeſty's Occaſions*, ſome Doubts have lately ariſen, whether the Meſſengers or Perſons carrying or tranſmitting ſuch Letters, could lawfully receive and take the ſaid Allowance of one Penny, upon the Delivery of every Letter, directed or delivered to or for any Perſon, at any Place out of the Cities of *London* and *Weſtminſter*, the Borough of *Southwark*, and the reſpective Suburbs thereof, over and above the Penny paid upon putting ſuch Letter into the Penny Poſt Office in *London*;' For obviating and taking away all ſuch Doubts, be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That nothing in the ſaid Act of the ninth Year of her ſaid late Majeſty's Reign ſhall or ought to be conſtrued to extend to reſtrain or hinder any ſuch Meſſenger, or Perſon carrying or tranſmitting Letters by the ſaid Poſt, commonly called *The Penny Poſt*, from demanding or taking for every Letter originally ſent by the Penny Poſt, and not firſt paſſing by the General Poſt and from thence tranſmitted by the Penny Poſt, which hath been or ſhall be delivered to or for any Perſon, at any Place out of the Cities of *London* and *Weſtminſter*, the Borough of *Southwark*, and reſpective Suburbs thereof, one Penny, over and above the Penny paid upon putting every ſuch Letter into the Penny Poſt Office, and that no ſuch Meſſenger or other Perſon ſhall incur, or ſhall be deemed, adjudged or taken to have incurred, or to incur any Penalty or Forfeiture whatſoever, for demanding and taking for any ſuch Letter ſo delivered or to be delivered as aforeſaid, one Penny, over and above the Penny paid upon putting ſuch Letter into the Penny Poſt Office, or for detaining or delaying any ſuch Letter, until ſuch one Penny for any ſuch Letter ſo delivered or to be delivered as aforeſaid, was or ſhall be paid; any Thing in the ſaid Act, or in any other Law or Statute to the contrary in any wiſe notwithſtanding.

9 Ann. c. 10. 6 *Geo.* 1. *c.* 21. §. 51.

Penny Poſtmen carrying Letters out of London, Weſtminſter or Southwark, may demand 1d. at Delivery.

Farther Proviſions concerning Poſt Office, 22 *Geo.* 2. *c.* 25. 26 *Geo.* 2. *c.* 13.

CAP. XXXIV.

An Act for repairing the Road leading from the Town of *Fulham* in the County of *Middleſex* through *Fulham* Fields, to the great Road near the Pound at *Hammerſmith* in the ſaid County. PR.

The Toll is to continue from 20 *May* 1731. for 21 Years. Continued by 23 *Geo.* 2. *c.* 10.

Anno

Anno Regni GEORGII II. quinto.

'AT the Parliament begun and holden at *Weſtminſter* the twenty-third Day of *January*, *Anno Domini* one thouſand ſeven hundred and twenty-ſeven, in the firſt Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the thirteenth Day of *January* one thouſand ſeven hundred and thirty-one, being the fifth Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-two. EXP.

CAP. II.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act to encourage and compel *George Robinſon* Eſquire, and *John Thomſon* to appear, and produce the Books, and diſcover the Effects of the *Charitable Corporation* for Relief of induſtrious Poor by aſſiſting them with ſmall Sums upon Pledges at legal Intereſt; and to be examined thereupon at the Times and Places therein mentioned. EXP.

'WHEREAS many fraudulent and indirect Practices have for ſome Years laſt paſt been carried on by Perſons concerned in the Direction and Management of the Affairs of the *Charitable Corporation* for the Relief of induſtrious Poor by aſſiſting them with ſmall Sums upon Pledges at legal Intereſt, contrary to the Intention of their Charter, whereby great Numbers of his Majeſty's Subjects have ſuffered manifeſt Wrong and Loſs; a true Diſcovery of which fraudulent and indirect Practices is neceſſary, in order to the procuring a juſt Relief and Satisfaction to the ſaid Sufferers: And whereas *George Robinſon*, Eſquire, Banker and Agent to the ſaid Corporation, hath withdrawn himſelf beyond the Seas, being charged with great Sums of Money due from him to the ſaid Corporation, and alſo with being privy to and concerned in many of the ſaid fraudulent and indirect Practices, and a Commiſſion of Bankrupcy hath iſſued againſt him, whereupon he hath been declared a Bankrupt, but hath not hitherto ſubmitted to the Authority of the ſaid Commiſſion: And whereas *John Thomſon* Warehouſe-keeper of the ſaid Corporation hath likewiſe withdrawn himſelf beyond the Seas, and hath carried away ſeveral Books of Accounts, Papers and Effects belonging to the ſaid Corporation, and is charged with great Sums of Money due from him to the ſaid Corporation, and with being privy to and concerned in many of the ſaid fraudulent and indirect Practices, and a Commiſſion of Bankruptcy hath likewiſe iſſued againſt him, and he hath thereupon been declared a Bankrupt, but hath not hitherto ſubmitted to the Authority of the ſaid Commiſſion:' Now for the better Diſcovery of the ſaid fraudulent Practices, and of the Eſtate and Effects of the ſaid Corporation, which have been imbezelled and concealed: Be it enacted, *&c.*

" Clauſe encouraging *George Robinſon* and *John Thompſon* to ſubmit to Examination. On ſuch Sub-
" miſſion to be protected from Arreſts till *June* 1. Not ſubmitting and delivering to the Commiſſion-
" ers of Bankruptcy the Effects in their Hands, guilty of Felony. Concealing Goods or Accounts be-
" longing to them, to be impriſoned. 200*l.* Penalty and double Value of Goods concealed after 25 *De-*
" *cember* for three Years.

CAP. IV.

An Act for rebuilding the Pariſh Church of *Woolwich* in the County of *Kent*, as one of the fifty new Churches directed to be built by two Acts of Parliament, one made in the ninth, and the other in the tenth Year of the Reign of her late Majeſty Queen ANNE. PR.

Appointment of 3,000*l.* to be paid out of the Coal Duty. Materials of the old Church to be diſpoſed of.

CAP. V.

An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-two. EXP. 1s. in the Pound.

CAP. VI.

An Act for reviving the Duties on Salt for the Term therein mentioned. EXP.

" All the Salt Duties revived from *March* 25, for three Years. To be managed by proper Commiſſioners. " The Rates of 1 *s.* 8 *d. per* 1000 on Red Herrings, and 3 *s.* and 4 *d. per* Barrel on White Herrings revived, " as alſo 5 *s. per* Barrel on ſalted Beef or Pork exported. Allowances on Exportation, or Waſte. White " Herrings cured with Salt made in *Scotland* to pay 2 *s.* 4 *d. per* Barrel, and to be entred with the Col- " lector of the Cuſtoms, and Security given for landing in *England*. On Oath made of their bing cured " with ſuch Salt Certificate to be granted. Contracts for Salt not delivered before *March* 25, vacated. " Clauſe of Loan for 500,000 *l.* If no Loans be made on this Act, Exchequer Bills may be iſſued, to " bear Intereſt at 2 *d. per Cent. per Diem.* Surplus of Salt Duties to be diſpoſed of by Parliament. [Re- " vived and made perpetual by 26 Geo. 2. c. 3.]

CAP. VII.

An Act for the more eaſy Recovery of Debts in his Majeſty's Plantations and Colonies in *America*.

For former Acts concerning Plantations, refer to
12 *Car.* 2. *c.* 18.
15 *Car.* 2. *c.* 7.
22 & 23 *Car.* 2. *c.* 26.
25 *Car.* 2. *c.* 7.
7 & 8 *W.* 3. *c.* 22.
11 & 12 *W.* 3. *c.* 12.
3 & 4 *Ann. c.* 5 & 10.
6 *Ann. c.* 30 & 37.
8 *Ann. c.* 13.
9 *Ann. c.* 17 & 27.
10 *Ann. c.* 22. & 26.
4 *Geo.* 1. *c.* 11.
8 *Geo.* 1. *c.* 12. & 15.
13 *Geo.* 1. *c.* 5.
3 *Geo.* 2. *c.* 12 & 28.
4 *Geo.* 2. *c.* 15.

After Sept. 29, Plantation Debts may be proved here on Oath before a chief Magiſtrate.

' WHEREAS his Majeſty's Subjects trading to the *Britiſh* Plantations in *America* lie under great ' Difficulties, for want of more eaſy Methods of proving, recovering and levying of Debts due ' to them, than are now uſed in ſome of the ſaid Plantations: And whereas it will tend very much to the ' retrieving of the Credit formerly given by the trading Subjects of *Great Britain* to the Natives and In- ' habitants of the ſaid Plantations, and to the advancing of the Trade of this Kingdom thither, if ſuch ' Inconveniencies were remedied;' May it therefore pleaſe Your Majeſty that it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-two, in any Action or Suit then depending, or thereafter to be brought in any Court of Law or Equity in any of the ſaid Plantations, for or relating to any Debt or Account wherein any Perſon reſiding in *Great Britain* ſhall be a Party, it ſhall and may be lawful to and for the Plaintiff or Defendant, and alſo to and for any Witneſs to be examined or made uſe of in ſuch Action or Suit, to verify or prove any Matter or Thing by Affidavit or Affidavits in Writing upon Oath, or in caſe the Perſon making ſuch Affidavit be one of the People called *Quakers*, then upon his or her ſolemn Affirmation, made before any Mayor or other chief Magiſtrate of the City, Borough or Town Corporate in *Great Britain*, where or near to which the Perſon making ſuch Affidavit or Affirmation ſhall reſide, and certified and tranſmitted under the Common Seal of ſuch City, Borough or Town Corporate, or the Seal of the Office of ſuch Mayor, or other chief Magiſtrate, which Oath and ſolemn Affirmation every ſuch Mayor and chief Magiſtrate ſhall be and is hereby authorized and impowered to adminiſter; and every Affidavit or Affirmation ſo made, certified and tranſmitted, ſhall in all ſuch Actions and Suits be allowed to be of the ſame Force and Effect, as if the Perſon or Perſons making the ſame upon Oath or ſolemn Affirmation as aforeſaid, had appeared and ſworn or affirmed the Matters contained in ſuch Affidavit or Affirmation *viva voce* in open Court, or upon a Commiſſion iſſued for the Examination of Witneſſes, or of any Party in any ſuch Action or Suit reſpectively; Provided that in every ſuch Affidavit and Affirmation there ſhall be expreſſed the Addition of the Party making ſuch Affidavit or Affirmation, and the particular Place of his or her Abode.

Debts to his Majeſty may be proved in the ſame Manner.

II. And be it further enacted by the Authority aforeſaid, That in all Suits now depending, or hereafter to be brought in any Court of Law or Equity by or in Behalf of his Majeſty, his Heirs and Succeſſors, in any of the ſaid Plantations, for or relating to any Debt or Account, that his Majeſty, his Heirs and Succeſſors, ſhall and may prove his and their Debts and Accounts, and examine his or their Witneſs or Witneſſes by Affidavit or Affirmation in like Manner as any Subject or Subjects is or are impowered or may do by this preſent Act.

Penalty on falſe Oath or Affirmation.

III. Provided always, and it is hereby further enacted, That if any Perſon making ſuch Affidavit upon Oath or ſolemn Affirmation as aforeſaid, ſhall be guilty of falſly and wilfully ſwearing or affirming any Matter or Thing in ſuch Affidavit or Affirmation, which, if the ſame had been ſworn upon an Examination in the uſual Form, would have amounted to wilful and corrupt Perjury, every Perſon ſo offending and being thereof lawfully convicted, ſhall incur the ſame Penalties and Forfeitures as by the Laws and Statutes of this Realm are provided againſt Perſons convicted of wilful and corrupt Perjury.

Lands, Houſes, Negroes, &c. in the Plantations liable to ſatisfy Debts.
Farther Proviſions concerning Plantations,
5 *Geo.* 2. *c.* 9.
6 *Geo.* 2. *c.* 13.
8 *Geo.* 2. *c.* 19.
12 *Geo.* 2. *c.* 30.
15 *Geo.* 2. *c.* 31 & 33.
24 *Geo.* 2. *c.* 51 & 53.
29 *Geo.* 2. *c.* 5 & 35.
30 *Geo.* 2. *c.* 9.

IV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-two, the Houſes, Lands, Negroes, and other Hereditaments and real Eſtates, ſituate or being within any of the ſaid Plantations belonging to any Perſon indebted, ſhall be liable to and chargeable with all juſt Debts, Duties and Demands of what Nature or Kind ſoever, owing by any ſuch Perſon to his Majeſty, or any of his Subjects, and ſhall and may be Aſſets for the Satisfaction thereof, in like Manner as Real Eſtates are by the Law of *England* liable to the Satisfaction of Debts due by Bond or other Specialty, and ſhall be ſubject to the like Remedies, Proceedings and Proceſs in any Court of Law or Equity, in any of the ſaid Plantations reſpectively, for ſeizing, extending, ſelling or diſpoſing of any ſuch Houſes, Lands, Negroes, and other Hereditaments and Real Eſtates, towards the Satisfaction of ſuch Debts, Duties and Demands, and in like Manner as Perſonal

Eſtates in any of the ſaid Plantations reſpectively are ſeized, extended, ſold or diſpoſed of, for the Satisfaction of Debts.

CAP. VIII.

An Act for providing a Recompence to Sir *Thomas Lombe*, for diſcovering and introducing the Arts of making and working the three Capital *Italian* Engines for making Organzine Silk, and for preſerving the Invention for the Benefit of this Kingdom. P R.

A Recital of the Patent granted 5 Geo. 1.

'WHEREAS the Riches, Strength and Proſperity of this Kingdom depend on the Trade thereof: And whereas the introducing and improving ſuch new Arts and Inventions as will imploy great Numbers of our Poor, keep our Money at home, and increaſe the profitable Trade carried on by the Exportation of our own Manufactures, tend greatly to the ſecuring and enlarging the general Trade and Commerce of *Great Britain*, and ought by all proper Ways and Means to be encouraged: And whereas *Thomas Lombe* of *London*, Merchant, now Sir *Thomas Lombe*, Knight, did with the utmoſt Difficulty and Hazard, and at a very great Expence, diſcover the Arts of making and working the three Capital Engines made uſe of by the *Italians* to make their Organzine Silk, and did introduce thoſe Arts and Inventions into this Kingdom: And whereas his late Majeſty King GEORGE was graciouſly pleaſed, by his Letters Patents bearing Date the ninth Day of *September* in the fifth Year of his Reign, under the Great Seal of *Great Britain*, to give and grant unto the ſaid *Thomas Lombe*, now Sir *Thomas Lombe*, his Executors, Adminiſtrators and Aſſigns, eſpecial Licence, full Power, ſole Privilege and Authority to exerciſe, work, uſe and enjoy his new Invention of three ſorts of Engines by him the ſaid *Thomas Lombe* found out, never before made or uſed in *Great Britain*, one to wind the fineſt Raw Silk, another to ſpin, and the other to twiſt the fineſt *Italian* raw Silk into Organzine, within that Part of the Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and the Town of *Berwick upon Tweed*, and the whole Profit, Benefit, Commodity and Advantage from Time to Time coming, growing, accruing and ariſing by Reaſon of the ſaid Invention, during the full Term of fourteen Years from the Date of the ſaid Letters Patents, according to the Statute in that Caſe made and provided, and did thereby require and ſtrictly command all and every other Perſon or Perſons, Bodies Politick and Corporate, within that Part of the Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed* aforeſaid, that neither they nor any of them do directly or indirectly make, uſe or put in Practice the ſaid Invention or any Part of the ſame, during the ſaid Term: And whereas the ſaid Sir *Thomas Lombe* ſince the granting the ſaid Letters Patents hath at a farther great Expence erected large Buildings, and therein ſet up the ſaid Engines or Machines, and put the ſaid Invention in Uſe and Practice on the River *Derwent* at the Town of *Derby*, for making Organzine Silk, and applied himſelf with the utmoſt Care and Diligence to improve the ſame, in order to render it of the greater Uſe and Benefit to this Kingdom; but by reaſon of the long Time required to finiſh and compleat the ſaid Buildings and Engines, and to inſtruct ſo great a Number of People as were neceſſary to work the ſaid Engines, and the great Obſtruction this Undertaking received by the King of *Sardinia*'s prohibiting the Exportation of the raw Silk, which the ſaid Engines were made to work, and afterwards by Reaſon of the great Difficulty of bringing the Manufacture to full Perfection, which could not be effected by the moſt diligent Application, until about a Year ago, the ſaid Sir *Thomas Lombe* has been deprived of the Benefit intended by the ſaid Letters Patents;' Therefore, for providing a proper Recompence to the ſaid Sir *Thomas Lombe*, and preſerving the ſaid Invention for the Benefit of the Trade of this Nation; may it pleaſe your Majeſty that it may be enacted, *&c.*

14,000 *l.* to be paid to Sir *T. Lombe* by the Crown, in caſe of his allowing a perfect Model to be taken of his new invented Engines.

CAP. IX.

An Act to explain an Act made in the laſt Seſſion of Parliament, intituled, *An Act for importing from his Majeſty's Plantations in* America, *directly into* Ireland, *Goods not enumerated in any Act of Parliament*, ſo far as the ſaid Act relates to the Importation of foreign Hops into *Ireland*.

A Recital of the Act 9 Ann. c. 12.

'WHEREAS by an Act made in the ninth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for laying a Duty upon Hops*, it was provided and enacted, That no Perſon or Perſons whatſoever ſhould import or cauſe to be imported into the Kingdom of *Ireland* from *Flanders*, or any other Parts whatſoever (other than from *Great Britain*) any Hops whatſoever, which Duties upon Hops were, by an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, granted to his ſaid late Majeſty, his Heirs and Succeſſors for ever: And whereas an Act paſſed in the fourth Year of your Majeſty's Reign, intituled, *An Act for importing from his Majeſty's Plantations in America, directly into* Ireland, *Goods not enumerated in any Act of Parliament*; and whereas, ſince the paſſing the ſaid laſt mentioned Act, ſome Doubts have ariſen, whether Liberty is thereby given to import Hops from His Majeſty's Plantations in *America* directly into *Ireland*:' Now to the End the ſaid Doubts may for the future be removed, may it pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority

1 Geo. 1. Stat. 2. c. 12. ſect. 5.

4 Geo. 2. c. 15.

No Hops to be imported into Ireland from other Parts but Great Britain.

rity of the ſame, That the ſaid Act made in the ninth Year of the Reign of her ſaid late Majeſty Queen ANNE, and the ſaid Act made in the ſaid firſt Year of his late Majeſty's Reign, and all and every Clauſe, Matter and Thing therein contained, which prohibit the Importation of Hops into the Kingdom of *Ireland* from *Flanders*, or from any other Parts whatſoever (other than from *Great Britain*) ſhall be, and remain and continue to be in full Force, as if the ſaid Act paſſed in the fourth Year of his preſent Majeſty had never been made.

Farther Proviſions concerning Plantations, 6 Geo. 2. c. 13.

8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

CAP. X.

An Act for repairing and amending the Road leading from the Town of *Mancheſter* in the County Palatine of *Lancaſter*, through the Town of *Aſhton under Lyne* and the Pariſh of *Mottram Longdendale*, and from thence to *Salters Brook* in the County Palatine of *Cheſter*. P R.

The Toll took Place the firſt Day of *May* 1732, and is to have Continuance for 21 Years. [Continued by 23 Geo. 2. c. 5.]

CAP. XI.

An Act to enlarge the Pier and Harbour of *Scarborough* in the County of *York*. P R.

'WHEREAS the Harbour of the ancient Town Corporate of *Scarborough* in the *North Riding* of the County of *York*, is the only Place between the Port of *Newcaſtle upon Tyne*, and the River *Humber*, capable of receiving, in Diſtreſs of Weather, Ships navigating to and along the northern Coaſts of this Kingdom, and to and from the Eaſtern Seas, and other Places, without great Difficulty: And whereas the enlarging and extending the Piers of the ſaid Port would render the ſame much more commodious than now it is, for the Reception of large Veſſels, and particularly of thoſe uſing the Coal Trade, in Tempeſts and other Times of Danger: And whereas the Expence of the Enlargement of the ſaid Pier, whereby at leaſt ſix Foot Water will be gained within the ſaid Harbour, will amount to near twelve thouſand Pounds: And whereas the ſaid Town of *Scarborough* is unable to raiſe a Sum of Money ſufficient to defray the Epence of compleating an Undertaking of ſo publick an Advantage and Utility, and keeping the ſaid Piers (when finiſhed) in neceſſary Repairs, without the Aid and Aſſiſtance of Parliament:' To the End therefore that the ſaid Piers may be enlarged, extended, improved and kept in Repair, may it pleaſe your Majeſty that it may be enacted, *&c.*

Computation of Charge.

" One Half-penny *per* Chalder for Coals from 24 *June* 1732 till 24 *June* 1763, to be paid to the Bailiffs " and Burgeſſes of *Scarborough*. No Cuſtomer to enter Veſſels till Payment. Duties payable from " 24 *June* 1732 till 24 *June* 1783. For all Coals landed within the Port 1 *s. per* Calder. For Cynders " 1 *s. per* Chalder. For every Weigh of Salt landed 2 *s.* For every Groſs of Glaſs Bottles 2 *d.* For " Fir Timber imported in *Engliſh* Bottoms 3 *d. per* Tun. For every Hundred of Fir Deals, 3 *s.* " For every Hundred of Half Deals 1 *s.* 6 *d.* For very Hundred of Middle Balks 3 *s.* For every " Hundred of double Ufers 3 *s.* For every Hundred of ſingle Ufers 1 *s.* For every Hundred of " Capraevens 3 *s.* For every Hundred of ſmall Balks 1 *s.* For every Hundred of ſmall Spars 6 *d.* " For every Hundred of Battins 1 *s.* For every Hundred of Pale Boards 2 *d.* great Maſts apiece 3 *s.* " middle Maſts 1 *s.* 6 *s.* ſmall Maſts 6 *d.* Oak Timber and Plank *per* Tun 3 *d.* Wine and Brandy " *per* Tun 5 *s.* and for the above Goods imported in foreign Bottoms double Duties; and for " foreign Goods not above mentioned imported in *Engliſh* Bottoms 3 *d. per* Tun, and for foreign " Bottoms 6 *d. per* Tun; and for Butter ſhipped off 1 *d. per* Firkin. For dried Fiſh and Mudd " Fiſh ſhipped off 2 *d. per* Score. For barrelled Fiſh *per* Barrel 4 *d.* For Tallow 3 *d. per* Hun- " dred. Every Ham 2 *d.* Neats Tongues *per* Dozen 3 *d.* Pickled Pork *per* Barrel 1 *s.* For every Flitch " of Bacon 2 *d.* Rabbit Skins *per* Pack 2 *s.* 6 *d.* Calves Skins *per* Dozen 3 *d.* Leather *per* Hundred " Weight 1 *s.* And for every *Engliſh* Ship which ſhall enter the Piers 6 *d.* And for the Top or Croſs " Trees, being of the Burthen of 130 Tuns or upwards, 4 *d.* and for every foreign Ship 1 *s.* and for the " Top or Croſs Trees of ſuch foreign Ship, being of the Burthen of 130 Tuns or upwards, 8 *d.* Bailiffs " and Burgeſſes to appoint Collectors. On Death or Refuſal of Commiſſioners, others to be choſen. " Bailiffs and Burgeſſes may contract with Artificers for improving the Harbour, and place or diſplace " Collectors, *&c.* Collectors to give Security. Collectors may enter Veſſels, take an Account of their " Lading, and ſeize for Nonpayment of Duties. Goods diſtrained to be ſold, if not redeemed in 20 Days. " Duties aſſignable for Money borrowed. Bailiffs may ſummon Perſons to give an Account of Goods " liable to the Duty. Refuſing to give Account of Goods, forfeits 20 *l.* Annoying the Harbour by Bal- " laſt, Duſt, *&c.* forfeits 40 *s.* to be levied by Diſtreſs. On want of Diſtreſs, to be impriſoned. An " Officer to be appointed to direct the mooring of Veſſels, and prevent Annoyances. Penalty on not " mooring in the Places appointed, 5 *l.* on emptying Rubbiſh, 20 *s.* Chief Magiſtrate of the Corporation to " exerciſe the Powers given, though their Stile may be altered. Antient Duties to be continued. Clauſe " of Exemption for *Great Yarmouth.*" [Amended by 25 Geo. 2. c. 44.]

CAP.

CAP. XII.

An Act for amending and making more effectual an Act made in the first Year of the Reign of King JAMES the Second, intituled, *An additional Act for the Improvement of Tillage.*

'WHEREAS by an Act made in the first Year of the Reign of his late Majesty King JAMES the Second, intituled, *An additional Act for the Improvement of Tillage*, Provision was made for examining and determining the common Market Prices of midling *English* Corn and Grain, which nevertheless hath been found ineffectual;' Therefore for the better ascertaining the common Market Prices of midling *English* Corn and Grain, and for preventing the fraudulent Importation of foreign Corn and Grain, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* one thousand seven hundred and thirty-two, it shall and may be lawful to and for all and every the Justices of Peace for the several and respective Counties within that Part of *Great Britain* called *England*, *Wales* and the Town of *Berwick upon Tweed*, wherein foreign Corn or Grain shall or may be hereafter imported, and they are hereby enjoined and required, at every their Quarter-Sessions, to give in Charge in open Court to the Grand Jury there assembled, to make Inquiry and Presentment upon their Oaths of the common Market Prices of midling *English* Corn and Grain of the respective Sorts and Quantities mentioned in an Act made in the two and twentieth Year of the Reign of his Majesty King CHARLES the Second, intituled, *An Act for Improvement of Tillage and Breed of Cattle*, as the same shall be commonly bought and sold in every such County, which Inquiry and Presentment the said Grand Jury are hereby impowered and required to make.

1 Jac. 2. c. 19.

After 1 June 1732, Justices at Quarter-Sessions to charge the Grand Jury,

who are to present on Oath the Market Prices of English Corn.

22 Car. 2. c. 13.

II. And be it further enacted by the Authority aforesaid, That such Presentment shall be made in open Court, and shall be certified by the said Justices in Writing to his Majesty's Chief Officer and Collector of the Customs for the Time being, residing in every such Port or Haven, where such Corn and Grain shall be imported, and shall be hung up in some publick Place in the Custom-house belonging to every such Port or Haven, to be resorted to by all Persons for their Information.

Presentment to be made in open Court, certified to Collector of Customs, and hung up at the Custom-houses for publick View.

III. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and thirty-two, the Custom and Duty of foreign Corn and Grain imported into that Part of *Great Britain* called *England*, *Wales* and the Town of *Berwick upon Tweed*, appointed to be paid by the said Act made in the two and twentieth Year of the Reign of his Majesty King CHARLES the Second, shall be collected and paid according to the Prices contained in such respective Certificates as aforesaid, and not otherwise; any Thing in the said Act made in the first Year of the Reign of his late Majesty King JAMES the Second to the contrary notwithstanding.

Duties on foreign Corn to be paid according to the Prices in the Certificates.

IV. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend or be construed to extend to prejudice or affect the Authority given by the said Act made in the first Year of the Reign of his Majesty King JAMES the Second, to the Mayor, Aldermen and Justices of the Peace of the City of *London*; but that the said Mayor, Aldermen and Justices of the Peace may continue to exercise the same at the Times and in the Manner therein mentioned; any Thing in this Act contained to the contrary notwithstanding.

Not to extend to London.

1 Jac. 2. c. 19.

V. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and thirty-two, no Warrant, Sufferance, Coast Cocquet, *Transire* or Lett Pass whatsoever shall be granted or allowed for transporting, conveying or carrying forth to the open Sea in any Ship or Vessel from any Port or Haven within that Part of *Great Britain* called *England*, *Wales* and the Town of *Berwick upon Tweed*, to any other Port or Haven of the same, any foreign Corn or Grain after the Importation thereof; and that no Person or Persons whatsoever, from and after the said first Day of *June* one thousand seven hundred and thirty-two, shall directly or indirectly transport, convey or carry forth to the open Sea, or cause or procure to be transported, conveyed or carried forth to the open Sea out of or from any Port, Haven, Creek or Road, or Member thereof, within that Part of *Great Britain* called *England*, *Wales* and the Town of *Berwick upon Tweed*, in order to be landed or discharged in any other Port or Place within the same, or lade, or cause or procure to be laden in any Ship or Vessel, in order to be landed or discharged in any other Port, Haven or Place within the same, any foreign Corn or Grain, or any foreign Corn or Grain mixed with *English* Corn or Grain, after the Importation thereof, under the Penalties and Forfeitures herein after mentioned, that is to say, That all such Corn and Grain that shall be transported, conveyed or carried forth into the open Sea, or laden contrary to this Act, shall be forfeited; and that every Offender therein shall forfeit the Sum of twenty Shillings for every Bushel of such Corn or Grain so transported, conveyed or carried forth into the open Sea, or laden contrary to this Act; and moreover the Ship or Vessel, upon which such Corn or Grain shall be so transported, conveyed or carried forth into the open Sea or laden, and all her Guns, Tackle, Apparel and Furniture shall be forfeited; the one Moiety of all which Penalties and Forfeitures shall be to the King's Majesty, his Heirs and Successors, and the other Moiety to him or them who will sue for the same, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection or Wager of Law shall be allowed; and that the Master and Mariners of any such Ship or Vessel, wherein any such Offence shall be committed, knowing such Offence, and wittingly and willingly aiding and assisting thereunto, and being thereof duly convicted in any such Court of Record as aforesaid, shall be imprisoned for the Space of three months without Bail or Mainprize.

No Warrant, &c. to be granted for transporting any foreign Corn to any other English Haven, after Importation.

Foreign Corn so transported forfeited,

and 20 s. per Bushel.

Vessel and Tackle forfeited.

Three Months Imprisonment on assisting in such Transportation.

Concerning Corn, see farther, 6. 2 & 8.

11 Geo. 2. c. 22. 24 Geo. 2. c. 56. 26 Geo. 2. c. 15. 30 Geo. 2. c. 1. 31 Geo. 2. c. 1. 32 Geo. 2.

CAP.

CAP. XIII.

An Act for enlarging the Term granted by an Act made in the eleventh Year of the Reign of his late Majesty King GEORGE the First, for rebuilding the Pier and Harbour of *Parton* in the County of *Cumberland*. PR.

11 Geo. 1. c. 16. 'WHEREAS by an Act of Parliament passed in the eleventh Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for rebuilding the Pier and Harbour of* Parton *in the County of* Cumberland, a Duty was laid upon all Coals shipped on board any Ship or Vessel in the said Harbour, and divers other Duties in the said Act particularly mentioned were granted for the Term of fifteen Years, to commence from the first Day of *May* one thousand seven hundred and twenty-five; by which said Act the Trustees therein named and thereby appointed and constituted, and the Trustees that should then after be appointed and constituted in Pursuance of the said Act, were impowered to borrow any Sum not exceeding two thousand Pounds, at an Interest not exceeding five Pounds *per Centum per Annum*, upon Security of the said Duties for rebuilding the said Pier and Harbour: And whereas the said Trustees have borrowed the said Sum of two thousand Pounds upon Security of the said Duties, and applied the same to the rebuilding the said Pier, whereby the Harbour is capable of receiving several small Ships, and from which there is a frequent Exportation of Coals to *Ireland*, and other Parts: And whereas, to make the said Harbour complete and capable of receiving more Ships and of greater Burthen, it will be necessary to add several Yards to the Foot of the said Pier, and for cleansing the said Harbour, and carrying away and keeping the same clear of Sand, it will be necessary to bring and cause a small Brook, called *Morresby Beck*, running near to the said Harbour, to run into the same; all which cannot be done, unless the said Duties be continued for a longer Term, and the Trustees impowered to borrow a further Sum upon the Security thereof:' Be it therefore enacted, *&c.*

"Duties continued for 21 Years after the Expiration of the Term before granted by 4 & 5 Ann. c. 18.
"Trustees appointed by 11 Geo. 1. c. 16. to execute this Act, who may borrow the further Sum of "2,500 *l.* and assign the Duties."

CAP. XIV.

An Act for the better and more easy rebuilding of the Town of *Tiverton* in the County of *Devon*, and for determining Differences touching Houses and Buildings burnt down or demolished by Reason of the late dreadful Fire there, and for the better preventing Dangers from Fire for the future. PR.

CAP. XV.

An Act for rendering more effectual an Act passed in the thirteenth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for improving the Navigation of the River* Ouze *in the County of* York. PR.

13 Geo. 1. c. 33. 'WHEREAS the Trustees appointed to put in Execution the several Powers and Authorities given by an Act passed in the thirteenth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for improving the Navigation of the River* Ouze *in the County of* York, have proceeded to improve the said Navigation, and to that End have expended considerable Sums of Money: And whereas the Commissioners appointed in and by the said Act, in Conjunction and with the Concurrence of the said Trustees, have in Pursuance thereof laid the several Tolls or Rates therein mentioned on all Goods, Wares, Merchandizes and other Commodities, to the very Extent of the Power given them by the said Act; but by Reason of the great Inequality and Disproportion of the Rates which the said several Goods, Wares and Merchandizes pay, the annual Income arising therefrom is not sufficient to effect the Improvement of the Navigation of the said River, and to answer the true Intent and Meaning of the said Act, which would with more Ease and Certainty be perfected, if the Tolls or Rates were more equally and proportionably laid upon the several Goods, Wares and Merchandizes in the said Act mentioned, according the respective Values, and if further Powers were given to the said Trustees relating thereunto:' Be it therefore enacted, *&c.*

"After 24 *June* 1732, the following Duties to be paid, *viz.* All Goods carried on the River *Ouze* "above *Wharfmouth* (except Manure or Lime used in Tillage) for every Tun of Wines, Groceries, *&c.* "2 *s.* 6 *d.* For every Tun of Cheese, *&c.* 2 *s.* For every Tun of Oak, Bark, Corn, *&c.* 1 *s.* For "every Tun of Allom, Copperas, *&c.* 6 *d.* For every Firkin or other Vessel of Butter 1 *d.* For every "Hundred of Oysters 1 *d.* Goods to be entred before unladen. Master of Vessels to give a Copy of Bill "of Lading. Bills of Lading to be attested on Oath, on Refusal the Goods to be weighed at Master's "Charge. Duties assignable for Money borrowed. Not to lessen the former Mortgage. Duties to be "lessened, after Payment of Money borrowed.

CAP.

CAP. XVI.

An Act for the better and more eaſy rebuilding of the Town of *Blandford Forum* in the County of *Dorſet*, and for determining Differences touching Houſes and Buildings burnt down or demoliſhed by Reaſon of the late dreadful Fire there. PR.

CAP. XVII.

An Act for the further Application of the Sinking Fund, by paying off one million of *South-Sea* Stock; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets and Orders, loſt, burnt or otherwiſe deſtroyed.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to have the Publick Debts and Incumbrances leſſened and diſcharged, as faſt as conveniently may be with Regard to Juſtice and the Publick Faith, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as are or ſhall be in the Receipt of Exchequer of the Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ariſen or to ariſe at or from the Feaſt of the Nativity of Saint *John Baptiſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-two (after Payment of or reſerving ſufficient to pay ſuch Monies as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall be iſſued and applied to the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fiſhery, at the ſaid Feaſt-Day, and afterwards quarterly from Time to Time, as the ſame ſhall ariſe, ſuch Sum or Sums of Money as ſhall on ſuch Quarter-Day or Days be in the ſaid Receipt of the Exchequer, for or towards redeeming Part of the Annuities attending on the Capital Stock or Sum remaining due to the ſaid Company in their own Right, until the ſame Payments ſhall in the whole amount to the Sum of one million of Pounds Sterling; and that as the ſaid Payments of Principal Money ſhall be from Time to Time made, a proportional Part of their ſaid Capital Stock, and of the Annuities attending thereon, ſhall alſo from Time to Time ceaſe and determine for the Benefit of the Publick: But as it may ſo happen, that on the ſaid Feaſt-Day of the Nativity of Saint *John Baptiſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-two, there may not be ſufficient Money in the Receipt of the Exchequer, ariſen from the ſaid Surpluſſes, to ſatisfy and pay the ſaid intire Sum of one million of Pounds Sterling, and the ſaid *South-Sea* Company may deſire then to receive the whole Sum in one intire Payment, in order to make one Diſtribution of the whole amongſt all the Proprietors of their ſaid Capital Stock at one Time, Be it therefore enacted by the Authority aforeſaid, That upon Application being made by the ſaid Company to the Commiſſioners of his Majeſty's Treaſury now or for the time being, or the Lord High Treaſurer for the time being, and giving them Notice of ſuch their Deſire to have and receive the ſaid one million of Pounds in one intire Payment ten Days at leaſt before the ſaid Feaſt-Day, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer, by Warrant under their Hands to permit or ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance or lend to his Majeſty at the Receipt of his Exchequer ſo much Money, as together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ſhall be wanting to compleat the ſaid Sum of one million of Pounds, upon Credit of the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies, and to be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with an Intereſt for the Forbearance thereof, in the mean Time, after a Rate not exceeding four Pounds *per Centum per Annum*; and in ſuch caſe the Money ſo to be lent or advanced, ſhall be iſſued and paid to the ſaid Company, together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, to compleat the Payment of the ſaid entire Sum of one million of Pounds; and the Monies which from thenceforth ſhall ariſe from the ſaid Surpluſſes, ſhall quarterly be iſſued and applied to diſcharge and ſatisfy ſuch Loans with the Intereſt thereof, in the due Order and common Courſe of the Exchequer, in caſes of Loans; any thing herein before contained to the contrary notwithſtanding.

9 *Ann.* c. 21. 10 *Ann.* c. 19 & 30. 1 *Geo.* 1. c. 21. 3 *Geo.* 1. c. 9. 5 *Geo.* 1. c. 19. 6 *Geo.* 1. c. 4 & 11. 7 *Geo.* 1. c. 5. 7 *Geo.* 1. *St.* 2. 8 *Geo.* 1. c. 21 & 22. 9 *Geo.* 1. c. 6. 1 *Geo.* 2. c. 8. 3 *Geo.* 2. c. 16 & 20. 4 *Geo.* 2. c. 5. Sinking Fund after Midſummer 1732, to be applied for redeeming 1,000,000l. of South-Sea Stock.

Treaſury may borrow Money at 4l. per Cent. on the ſaid Fund to ſupply Deficiencies.

II. And be it enacted by the Authority aforeſaid, That the ſaid *South Sea* Company ſhall forthwith, upon the Receipt of the ſaid Sum of one million of Pounds, or as ſoon after as conveniently may be, divide out, and diſtribute the ſame as near as conveniently may be done, amongſt all the ſeveral Proprietors of their ſaid Capital Stock, towards ſinking and diſcharging ſo much of their Shares or Intereſts in the ſaid Capital Stock, by even and equal Dividends amongſt them all, in Proportion to their reſpective Shares or Intereſts therein, or may pay and apply the ſaid Sum of one million in Satisfaction and Diſcharge of one million of the Principal Money due upon the Bonds of the ſaid Company which remain undiſcharged, in ſuch Manner and at ſuch Times as the ſaid Company in a General Court thereof ſhall think fit to order and direct: Provided always, That in ſuch Caſe one million of the Capital Stock

The Money to be applied to the Uſe of the Proprietors, by Direction of a General Court.

of

of the ſaid Company, together with the Annuity attending thereon, be redeemed and diſcharged for the Benefit of the Publick.

Clauſe relating to the Sub-Governor, &c.

III. And be it enacted by the Authority aforeſaid, That the ſaid *South-Sea* Company, or any Member thereof, ſhall not incur any Diſability for or by Reaſon of any Thing done in Purſuance of this Act; nor ſhall the Sub-Governor, Deputy Governor or any of the Directors now or for the Time being, after the Payments hereby directed ſhall take Place, be deemed to be diſqualified to continue Sub-Governor, Deputy Governor or Directors, if by Reaſon of ſuch Payments there ſhall not remain, in their own reſpective Names or Rights, ſo much Capital Stock of the ſaid Company, as they were before required to have for the Qualification of ſuch Sub-Governor, Deputy Governor or Director reſpectively, ſo as ſuch Sub-Governor, Deputy Governor or Director reſpectively, within three Months after his being obliged to receive any Sum or Sums of Money in Diſcharge of any Part of his Share or Intereſt in the ſaid Capital Stock of the ſaid Company, which will reduce his Intereſt or Share therein under the Sum required for ſuch his Qualification, do or ſhall obtain, by Purchaſe or otherwiſe, ſo much more Capital Stock of the ſaid Company, to be transferred into his own Name and Right, as ſhall compleat the Sum neceſſary for ſuch his Qualification.

Method of transferring Stock as to ſmall Sums.

IV. And for the Accommodation of ſuch of the Proprietors of the ſaid Capital Stock as ſhall be obliged to receive ſmall Sums as Dividends of their ſaid Capital, in caſe ſuch Dividends ſhall be agreed to be made, and for enabling them to replace the ſame with the leaſt Expence, Be it enacted by the Authority aforeſaid, That in all and every Caſe and Caſes, where any Proprietor or Joint Proprietors of any Share or Shares in the ſaid Capital Stock ſhall, out of the ſaid Sum of one million, be paid off a Dividend of Capital on ſuch their reſpective Shares or Intereſts, which Dividend ſhall not amount to more than the Sum of one hundred Pounds, it ſhall and may be lawful to and for the ſaid Company, their Officers or Servants, and they are hereby required, at any Time before the Day to be appointed by the Court of Directors for ſhutting up their Transfer Books, in order to the Payment of the half Year's Annuity to be due on the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-two, to permit or ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, being Proprietors of the ſaid Stock, to transfer to ſuch Proprietor or Proprietors reſpectively, any Sum or Quantity of *South-Sea* Capital Stock, not exceeding the Sum or Sums ſo divided out of Capital, to him, her or them reſpectively, by Writing in the Transfer Books of the ſaid Company, without any of the Stamps being impreſſed thereon, which by any former Act or Acts of Parliament are required in Caſes of Transfers, and without any Fees or other Charges to the ſaid Company, or their Officers, Clerks or Servants for the ſame, and alſo to permit and ſuffer the Transferrees, or ſome other Perſon or Perſons on their Behalf reſpectively, to accept the ſame, and that ſuch Transfers without Stamps (ſubject to the Reſtrictions before mentioned) ſhall be as good, valid and effectual in Law to all Intents and Purpoſes as if the ſame had been ſtamped according to any former or other Law or Laws for that Purpoſe; and that no Penalties or Forfeitures inflicted by any ſuch former Law or Laws, for or on Account of making or permitting Tranſfers of Stock without being firſt ſtamped, ſhall be incurred by any Perſon or Perſons acting therein in Purſuance of this Act; and that it ſhall and may be lawful to and for the ſaid *South-Sea* Company, within the Time before mentioned, to ſell and diſpoſe of, to any ſuch of their Proprietors, any Parcels or Quantities of that Part of their Capital Stock as now remains in the ſaid Company, or in any Perſon or Perſons in Truſt for them, not diſtributed amongſt the reſt of their Adventurers, as ſhall be neceſſary or ſufficient for the Purpoſes aforeſaid and no more, at ſuch Price or Prices as ſhall be from Time to Time agreed on between the ſaid Company and ſuch Proprietors, and to cauſe the ſame to be transferred accordingly, free from ſuch Stamps, Fees or other Charges as aforeſaid; any Thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding.

Transfers to be without Stamps or Fees.

Truſt Eſtates to be preſerved.

V. And to the End, Intent and Purpoſe that all truſt Eſtates or Intereſts in the ſaid Capital Stock of the *South-Sea* Company, in caſe the ſaid Sum of one million ſhall be agreed to be diſtributed and divided as aforeſaid, may be preſerved and improved for the Benefit of the Perſons concerned therein, with the leaſt Expence and Inconvenience to them: Be it enacted by the Authority aforeſaid, That in all and every Caſes where, in purſuance of this Act, any Payments or Dividends ſhall be made of the Capital of any ſuch Stock, as ſhall be veſted in any Perſon or Perſons in Truſt for other Perſons, who have or claim diſtinct or different Intereſts therein, or for any other Ends or Purpoſes, for which the Capital Sum or Stock ought to be preſerved intire, ſuch Payments or Dividends of the Capital Stock ſhall not be paid or applied as Dividends of Profit, Annuity or Intereſt, but ſhall remain in the Hands of ſuch Truſtees reſpectively, till otherwiſe diſpoſed of at Intereſt; and for that Purpoſe it ſhall and may be lawful to and for the Truſtee or Truſtees, who ſhall receive the ſame, at his or their Diſcretion, to lay out or diſpoſe of the ſame or any Part thereof, in the Purchaſe of ſo much other Capital Stock of the ſame Kind, as at the current Market Price of ſuch Stock the Monies received for ſuch Dividends ſhall, as near as conveniently may be, extend to purchaſe; which new purchaſed Stock ſhall be transferred to ſuch Truſtee or Truſtees, and a Receipt or Receipts ſhall be given and ſigned by the Perſon or Perſons transferring the ſame, for the Monies paid for the ſame; and in caſe ſuch Truſtees reſpectively, by Writing indorſed on or annexed to ſuch Receipts, and ſigned and acknowledged before one of the Maſters of the High Court of Chancery, ſhall declare that the Monies in the ſaid Receipts were the Produce of the ſaid Dividends of the ſaid Capital Stock, (which Signing or Acknowledgment ſuch Maſters in Chancery are hereby required to accept or take) and each and every ſuch Maſter, (before whom the ſame ſhall be done) ſhall at the ſame time certify the ſame, by ſubſcribing his Name thereto; for doing whereof ſuch Maſter ſhall be paid for each Certificate one Shilling and no more; then, and in every ſuch Caſe, the Stock mentioned in ſuch Receipts ſo to be transferred, ſhall reſpectively go and be deemed ſubject and liable to the ſame Truſts, for the Benefit of the ſame Perſons,

and for the ſame Uſes, Ends, Intents and Purpoſes, as the reſt of the truſt Stock remaining in ſuch Truſtees reſpectively will or ought to be ſubject or liable to; and ſuch Truſtees reſpectively ſhall from thenceforth be indemnified from any Loſs, Charges or Damages, on account of their ſo doing, at the Expences of the ſaid truſt Eſtates.

VI. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to reſtrain or prohibit any ſuch Truſtees from laying out or diſpoſing of any of the ſaid truſt Monies in any other Purchaſes or any other Securities, publick or private, if they ſhall ſo think fit, in the ſame Manner and with the ſame Freedom and Security to themſelves as they might have done if this Act had not been made. Not to hinder the diſpoſing of Truſt Monies in other Securities.

S. Sea Company, 6 *Geo.* 2. *c.* 25 & 28. 7 *Geo.* 2. *c.* 17. 9 *Geo.* 2. *c.* 34. 10 *Geo.* 2. *c.* 17. 20 *Geo.* 2. *c.* 3. 24 *Geo.* 2. *c.* 2 & 11. *Farther Proviſions concerning*

VII. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty-two*, and ſo much Money, if any ſuch be, of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and thirty-two*, and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe and remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon another Act of this Seſſion of Parliament, intituled, *An Act for reviving the Duties on Salt for the Time therein mentioned*, and ſo much Money, if any ſuch be, of the Duties thereby granted, as ſhall ariſe and remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved to diſcharge the ſame; and alſo the Sum of one hundred twenty-three thouſand five hundred and eighty Pounds two Shillings and five Pence Half-penny, granted for the Service of the Year one thouſand ſeven hundred and thirty-one, and not applied for the Service of that Year, ſhall be appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay, Monies granted this Seſſion how to be applied. Cap. 1. Cap. 5. Cap. 6.

VIII. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſix hundred eighty-eight thouſand eight hundred and eighty-five Pounds ſeven Shillings and five Pence, for or towards the naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof performed and to be performed, and for or towards extraordinary Repairs of his Majeſty's Navy performed and to be performed, and for or towards other Services of the Navy performed and to be performed. 688,385 l. 7 s. 5 d. for Naval Services.

IX. And it is hereby further enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for and towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country. 10,000 l. for Greenwich Hoſpital.

X. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding eighty-ſix thouſand and ninety-one Pounds ſeventeen Shillings and three Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service not provided for by Parliament. 86,091 l. 17 s. 3 d. for the Ordnance.

XI. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall or may be iſſued or applied any Sum or Sums of Money, not exceeding nine hundred thirty-four thouſand three hundred and eighty-one Pounds ſeventeen Shillings and two Pence Half-penny, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum of Money not exceeding ſix hundred fifty-three thouſand two hundred and ſixteen Pounds ten Shillings and one Penny, for defraying the Charge of ſeventeen thouſand ſeven hundred and nine Men, including Commiſſion and Non-Commiſſion Officers and Invalids, for Guards, Garriſons and ſix independent Companies for the Service of the Highlands, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, and other Services relating to the Forces for the Year one thouſand ſeven hundred and thirty-two; and any Sum or Sums of Money, not exceeding one hundred ſixty thouſand two hundred and fourteen Pounds four Shillings and eleven Pence, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſion for the Garriſons at *Annapolis Royal*, *Canſo*, *Placentia* and *Gibraltar*, for the Year one thouſand ſeven hundred and thirty-two; and any Sum or Sums of Money, not exceeding twenty-five thouſand three hundred and forty-eight Pounds two Shillings, upon Account for Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty-two; and any Sum or Sums of Money, 934,381 l. 17 s. 2 d. Half-penny for Land Forces. 653,216 l. 10 s. 1 d. for Guards, &c. in Great Britain. 160,214 l. 4 s. 11 d. for the Plantations, &c. 25,348 l. 2 s. for Chelſea Hoſpital.

11,258l. 10s. 8d. Half-penny for extraordinary Services.

58,688l. 2s. for Half-pay Officers.

2,962l. for Widows of Half-pay Officers.

Money, not exceeding eleven thouſand two hundred and fifty-eight Pounds ten Shillings and eight Pence Half-penny, for defraying ſeveral extraordinary Expences and Services incurred, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding fifty-eight thouſand ſix hundred and eighty-eight Pounds two Shillings, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and thirty-two; ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money, not exceeding two thouſand nine hundred and ſixty-two Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain* (and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen) for the Year one thouſand ſeven hundred and thirty-two; which ſaid Sum of two thouſand nine hundred and ſixty-two Pounds ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions or other Allowances for the ſame, as his Majeſty by ſuch or the like Warrant or Warrants ſhall be graciouſly pleaſed,

22,694l. 7s. 6d. to the Crown of Denmark.

from Time to Time, to direct or appoint; and any Sum or Sums of Money, not exceeding twenty-two thouſand ſix hundred ninety-four Pounds ſeven Shillings and ſix Pence, to make good and compleat the *Agio* or Difference of the Subſidies payable to the Crown of *Denmark*, in purſuance of his late Majeſty's Declaration dated the ſixteenth Day of *April* one thouſand ſeven hundred and twenty-ſeven.

41,346l. 1s. 1d. 3 Farthings for Deficiencies of the General Fund.

XII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding forty-one thouſand three hundred forty-ſix Pounds one Shilling and one Penny three Farthings, for making good the Deficiency of the Fund commonly called *The General Fund*, for raiſing ſeven hundred twenty-four thouſand eight hundred forty-nine Pounds ſix Shillings and ten Pence and one fifth Part of a Penny, for the Year ended at *Michaelmas* one thouſand ſeven hundred and thirty-one; and any Sum or Sums

10,000l. for orts of the African Company.

of Money, not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the *Royal African* Company of *England*, on the Coaſt of *Africa*; and the Sum

14,000l. for Sir T. Lombe.

of fourteen thouſand Pounds, to be applied and paid to Sir *Thomas Lombe* as a Reward and Recompence to him for the eminent Service he has done this Nation in diſcovering, with the greateſt Hazard and Difficulty, the Art of making and working the three Capital *Italian* Engines erected by him at *Derby* for making Organzine Silk, and introducing and bringing the ſame to full Perfection in this Kingdom at his own great Expence.

The Monies to be applied only as the Act directs.

XIII. And be it enacted, That the ſaid Aids or Supplies, provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments, directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules to be obſerved in Application of Half-pay.

XIV. And as to the ſaid Sum of fifty-eight thouſand ſix hundred and eighty-eight Pounds and two Shillings, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, that no Perſon ſhall have or receive any Part of the ſame, who was a Minor and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

4 Geo. 2. c. 9.

'XV. And whereas by an Act of Parliament made in the fourth Year of his Majeſty's Reign, intituled, *An Act for raiſing one million two hundred thouſand Pounds by Annuities and a Lottery, in Manner therein mentioned; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets and Orders loſt, burnt or otherwiſe deſtroyed*, ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which any Sum or Sums of Money, not exceeding ſixty-one thouſand one hundred fifty-eight Pounds fifteen Shillings and ten Pence, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared, by

Overplus of Monies allowed to reduced Officers, 1731, to be diſpoſed of to Officers Widows, &c.

the Authority aforeſaid, That ſo much of the ſaid Sum of ſixty-one thouſand one hundred fifty-eight Pounds fifteen Shillings and ten Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe, his

Majeſty

Majeſty ſhall judge to be proper objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

'XVI. And whereas ſeveral Bills commonly called *Exchequer Bills*, and ſeveral Tickets commonly 'called *Lottery Tickets*, and alſo ſeveral Orders and Certificates made forth, not only in lieu of the ſaid 'Lottery Tickets, but likewiſe for Annuities of divers Kinds payable at or near the Receipt of his Ma-'jeſty's Exchequer, have by Caſualty or Miſchance been loſt, burnt or otherwiſe deſtroyed, which Ex-'chequer Bills, Lottery Tickets, Certificates, Annuity Orders, and other Orders of the reſpective De-'nominations aforeſaid, were made forth by and in purſuance of ſeveral Acts of Parliament in that Be-'half:' Be it therefore enacted by the Authority aforeſaid, That in all Caſes where it ſhall appear by Affidavit to be made before any of the Barons of the Exchequer for the Time being, who ſhall interrogate the Deponent thereupon, to the Satisfaction of ſuch Baron or Barons, that any ſuch Exchequer Bills or any ſuch Tickets, Certificates, Annuity Orders or other Orders as aforeſaid, before the twenty-eighth Day of *June* one thouſand ſeven hundred and thirty-two, have been or are loſt, burnt or otherwiſe deſtroyed, or that there be good Reaſon to believe the ſame have been, burnt, loſt or otherwiſe deſtroyed, it ſhall and may be lawful for the reſpective Officers and Perſons appointed to iſſue or make forth ſuch Exchequer Bills, Tickets, Certificates, Annuity Orders or other Orders, or to pay or diſcharge the ſame, or to iſſue any Monies due or payable thereon, upon producing a Certificate from any of the ſaid Barons of ſuch Affidavit made before him (which Affidavit the ſaid Barons or any of them is and are hereby authorized to take, and which Certificate he or they are hereby required to make and grant without Fee or Reward) and on Security given to the ſaid reſpective Officers and Perſons to their good Liking, to indemnify them reſpectively againſt all other Perſons whatſoever, for or concerning the Monies ſpecified in or due upon ſuch reſpective Bill or Bills, Ticket or Tickets, Certificate or Certificates, Order or Orders, they the ſaid Perſons and Officers reſpectively ſhall and are hereby required to make forth Duplicates of the ſaid Bills, Tickets, Certificates and Orders at the Requeſt of the reſpective Owners, and to pay and diſcharge the ſame, and all ſuch Intereſt as is or ſhall be due on any of them carrying Intereſt, as he or they ſhould have paid or diſcharged on the ſaid original Bills, Tickets, Certificates, Annuity Orders or other Orders, if the ſame had been produced, and ſhall be allowed all ſuch Payments in their reſpective Accounts.

Exchequer Bills, Lottery Tickets, &c. loſt or deſtroyed, on Oath before a Baron of the Exchequer, and Certificate, to be paid as if the Originals were produced.

XVII. And in all Caſes where the Signing of the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer of *Great Britain* for the Time being, is neceſſary for making the ſaid Duplicates or any of them effectual for the Purpoſes aforeſaid, It is hereby further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the Lord High Treaſurer for the Time being, to ſign ſuch Duplicates accordingly.

Duplicates to be ſigned.

CAP. XVIII.

An Act for the further Qualification of Juſtices of the Peace.

'WHEREAS the conſtituting Perſons of mean Eſtates to be Juſtices of the Peace may be highly prejudicial to the publick Welfare,' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three no Perſon ſhall be capable of being a Juſtice of the Peace, or to act as a Juſtice of the Peace for any County within that Part of *Great Britain* called *England*, or the Principality of *Wales*, who ſhall not have an Eſtate of Freehold or Copyhold to and for his own Uſe and Benefit, in Poſſeſſion, for Life, or for ſome greater Eſtate, either in Law or Equity, or an Eſtate for Years, determinable upon one or more Life or Lives, or for a certain Term originally created for one and twenty Years, or more, in Lands, Tenements or Hereditaments lying in that Part of *Great Britain* called *England*, or Principality of *Wales*, of the clear yearly Value of one hundred Pounds, over and above what will ſatisfy and diſcharge all Incumbrances that may affect the ſame.

'Amended by 18 Geo. 2. c. 20.'

No Perſons to be Juſtices who have not 100 l. a Year clear of Incumbrances.

II. And be it further enacted by the Authority aforeſaid, That no Attorney, Solicitor or Proctor in any Court whatſoever ſhall, from and after the ſaid twenty-fifth Day or *March* one thouſand ſeven hundred and thirty-three, be capable to continue or be a Juſtice of the Peace within any County for that Part of *Great Britain* called *England*, or the Principality of *Wales*, during ſuch Time as he ſhall continue in the Buſineſs and Practice of an Attorney, Solicitor or Proctor.

Attornies, Solicitors and Proctors incapacitated.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon, who ſhall not be qualified according to the Directions of this Act, ſhall after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three accept or take upon himſelf the Office of a Juſtice of the Peace, or ſhall do any Act as ſuch, the Perſon ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of one hundred Pounds; one Moiety whereof ſhall be to the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as will ſue for the ſame by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Wager of Law or more than one Imparlance ſhall be allowed.

Perſons acting as Juſtices not ſo qualified, to forfeit 100 l.

IV. Provided always, That this Act, or any Thing herein contained, ſhall not extend or be conſtrued to extend to any City or Town, being a County of itſelf, or to any other City, Town, Cinque Port or Liberty having Juſtices of the Peace within their reſpective Limits and Precincts by Charter, Commiſſion or otherwiſe; but that in every ſuch City, Town, Liberty and Place ſuch Perſons may be capable

Not to extend to Cities which are Counties, or other Places having Juſtices by Charter,

to be Juſtices of the Peace, and in ſuch Manner only as they might have been, if this Act had never been made; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

nor to the eldeſt Sons of Peers, or of Knights of Shires, 9 Ann. c. 5.

V. Provided always, That nothing in this Act contained ſhall extend to incapacitate any Peer or Lord of Parliament, or the eldeſt Son or Heir apparent of any Peer or Lord of Parliament, or of any Perſon qualified to ſerve as Knight of a Shire by an Act, intituled, *An Act to ſecure the Freedom of Parliaments by the further qualifying Members to ſit in the Houſe of Commons*, to be a Juſtice of the Peace for any County, or to act as ſuch; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

nor to the Board of Green Cloth, or principal Officers of the Navy,

VI. Provided alſo, That nothing in this Act contained ſhall extend or be conſtrued to extend to incapacitate or exclude the Officers of the Board of Green Cloth from being Juſtices of the Peace within the Verge of his Majeſty's Palaces, or to incapacitate or exclude the Commiſſioners and principal Officers of the Navy, or the two Under Secretaries in each of the Offices of Principal Secretary of State, from being Juſtices of the Peace in and for ſuch Maritime Counties and Places where they uſually have been Juſtices of the Peace; any Thing herein contained to the contrary in any wiſe notwithſtanding.

nor to Heads of Colleges in either Univerſity. 7 Geo. 2. c. 10. ſ. 3. *See the next Chapter, and further* 7 Geo. 2. c. 10. 15 Geo. 2. c. 24.

VII. Provided always, That this Act, nor any Thing herein contained, ſhall extend or be conſtrued to extend to any of the Heads of Colleges or Halls in either of the two Univerſities of *Oxford* and *Cambridge*, but that they may be made Juſtices of the Peace of and in the ſeveral Counties of *Oxford*, *Berks* and *Cambridge*, and the Cities and Towns within the ſame, and execute the Office thereof as fully and freely in all Reſpects, as heretofore they have lawfully uſed to execute the ſame, as if this Act had never been made; any Thing herein before contained to the contrary notwithſtanding.

16 *Geo.* 2. *c.* 18. 18 *Geo.* 2. *c.* 20. 24 *Geo.* 2. *c.* 44 & 55. 26 *Geo.* 2. *c.* 14 & 27. 27 *Geo.* 2. *c.* 16 & 20. 1 *Geo.* 3. *c.* 13.

CAP. XIX.

An Act to oblige the Juſtices of the Peace at their General or Quarter Seſſions to determine Appeals made to them according to the Merits of the Caſe, notwithſtanding Defects of Form in the original Proceedings; and to oblige Perſons ſuing forth Writs of *Certiorari* to remove Orders made on ſuch Appeals into his Majeſty's Court of King's Bench, to give Security to proſecute ſame with Effect.

Former Proviſions relating hereto, 1 *Ed.* 3. *c.* 16. 2 *Ed.* 3. *c.* 6. 18 *Ed.* 3. *ſt.* 2. *c.* 2. 34 *Ed.* 3. *c.* 1 & 5. 12 *R.* 2. *c.* 10. 13 *R.* 2. *c.* 7. 14 *R.* 2. *c.* 11. 2 *H.* 5. *ſt.* 1. *c.* 4. 2 *H.* 5. *ſt.* 2. *c.* 1. 11 *H.* 6. *c.* 6. 14 *H.* 6. *c.* 4. 18 *H.* 6. *c.* 11. 1 *Ed.* 4. *c.* 2. 1 *R.* 3. *c.* 3. 3 *H.* 7. *c.* 1. 4 *H.* 7. *c.* 12. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 7.

After 24 June 1732, Juſtices may rectify Defects of Form on Appeals, and may proceed to determine them.

'WHEREAS in many Caſes where his Majeſty's Juſtices of the Peace by Law are impowered to give or make Judgments or Orders, great Expences have been occaſioned by reaſon that ſuch 'Judgments or Orders have, on Appeals to the Juſtices of the Peace at their reſpective General or Quarter Seſſions, been quaſhed or ſet aſide upon Exceptions or Objections to the Form or Forms of the Proceedings, without hearing or examining the Truth and Merits of the Matter in Queſtion between the 'Parties concerned:' Therefore to prevent the ſame for the future, may it pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, upon all Appeals to be made to the Juſtices of the Peace at their reſpective General or Quarter Seſſions to be holden for any County, Riding, City, Liberty or Precinct, within that Part of *Great Britain* called *England*, againſt Judgments or Orders given or made by any Juſtices of the Peace as aforeſaid, ſuch Juſtices ſo aſſembled at any General or Quarter Seſſions ſhall and they are hereby required from Time to Time, within their reſpective Juriſdictions, upon all and every ſuch Appeals ſo made to them, to cauſe any Defect or Defects of Form that ſhall be found in any ſuch original Judgments or Orders, to be rectified and amended without any Coſt or Charge to the Parties concerned, and after ſuch Amendment made ſhall proceed to hear, examine and conſider the Truth and Merits of all Matters concerning ſuch original Judgments or Orders, and likewiſe to examine all Witneſſes upon Oath, and hear all other Proofs relating thereto, and to make ſuch Determinations thereupon as by Law they ſhould or ought to have done, in caſe there had not been ſuch Defect or Want of Form in the original Proceeding; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

'II. And whereas divers Writs of *Certiorari* have been procured to remove ſuch Judgments or Orders 'into his Majeſty's Court of King's Bench at *Weſtminſter*, in hopes thereby to diſcourage and weary out 'the Parties concerned in ſuch Judgments or Orders by great Delays and Expences:' Be it therefore enacted by the Authority aforeſaid, That no *Certiorari* ſhall be allowed to remove any ſuch Judgment or Order, unleſs the Party or Parties proſecuting ſuch *Certiorari*, before the Allowance thereof, ſhall enter into a Recognizance with ſufficient Sureties before one or more Juſtices of the Peace of the County or Place, or before the Juſtices at their General Quarter-Seſſions or General Seſſions where ſuch Judgment or Order ſhall have been given or made, or before any one of his Majeſty's Juſtices of the ſaid Court of King's Bench, in the Sum of Fifty Pounds, with Condition to proſecute the ſame at his or their own Coſts and Charges with Effect, without any wilful or affected Delay, and to pay the Party or Parties, in whoſe Favour and for whoſe Benefit ſuch Judgment or Order was given or made, within one Month after the ſaid Judgment or Order ſhall be confirmed, their full Coſts and Charges, to be taxed according the Courſe of the Court where ſuch Judgments or Orders ſhall be confirmed; and in caſe the Party or Parties proſecuting ſuch *Certiorari* ſhall not enter into ſuch Recognizance, or ſhall not perform

No Certiorari to be allowed to remove Juſtices Orders, without a Recognizance of 50l. to proſecute to Effect.

On Refuſal of Recognizance Juſtices to proceed.

form the Conditions aforesaid, it shall and may be lawful for the said Justices to proceed and make such further Order or Orders for the Benefit of the Party or Parties for whom such Judgment shall be given, in such Manner as if no *Certiorari* had been granted.

Recognizances to be certified into the King's Bench.

III. And it is hereby further enacted by the Authority aforesaid, That the Recognizance and Recognizances to be taken as aforesaid shall be certified into the Court of King's Bench at *Westminster*, and there filed with the *Certiorari* and Order, or Judgment removed thereby; and if the said Order or Judgment shall be confirmed by the said Court, the Persons intitled to such Costs for the Recovery thereof, within ten Days after Demand made of the Person or Persons who ought to pay the said Costs, upon Oath made of the making such Demand and Refusal of Payment thereof, shall have an Attachment granted against him or them by the said Court for such Contempt, and the said Recognizance so given, upon the allowing of such *Certiorari*, shall not be discharged, until the Costs shall be paid, and the Order so confirmed shall be complied with and obeyed.

Attachment for Contempt.

For subsequent Provisions, see the References at the Bottom of the foregoing Chapter.

CAP. XX.

An Act for the better Regulation and Government of Pilots licensed by the Corporation of *Trinity House* of *Deptford Strond* in the County of *Kent*, and to prevent Mischiefs and Annoyances upon the River of *Thames* below *London Bridge*.

'WHEREAS the Master, Wardens and Assistants of the Guild, Fraternity or Brotherhood of the 'most glorious and undivided *Trinity*, and of Saint *Clement*, in the Parish of *Deptford Strond* in the 'County of *Kent*, have for above two hundred Years last past been a Corporation, and by long Usage 'and by Virtue of divers Letters Patent granted to them by the Crown, been authorized and impowered 'to appoint Pilots, Loadsmen or Guides to conduct Ships and Vessels out of the Rivers of *Thames* and '*Medway* through the *North Chanel* to or by *Orfordness*, and round the *Long Sand-head* into the *Downs*, 'and from and by *Orfordness* up the *North Chanel* and the Rivers of *Thames* and *Medway*, and also to 'make such Orders and Constitutions as should be necessary for the wholsome Government, Maintenance 'and Increase of Navigation, and of all Seafaring Men coming or being within the River of *Thames*, and 'in Pursuance of such Powers and by ancient Usage have, from Time to Time, appointed a competent 'Number of Pilots for the Purposes before-mentioned, and made Orders, from Time to Time, for the 'better Regulation and Government of the same, and also for preventing Mischiefs, Damages and An'noyances upon the said River; but divers Persons, without Examination, Licence or Authority by or 'from the said Corporation, have taken upon themselves to act as Pilots or Loadsmen, and to conduct 'and guide Ships and Vessels to and from the several Places aforesaid, to the great Hazard of such Ships 'and Vessels and their Cargoes, and the Lives of the Persons on board the same, and to the Obstruction 'of Navigation within the said Limits, and the Prejudice of lawful and licensed Pilots, who attend wholly 'on that Service, and on which their Livelihood chiefly depends: And whereas great Losses by Fire 'may happen to Merchants and Owners of Ships, occasioned by Powder being taken in and remain'ing on board while Ships lie in the River of *Thames*, and by heating of Pitch, Tar, Rosin, Grease, 'Tallow, Oil and other combustible Matters and Things on board Ships and other Vessels lying in 'the said River: And whereas by the keeping Guns shotted on board Ships lying in the said River, and 'by firing Guns in the Night-time, not only the Ships lying in the said River, but also his Majesty's 'Docks and Yards, and the Tower and City of *London*, and the Lives of divers Persons, may be 'greatly endangered: And whereas the Powers and Authorities vested in the said Corporation are 'found not sufficient or effectual to remedy and prevent the Mischiefs and ill Practices before mention'ed:' Therefore for promoting and securing a more safe Navigation for Ships and Vessels in the River of *Thames*, and for the more effectual preventing and remedying the Dangers, Mischiefs and Annoyances upon the said River below *London Bridge*, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and thirty-two, if any Person shall take upon himself the Charge of any Ship or Vessel as Pilot down the River of *Thames*, or through the *North Chanel* to or by *Orfordness*, or round the *Long Sand-head* into the *Downs*, or down the *South Chanel* into the *Downs*, or from or by *Orfordness* up the *North Chanel*, or the River of *Thames*, or the River *Medway*, other than such Person as shall be licensed and authorized to act as a Pilot by the said Master, Wardens and Assistants for the Time being, under the Common Seal of the Corporation, every Person so offending, and being thereof lawfully convicted before any Two or more of his Majesty's Justices of the Peace for the City of *London*, or the Counties of *Middlesex*, *Essex*, *Kent* or *Surrey*, or any of them, within their respective Jurisdictions, in Manner herein after mentioned, shall for every such Offence forfeit the Sum of twenty Pounds: Provided, That nothing in this Act contained shall extend or be construed to extend to the obliging of any Master or Owner of any Ship in the Coal Trade, or other Coasting Trade, to imploy or make use of any Pilot.

After 24 June 1732, none to act as Pilots on the Thames, &c. without Licence.

Penalty 20*l.*

Not to extend to Colliers, &c.

II. And it is hereby further enacted by the Authority aforesaid, That no Master or Commander of any Ship or other Vessel whatsoever outward bound, shall receive, or cause or permit to be received on board any such Ship or Vessel any Gunpowder, either as Merchandize, or as Store or Ammunition for the Voyage (except for his Majesty's Service) before such Ship or Vessel shall be at, or over-against, or below *Blackwall*, upon Pain of forfeiting for every fifty Pounds Weight of Gunpowder to be so shipped or received on board such Ship or Vessel the Sum of five Pounds, and so in Proportion for a greater or lesser Quantity.

No Gunpowder to be put on board above Blackwall.

Penalty.

Ships coming into the Thames to land their Powder before Arrival at Blackwall.

Penalty.

III. And it is hereby further enacted by the Authority aforeſaid, That the Maſter or Commander of every Ship or Veſſel coming into the River *Thames* ſhall land and put on ſhore, or cauſe to be landed and put on ſhore, all the Powder on board ſuch Ship or Veſſel, either before the Arrival of ſuch Ship or Veſſel at *Blackwall*, or within twenty-four Hours, in caſe the Weather ſhall permit, after ſuch Ship or Veſſel ſhall come to an Anchor there, or at the Place of her Unloading, upon Pain of forfeiting the Sum of five Pounds for every fifty Pounds Weight of Gunpowder found on board, and in the like Proportion for a greater or leſſer Quantity; and if any Gunpowder ſhall be found on board any ſuch Ship or Veſſel above *Blackwall*, after the Time hereby limited for unloading the ſame, the Maſter or Commander of every ſuch Ship or Veſſel ſhall, for every fifty Pounds Weight of Gunpowder ſo found on board, forfeit the Sum of five Pounds, and ſo in Proportion for a greater or leſſer Quantity.

No Ship Guns to be fired between London Bridge and Blackwall after Setting of the Sun.

Penalty.

IV. And it is hereby further enacted by the Authority aforeſaid, That if any Maſter or Commander, or other Officer of any Ship or Veſſel (except his Majeſty's Ships) ſhall, while ſuch Ship or Veſſel ſhall lie or be in the River of *Thames* between *London Bridge* and *Blackwall*, keep any Gun or Guns of and belonging to ſuch Ship or Veſſel ſhotted or loaded with Ball, or ſhall fire or diſcharge, or cauſe or permit to be fired or diſcharged, any Gun or Guns on board ſuch Ship or Veſſel lying above *Blackwall*, before Sun riſing or after Sun ſetting, ſuch Maſter, Commander or Officer ſhall for every ſuch Gun ſo kept ſhotted or loaded forfeit the Sum of five Shillings; and for every Gun ſo fired or diſcharged the Sum of ten Shillings: And alſo, That if any Maſter, Commander or other Officer of any Ship or Veſſel, or any other Perſon on board the ſame ſhall, while ſuch Ship or Veſſel ſhall lie or be in the River of *Thames* between *London Bridge* and *Blackwall*, heat or melt, or cauſe or permit to be heated or melted by Fire, Logger Heat, Shot or any other Thing, on board any ſuch Ship or Veſſel, any Pitch, Tar, Roſin, Greaſe, Tallow, Oil or other ſuch combuſtible Matter or Things, every Perſon or Perſons ſo offending ſhall for every ſuch Offence forfeit the Sum of five Pounds.

No Pitch, Tar, &c. to be melted on board ſuch Veſſels.

Penalty.

Corporation to appoint a Perſon to inſpect Veſſels;

Penalty on obſtructing him.

V. And for the better Diſcovery of the Offenders againſt this Act, and bringing them to condign Puniſhment, and aſcertaining and recovering the Penalties hereby inflicted and directed to be levied, It is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Maſter, Wardens and Aſſiſtants for the Time being, by Inſtrument or Inſtruments under their Common Seal, to authorize and appoint any elder Brother of the ſaid Corporation to go in a Boat between the Sun riſing and Sun ſetting to any Ship or Veſſel, and to enter and go on board the ſame (his Majeſty's Ships always excepted) in order to ſearch for Powder, Guns ſhotted, and the heating and melting ſuch combuſtible Matters as aforementioned, within the Limits wherein ſuch Offences are reſpectively by this Act prohibited; and if the Maſter, Commander or other Officer in any ſuch Ship or Veſſel ſhall, upon Demand in that Behaf made, refuſe to permit, or ſhall not permit any Perſon or Perſons ſo authorized and appointed for the reſpective Services as aforeſaid, to enter into and come on board ſuch Ship or Veſſel, and make a due and proper Search and Examination for the Purpoſes aforeſaid, every ſuch Maſter, Commander or other Officer ſhall for every ſuch Offence forfeit the Sum of five Pounds.

Penalties to be applied to the Uſe of the Poor of the Corporation.

VI. And it is hereby further enacted by the Authority aforeſaid, That all the pecuniary Forfeitures and Penalties ariſing and impoſed by this Act ſhall be paid, diſpoſed of and applied for the Benefit of the Poor of the ſaid Corporation.

Two Juſtices of London, &c.

may iſſue Warrants againſt Offenders,

and give Judgment.

Appeal to Quarter-Seſſions.

VII. Provided always, and it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for two or more Juſtices of the Peace in the City of *London*, or any of the four Counties above-mentioned, within their reſpectvie Juriſdictions, not being Members of the ſaid Corporation, to hear and determine any of the Offences againſt this Act; and ſuch Juſtices of the Peace are hereby authorized and required, upon any Information exhibited or Complaint made in that Behalf within ten Days after any ſuch Offence committed, to ſummon the Party or Parties accuſed, and alſo the Witneſſes on either Side, or after Oath made of the Commiſſion of any of the Facts above-mentioned, by One or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party offending in the ſaid City of *London*, or any of the Counties within their reſpective Juriſdictions, or upon the River of *Thames* within any of the Limits above mentioned, and upon the Appearance or Contempt of the Party accuſed in not appearing (upon the Proof of Notice given) to proceed to the Examination of the Witneſs or Witneſſes on Oath (which Oath they are hereby authorized, impowered and required to adminiſter) and to give Judgment or Sentence accordingly; and where the Party accuſed ſhall be convicted of ſuch Offence, either by the View of the ſaid Juſtices or any of them, or upon ſuch Information as aforeſaid, or on Confeſſion of the Party accuſed, to award and iſſue Warrants for the levying any pecuniary Penalties ſo adjudged on the Goods of the Offender, and to cauſe ſale to be made thereof, in caſe they ſhall not be redeemed within five Days, rendring to the Party the Overplus, if any there be, and where Goods of ſuch Offenders cannot be found, to commit ſuch Offender to Priſon, there to remain for the Space of three Months, or until ſuch pecuniary Penalty or Penalties ſhall be paid; and if any Perſon or Perſons ſhall find himſelf or themſelves aggrieved, or remain unſatisfied in the Judgment of the ſaid Juſtices, then ſuch Perſon or Perſons ſhall and may by virtue of this Act complain or appeal to the Juſtices of the Peace at the next Quarter-Seſſions, for the County, City or Place wherein ſuch Offence ſhall be committed, who are hereby impowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the ſame, and in caſe of Conviction to iſſue Warrants for levying or compelling, by ſuch Means as aforeſaid, the Payment of the ſaid Penalties.

Pilots to be ſubject to the Corporation,

VIII. And it is hereby further enacted, That all and every the Pilot and Pilots already admitted and appointed, or hereafter to be admitted and appointed by the ſaid Corporation, ſhall, from Time to Time,

Time, and at all times hereafter, be subject to the Regulation and Government of the said Corporation; provided such Regulations do not relate to the Pilots keeping of Turns, or to the settling the Rates of Pilotage; and shall pay the ancient and accustomed Dues, provided the same do not exceed one Shilling in the Pound, out of their respective Wages, Loadsmanage or Pilotage, which they shall respectively receive, for the Use and Benefit of the Poor of the said Corporation, within ten Days after the Service of such Pilots respectively shall be ended, unto such Person or Persons as by the Corporation shall, from Time to Time, be appointed to receive the same.

and pay the antient Dues.

IX. And it is further enacted by the Authority aforesaid, That in case any such Pilot or Pilots shall refuse to take the Charge or Conduct of any of his Majesty's Ships, when appointed thereto by Order of the said Corporation, or that it shall appear to the Corporation, that such Pilot or Pilots shall have misbehaved themselves in the Conduct of any Ship or Ships, or in the Execution of any other Part of their Duty as Pilots, or if such Pilot or Pilots shall refuse to obey any Summons of the said Corporation requiring their Appearance, or to obey such Orders as the said Corporation shall make in the Premisses, or in any wise offend against this Act, then the General Court of the said Corporation, upon Examination thereof, are hereby authorized and required to recall the Warrant or Warrants granted to such Pilot or Pilots, and to declare the same to be from thenceforth utterly void; and if any such Person or Persons so offending shall (after such Declaration and Notice thereof given by the Clerk of the said Corporation to him or them in Person, or left at his or their usual Place of Abode) act as a Pilot within the Limits afore mentioned, he or they shall be subject to all the Penalties inflicted, on Persons acting as unlicensed Pilots by this Act, to be levied in manner aforesaid.

Pilots misbehaving themselves may be cashiered.

Penalty on acting afterwards.

'X. And whereas by the frequently laying up and mooring of Ships and other Vessels in the Mouth 'and other Parts of Saint *Saviours* Dock in the County of *Surrey*, great Quantities of Soil and Mud have 'settled and lodged there, which obstructs the passing and repassing of Ships and Vessels in and out of the 'said Dock;' For Remedy whereof, be it enacted by the Authority aforesaid, That in case any Ship or Vessel shall, from and after the twenty-fourth Day of *June* one thousand seven hundred and thirty-two, be laid up or moored in the Mouth or any Part of the said Dock (except such Ships or Vessels as shall be loading or taking in or unloading or delivering their Cargoes respectively, and also except such Ships or Vessels, not exceeding two in Number at any one time, as shall lie at the Yard called *Shipwright Yard*, at the North-West Corner of the said Dock, during the Time such Ships and Vessels shall be repairing and no longer) the Master or Owner of every such Ship or Vessel so laid up or moored, shall forfeit and pay for every Day such Ship or Vessel shall so continue to be laid up and moored (unless for the Purposes aforesaid) the Sum of twenty Shillings, to be recovered, applied and disposed of in such Manner and for such Purposes, as the other pecuniary Penalties inflicted by this Act are directed to be recovered and applied.

Penalty on mooring Ships in St. Saviours Dock.

XI. Provided always, That nothing in this Act contained shall be construed to extend to the taking away, abridging, defeating, impeaching or interrupting of any Grants, Liberties, Franchises and Privileges heretofore granted to or which by any antient Usage and Custom have from Time to Time been enjoyed and used by the Pilots of the *Trinity House* of the Town of *Kingston* upon *Hull*, or the *Trinity House* of *Newcastle* upon *Tyne*.

Not to extend to the Trinity House of Hull or Newcastle.

XII. Provided always, and it is hereby enacted and declared, That this Act or any Thing therein contained shall not extend or be construed to extend to the taking away, lessening, abridging, prejudicing or impeaching any of the Grants, Liberties, Franchises, Powers, Authorities or Immunities, nor to lessen or take away the sole Right and Privilege of piloting all Merchants Ships and Vessels from or by *Dover*, *Deal*, and the Isle of *Thanet*, up the Rivers *Thames* and *Medway*, granted, given and allowed to the Society and Fellowship of the Master, Warden and Pilots of the *Trinity House* of *Dover*, *Deal* and the Isle of *Thanet*, by an Act of Parliament made in the third Year of his late Majesty King GEORGE, intituled, *An Act for the better regulating of Pilots for the conducting of Ships and Vessels from* Dover, Deal *and the Isle of* Thanet, *up the Rivers of* Thames *and* Medway, which said Act, together with a Clause contained in an Act of the seventh Year of his said late Majesty's Reign, intituled, *An Act for the further preventing his Majesty's Subjects from trading to the* East-Indies *under Foreign Commissions, and for encouraging and further securing the lawful Trade thereto, and for further regulating the Pilots of* Dover, Deal *and the Isle of* Thanet, was further confirmed and continued by an Act of the tenth Year of his said late Majesty, intituled, *An Act for continuing Acts for preventing Theft and Rapine on the Northern Borders of* England, *and for better regulating of Pilots, and for regulating the Assize of Bread, and for better Encouragement of the making of Sail Cloth in* Great Britain; all which Grants, Liberties, Franchises, Powers, Authorities and Immunities as before expressed, and the said sole Right and Privilege of Pilotage as aforesaid, are hereby declared and enacted to remain wholly untouched, and to continue in as full Force and virtue to them the said Master, Wardens and Pilots of *Dover*, *Deal* and the Isle of *Thanet*, as if this present Act had never been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

Dover, Deal, Thanet, excepted.

3 Geo. 1. c. 13.

7 Geo. 1. Stat. 1. c. 21.

10 Geo. 1. c. 17.

XIII. And it is hereby further enacted and declared, That this Act shall be deemed and taken to be a publick Act, of which all Judges, Justices and other Persons are to take notice; and if any Suit or Action shall be brought or prosecuted against any Person or Persons for any thing done or to be done in pursuance of this Act, that in every such Case the Action or Suit shall be commenced within three Months after the Fact committed, and not afterwards, and shall be laid or brought in the County, City or Place where the Cause of Action arises, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, Not guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time

Publick Act.

Limitation of Actions.

Time limited for bringing the ſame, or ſhall be brought in any other County, City or Place, then the Jury ſhall find for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have treble Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Not to prejudice London,

XIV. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall extend or be conſtrued to extend to prejudice or take away any Right, Property or Juriſdiction of the Mayor, or of the Mayor, Commonalty, and Citizens of the City of *London*, to, in and upon the River of *Thames* aforeſaid.

nor Lord High Admiral.

XV. Provided alſo, That this Act, or any thing herein contained, ſhall not extend or be conſtrued to extend to abridge, prejudice or derogate from any Right, Authority or Juriſdiction belonging to the Office of Lord High Admiral; but that the ſame ſhall be and continue in the ſame State and Condition as before the making of this Act.

CAP. XXI.

An additional Act for the Encouragement of the Woollen Manufactures of this Kingdom, by the more effectual preventing the unlawful Exportation of the Woollen Manufactures of the Kingdom of *Ireland* to foreign Parts.

10 & 11 W. 3. c. 10.

'WHEREAS by an Act made in the tenth and eleventh Years of the Reign of King WILLIAM the Third, intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of* Ireland *and* England, *and for the Encouragement of the Woollen Manufactures in the Kingdom of* England, certain Ships and Sloops are directed to cruize on the Coaſts of *England* and *Ireland*, particularly between the North of *Ireland* and *Scotland*, with Orders to take and ſeize all Ships, Veſſels and Boats, which ſhall export any Wool, with intent to carry it into foreign Parts, but the Commanders of ſuch Ships and Sloops are not thereby authorized to ſeize Ships, Veſſels and Boats, which ſhall export any Woollen Manufactures from *Ireland* into foreign Parts, the Exportation whereof is nevertheleſs prohibited by Law, and are diſcouraged by other Reſtrictions in the ſaid Act from putting the ſame in Execution;' Therefore, to render the ſaid Act more effectual, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Lord High Admiral of *Great Britain*, or Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, ſhall from Time to Time direct and appoint three Ships of the ſixth Rate, and eight or more armed Sloops, conſtantly to cruize on the Coaſts of *Great Britain* and *Ireland*, in ſuch Stations as the ſaid Lord High Admiral, or Commiſſioners for the Time being, ſhall aſſign to ſuch Ships and Sloops reſpectively, with Orders for taking and ſeizing all Ships, Veſſels and Boats, in which any Worſted, Bay, or Woollen Yarn, Cloth, Serges, Bays, Kerſeys, Says, Frizes, Druggets, Cloth Serges, Shalloons or any other Drapery Stuffs or Woollen Manufactures whatſoever, made up or mixed with Wool or Wool-flocks, ſhall be exported or laden in order to be exported from *Ireland* into foreign Parts; and that the ſaid Lord High Admiral, or the ſaid Commiſſioners for the time being, ſhall ſend a Liſt of ſuch Ships and Sloops, and the Names of the Commanders thereof, together with true Copies of the ſeveral Inſtructions to them given, within ten Days after the Date of the ſaid Orders, to his Majeſty's Commiſſioners for the Management of the Cuſtoms in *Great Britain*, and to the Commiſſioners of his Majeſty's Revenue in *Ireland*.

Admiralty to appoint three Ships, and eight armed Sloops, to cruize on the Coaſts of Great Britain and Ireland,

to ſeize Veſſels having Woollen Manufactures on Board.

Liſts of Ships and Sloops to be ſent to the Commiſſioners of Cuſtoms, &c.

II. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commander of every ſuch Ship and Sloop in any Port, Creek or Road, or in the open Sea, within the Limits of the Station which ſhall be aſſigned to ſuch Ship or Sloop as aforeſaid, to enter and ſearch or cauſe to be entered and ſearched, any Ship, Veſſel or Boat; and if upon ſuch Search any of the ſaid prohibited Commodities ſhall be found therein, and the Maſter or Commander of ſuch Ship, Veſſel or Boat, ſhall not immediately produce to the Commander of ſuch Ship or Sloop a lawful Cocket or Warrant, licenſing the Exportation or Tranſportation thereof, to take and ſeize ſuch Ship, Veſſel or Boat, and to carry the ſame, together with the Crew and Cargo thereof, into any Port in *Great Britain* or *Ireland*.

Commanders of Ships and Sloops may ſearch Veſſels,

and on finding the Goods prohibited,

carry Crew and Cargo into Port.

III. And be it further enacted by the Authority aforeſaid, That every ſuch Ship, Veſſel or Boat ſo taken and ſeized, with all her Guns, Tackle, Furniture and Apparel, and all the ſaid prohibited Commodities which ſhall be found therein, ſhall be forfeited, and the ſaid prohibited Commodities ſhall be lodged in the King's Warehouſehouſe in ſuch Port into which ſuch Ship, Veſſel or Boat ſhall be carried as aforeſaid, until it ſhall be condemned according to Law, and being ſo condemned, ſhall be expoſed publickly to ſale, after one and twenty Days publick Notice thereof in Writing, being affixed upon the Cuſtom-houſe of the ſaid Port, by Inch of Candle, to the laſt and beſt Bidder; and that every ſuch Ship, Veſſel or Boat, and all the Guns, Tackle, Furniture and Apparel thereof, ſhall after Condemnation thereof be expoſed to ſale in like manner; and that one fourth Part of the Produce of ſuch Sale or Sales ſhall be to the Commander of the Ship or Sloop, that ſhall make ſuch Seizure as aforeſaid, one other fourth Part to the other Officers of ſuch Ship or Sloop, one other fourth Part to the Mariners thereof, to be equally diſtributed to the ſaid Mariners by the chief Officer of the Cuſtoms in the ſaid Port, or by ſuch Perſon or Perſons as ſhall be authorized to make ſuch Sale or Sales as aforeſaid, and the other fourth Part thereof to his Majeſty, his Heirs and Succeſſors, after a

Ships and Goods forfeited,

after Condemnation to be ſold publickly on 21 Days Notice.

Diſtribution of Forfeitures.

Deduction

Deduction made out of the laſt fourth Part for all the Charges of Proſecution and Condemnation: Provided always, That if ſuch Seizure ſhall be made upon the Information of any Perſon or Perſons, ſuch Informer or Informers ſhall not only be indemnified from the Pains, Penalties and Forfeitures, to which Exporters of the ſaid prohibited Commodities, their Aiders and Abetters are liable, but ſhall alſo receive one fifth Part of the Produce of ſuch Sale or Sales, and the Reſidue thereof ſhall be divided into four equal Parts, and diſtributed in ſuch Manner as is herein before directed.

Informers indemnified, and to have a fifth Part of the Sale.

IV. And be it further enacted by the Authority aforeſaid, That if any Action ſhall be commenced againſt any Perſon for what he ſhall do in purſuance of this Act, ſuch Perſon ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence; and if the Plaintiff ſhall become nonſuit, or diſcontinue the Action, or if a Verdict ſhall paſs againſt him, or Judgment be given againſt him upon a Demurrer, the Defendant ſhall recover treble Coſts.

General Iſſue.

V. And be it further enacted, That no Perſon or Perſons ſhall be admitted to claim Property in any Seizure that ſhall be made upon any Clauſe in this or any Act of Parliament for preventing the unlawful Exportation of Woollen Goods from *Ireland*, till he or they ſhall firſt have given ſufficient Security by Recognizance entered into before one of the Commiſſioners of the Revenue in *Ireland*, or one of the Barons of the Court of Exchequer in *England*, to anſwer the Penalties attending the Forfeiture thereof.

Perſons claiming Shares in Seizures to give Security to anſwer the Penalties.

'VI. And whereas by a Clauſe in an Act made in the eleventh and twelfth Years of the Reign 'of King WILLIAM the Third, intituled, *An Act for continuing ſeveral Laws therein mentioned, and for* 'explaining the Act, intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of* Ireland 'and England *into Foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom* 'of England, it is enacted and declared, That neither the ſaid Act made in the tenth and eleventh 'Years of the Reign of King WILLIAM the Third, nor any thing therein contained, ſhall be con'ſtrued to extend to ſubject any Perſon or Perſons, or any Ship or Veſſel, to any of the Pains, 'Penalties and Forfeitures, in the ſaid Act contained, for or touching ſuch Woolfells, Shorlings or 'Mortlings, as ſhall be neceſſary for the Uſe of the Gunner or Boatſwain's Stores, for the Ship or 'Veſſel only, and as for ſo much Cloth, Serge, Bays, Kerſeys, Says, Frizes, Druggets, Cloth Serges, 'Shalloons or other Drapery Stuffs, or other Manufactures, as ſhall be for the proper Uſe for Clothes 'only of any Mariner or Paſſenger, for his or her Wearing Apparel or Furniture, on Board ſuch Ship 'in the Voyage, and ſhall not exceed in the whole, for any one Mariner or Paſſenger, the Value of 'forty Shillings: And whereas under pretence of the Exemption in the ſaid Clauſe contained, great 'Quantities of Woolfells, Shorlings and Mortlings, and of Cloth, Serge, Bays, Says, Kerſeys, Frizes, 'Druggets, Cloth Serges, Shalloons or other Drapery Stuffs, or other Manufactures, have been ex'ported from *Ireland* into Foreign Parts,' Be it enacted by the Authority aforeſaid, That the ſaid Clauſe ſhall from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-two, be and is hereby repealed.

Clauſe in 11 & 12 W. 3. c. 13. repealed.

VII. Provided always, That this Act or any thing therein contained ſhall not extend or be conſtrued to extend to diſannul or make void any other Penalties or Forfeitures inflicted by any former Law, upon the Exportation of Wool and Woollen Manufactures, or to alter or repeal any Clauſe therein contained, which is not hereby altered or repealed; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Not to make void the Penalties of former Acts on Exportation of Wool.

Concerning Wool ſee farther, 12 *Geo.* 2. *c.* 21. 15 *Geo.* 2. *c.* 27. 25 *Geo.* 2. *c.* 14. 26 *Geo.* 2. *c.* 8 & 11. 29 *Geo.* 2. *c.* 33. 30 *Geo.* 2. *c.* 12.

CAP. XXII.

An Act to prevent the Exportation of Hats out of any of his Majeſty's Colonies or Plantations in *America* and to reſtrain the Number of Apprentices taken by the Hat-makers in the ſaid Colonies or Plantations, and for the better encouraging the making Hats in *Great Britain*.

'WHEREAS the Art and Myſtery of making Hats in *Great Britain* hath arrived to great 'Perfection, and conſiderable Quantities of Hats manufactured in this Kingdom have hereto'fore been exported to his Majeſty's Plantations or Colonies in *America*, who have been wholly ſup'plied with Hats from *Great Britain*; and whereas great Quantities of Hats have of late Years been 'made, and the ſaid Manufacture is daily increaſing in the *Britiſh* Plantations in *America*, and is 'from thence exported to foreign Markets, which were heretofore ſupplied from *Great Britain*, and 'the Hat-makers in the ſaid Plantations take many Apprentices for very ſmall Terms, to the Diſ'couragement of the ſaid Trade, and debaſing the ſaid Manufacture:' Wherefore for preventing the ſaid ill Practices for the future, and for promoting and encouraging the Trade of making Hats in *Great Britain*, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September* in the Year of our Lord one thouſand ſeven hundred and thirty-two, no Hats or Felts whatſoever, dyed or undyed, finiſhed or unfiniſhed, ſhall be ſhipt, loaden or put on Board any Ship or Veſſel in any Place or Parts within any of the *Britiſh* Plantations, upon any Pretence whatſoever, by any Perſon or Perſons whatſoever, and alſo that no Hats or Felts, either dyed or undyed, finiſhed or unfiniſhed, ſhall be loaden upon any Horſe, Cart or other Carriage, to the Intent or Purpoſe to be exported, tranſported, ſhipped off, carried

Former Proviſions concerning Hats, &c. 8 *Eliz.* c. 11. 1 *Jac.* 1. c. 17.

After 29 Sept. 1732, no Hats or Felts to be tranſported from Britiſh Plantations.

or conveyed out of any of the ſaid *Britiſh* Plantations to any other of the *Britiſh* Plantations, or to any other Place whatſoever, by any Perſon or Perſons whatſoever.

Hats or Felts ſo tranſported, forfeited.

and 500 l.

II. And be it further enacted by the Authority aforeſaid, That all and every the Offender and Offenders, Offence and Offences againſt this Act, ſhall be ſubject and liable to the Penalties and Forfeitures herein after mentioned, that is to ſay, The ſaid Hats or Felts dyed or undyed, finiſhed or unfiniſhed, ſo exported, tranſported, ſhipped off, carried, conveyed or loaden contrary to the true Intent and Meaning of this Act, ſhall be forfeited, and that every of the Offender and Offenders therein ſhall likewiſe forfeit and pay the Sum of five hundred Pounds for every ſuch Offence committed; and every Maſter, Mariner, Porter, Carter, Waggoner, Boatman, or other Perſon whatſoever knowing ſuch Offence, and wittingly aiding and aſſiſting therein, ſhall forfeit and pay the Sum of forty Pounds; which ſaid ſeveral Penalties and Forfeitures ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record in *Great Britain*, or in ſuch of the ſaid Plantations wherein ſuch Offence ſhall be committed (in which Suit no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed) and ſhall go and be applied, one Moiety to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to him, her or them, that ſhall ſue for the ſame.

Penalty on aſſiſting 40 l.

Prohibited Hats and Felts to be ſeized and carried to the King's Warehouſe.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons to ſeize, take, ſecure and convey to his Majeſty's next Warehouſe all ſuch Hats and Felts dyed or undyed, finiſhed or unfiniſhed, as he or they ſhall happen to ſee, find, know or diſcover to be laid on Board in any Ship, Veſſel or Boat, or to be brought, carried or laid on Shore, at or near the Sea, or in any navigable River or Water, to the Intent or Purpoſe to be exported or conveyed out of the ſaid Plantations, contrary to the true Intent and Meaning of this Act, or to be laden upon any Horſe, Cart or other Carriage to the Intent or Purpoſe to be exported, conveyed or carried into any other of the ſaid Plantations, or into any other Part or Place whatſoever, contrary to the true Intent and Meaning hereof; and that ſuch Perſon or Perſons, that ſhall happen ſo to ſeize, take or ſecure any of the Commodities aforeſaid, ſhall be indemnified for ſo doing to all Intents and Purpoſes.

Seizers indemnified.

'IV. And to the Intent and Purpoſe that this Act may more effectually be put in Execution, for 'preventing the growing Miſchiefs that daily do or may ariſe to this Kingdom, from the Exportation of ſuch Goods as aforeſaid, or any of them, out of the *Britiſh* Plantations, ſhould the ſame ſtill 'be ſuffered to be ſent from thence to ſupply other Plantations and Foreign Markets, that are or have 'been ſupplyed from *Great Britain:*' Be it further enacted by the Authority aforeſaid, That if any Commiſſioner or Commiſſioners, or other Officer or Officers of the Cuſtoms of any Port or Place within the *Britiſh* Plantations, or any Farmer or Farmers of the Revenue of the Cuſtoms ariſing in the Plantations, or any Officer or Officers imployed in the Management of the ſaid Revenue, ſhall, from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-two, take or ſuffer to be taken any Entry outward, or ſign any Cocket, Warrant or Sufferance for the Shipping or Exporting any Hats or Felts dyed or undyed, finiſhed or unfiniſhed, or ſhall wittingly and willingly permit, contrive or ſuffer the ſame to be done, directly or indirectly, contrary to the true Intent and Meaning of this Act; that then and in every ſuch caſe, ſuch Commiſſioner or Commiſſioners, Farmer or Farmers, Officer or Officers ſo ſigning ſuch Cocket, Warrant or Sufferance, or paſſing ſuch Entry for the ſame, or any wiſe conniving thereat, contrary to the true Intent and Meaning hereof, ſhall for every ſuch Offence or Neglect, forfeit his Office, and ſhall moreover for every ſuch Offence forfeit the Sum of five hundred Pounds, to be recovered and applied in Manner and Form as aforeſaid.

Officers of Cuſtoms, &c. permitting Entries of ſuch Hats or Felts,

forfeit Office, and 500 l.

Offences where to be tried.

V. And be it further enacted by the Authority aforeſaid, That every Offence committed againſt this Act ſhall and may be inquired of, tried, heard and determined, in the County where any ſuch Goods ſhall be ſo laden or put on Board as aforeſaid, or elſe in the County or Place either in *Great Britain* or the Plantations where ſuch Offender ſhall happen to be apprehended or arreſted for ſuch Offence, or where any of the Goods aforeſaid ſhall happen to be ſeized, taken or brought in; and that the ſaid Trial ſhall be in ſuch Manner and Form, and in ſuch Effect to all Intents and Purpoſes as if the ſame Offence had been wholly done and committed in the ſame County or Place where the ſame ſhall be tried by virtue and in purſuance of this Act.

General Iſſue.

VI. And be it further enacted by the Authority aforeſaid, That if any Action, Bill, Plaint, or Information, ſhall be commenced or proſecuted againſt any Perſon for what he ſhall do in purſuance of this Act, ſuch Perſon ſo ſued ſhall and may file common Bail or enter into a common Appearance, and plead the General Iſſue, Not guilty, and, upon Iſſue joined, may give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Proſecutor ſhall become nonſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, or if upon Demurrer Judgment paſs againſt him, the Defendant ſhall recover treble Coſts and Damages.

None to work Felts or Hats but ſuch as have ſerved an Apprenticeſhip thereto.

VII. And it is hereby further enacted by the Authority aforeſaid, That no Perſon reſiding in any of his Majeſty's Plantations in *America* ſhall, from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-two, make or cauſe to be made, any Felt or Hat of or with any Wool or Stuff whatſoever, unleſs he ſhall have firſt ſerved as an Apprentice in the Trade or Art of Felt-making during the Space of ſeven Years at the leaſt; neither ſhall any Felt-maker or Hat-maker in any of the ſaid Plantations imploy, retain or ſet to work, in the ſaid Art or Trade, any Perſon as a Journeyman or hired Servant, other than ſuch as ſhall have lawfully ſerved an Apprenticeſhip in the ſaid Trade for the Space of ſeven Years; nor ſhall any Felt-maker or Hat-maker in any of the ſaid Plantations have, take or keep above the Number of two Apprentices at one Time, or take any Apprentice

Two Apprentices only at one Time.

for

for any leſs Term than ſeven Years, upon pain to forfeit and pay the Sum of five Pounds for every Month that he ſhall continue offending in the Premiſſes contrary to the true Meaning of this Act, of which one Moiety ſhall go and be applied to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to ſuch Perſon or Perſons as will ſue for the ſame by Action of Debt, Bill, Plaint or Information, to be commenced, brought or proſecuted in any Court in the ſaid Plantations, wherein no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be admitted or allowed for the Defendant.

Penalty on imploying Negroes.

VIII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons inhabiting in the ſaid Plantations, from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-two, ſhall retain or ſet on Work, in the ſaid Art of Hat or Felt making, any Black or Negro, upon Pain to forfeit and pay the Sum of five Pounds for every Month wherein ſuch Perſon or Perſons ſhall ſo offend, contrary to the Meaning of this Act; and to be recovered and applied in Manner, and to the Uſes aforeſaid.

Sons may work in their Fathers Houſes.

IX. Provided always, That nothing in this Act contained ſhall extend to charge any Perſon or Perſons lawfully exerciſing the ſaid Art, with any Penalty or Forfeiture for ſetting or uſing his or their own Son or Sons to the making or working Hats or Felts in his or their own Houſe or Houſes, ſo as every ſuch Son or Sons be bound by Indenture of Apprenticeſhip, for the Term of ſeven Years at the leaſt, which Term ſhall not be to expire before he ſhall be of the full Age of twenty-one Years; any Thing herein contained to the contrary notwithſtanding.

Exceptions touching Houſholders and Journeymen.

X. Provided alſo, and be it enacted by the Authority aforeſaid, That every Felt-maker reſiding in the ſaid Plantations, who at the Beginning of this preſent Seſſion of Parliament was a Maker or Worker of Hats or Felts, and being an Houſholder, and likewiſe all ſuch as were at the Beginning of this preſent Seſſion Apprentices, Covenant Servants, or Journeymen in the ſame Art or Myſtery of Felt-making, ſo as ſuch Apprentices ſerve or make up their reſpective Apprenticeſhips, ſhall and may continue and exerciſe the Trade or Art of making Hats and Felts in the ſaid Plantations, although the ſame Perſons were not bound Apprentices to the ſame Art for the Term of ſeven Years; any Thing in this Act to the contrary notwithſtanding.

Publick Act.

XI. And be it further enacted by the Authority aforeſaid, That this preſent Act ſhall be deemed, and is hereby declared to be a publick Act, of which all Judges and Juſtices are to take Notice without ſpecial pleading the ſame.

CAP. XXIII.

An Act for making void the ſeveral Contracts for Sale of the Eſtate of *James* late Earl of *Derwentwater*, to *William Smith*, Eſquire, and alſo of the Annuity of two hundred Pounds during the Life of *Charles Radcliffe*, and the Arrears thereof, to *Matthew White*, Eſquire, and the ſeveral Conveyances made in Purſuance of the ſame. P R. *See Appendix.*

CAP. XXIV.

An Act for encouraging the Growth of Coffee in his Majeſty's Plantations in *America*.

'WHEREAS there is great Reaſon to believe that the Soil and Climate of the Iſland of *Jamaica*, and of other *Britiſh* Plantations in *America*, are proper for the Growth of Coffee, and that great Quantities of that Commodity may be produced in the ſaid Plantations, and from thence imported into this Kingdom, if Encouragement be given for that Purpoſe, to the great Advantage not only of the ſaid Plantations, but likewiſe of this Kingdom: And whereas by an Act of Parliament made in the tenth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repealing certain Duties therein mentioned payable upon Coffee, Tea, Cocoa Nuts, Chocolate and Cocoa Paſte imported, and for granting certain inland Duties in Lieu thereof, and for prohibiting the Importation of Chocolate ready made, and Cocoa Paſte, and for better aſcertaining the Duties payable upon Coffee, Tea and Cocoa Nuts imported; and for granting Relief to* Robert Dalzell *late Earl of* Carnwath, it was enacted and declared, That the ſeveral Duties upon Coffee then payable by an Act of Parliament made in the ſixth Year of the Reign of his late Majeſty King WILLIAM the Third, and by an Act of Parliament made in the third Year of the Reign of her late Majeſty Queen ANNE, and by one other Act of Parliament made in the tenth Year of the Reign of her ſaid late Majeſty Queen ANNE, ſhould ceaſe, determine and be no longer paid or payable; and that an Inland Duty ſhould be charged and impoſed upon all Coffee to be ſold in *Great Britain*, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-four, after the Rate of two Shillings *per* Pound Averdupois, and in that Proportion for a greater or leſſer Quantity, over and above all Cuſtoms, Subſidies and Duties which then remained payable to his Majeſty for the ſame upon the Importation thereof, which Duty was to be managed and collected by Perſons to be nominated and appointed by Virtue of the ſaid Act, under certain Rules, Limitations, Forfeitures and Penalties therein mentioned:' Now for encouraging the Growth of Coffee in the ſaid Plantations, and the Importation of the ſame from thence into this Kingdom, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-five, all Coffee of the Growth and Product of any of the *Britiſh* Plantations in *America* ſhall, in Lieu of the ſaid Inland Duty of two Shillings *per* Pound Weight, pay an Inland Duty of one Shilling and ſix Pence, and

10 Geo. 1. c. 10.

6 W. 3. c. 7.

3 Ann. c. 4.

10 Ann. c. 26.

After 25 March 1735, all Coffee of Growth of Britiſh Plantations in America, to pay 1 s. 6 d. per Pound,

and no more, *per* Pound Weight Averdupoize, and in that Proportion for a greater or leſſer Quantity; and the Perſons nominated and appointed by Virtue of the firſt mentioned Act, to manage and collect the ſaid Inland Duty ariſing thereby, ſhall and are hereby impowered to take and receive the Sum of one Shilling and ſix Pence *per* Pound and no more, for all Coffee of the Growth and Product of the *Britiſh* Plantations above mentioned; any Thing in the ſaid Act to the contrary notwithſtanding.

to be applied as directed by 10 Geo. 1. c. 10.

II. Provided and be it enacted, That the ſaid Duty ſhall be applicable to the Uſes and Purpoſes contained and declared in the ſaid Act of the tenth Year of his ſaid late Majeſty's Reign, and all Officers employed in managing and collecting the ſame, and all Perſons importing, ſelling, buying or dealing in ſuch Coffee ſhall be ſubject to the Rules, Limitations, Reſtrictions, Forfeitures and Penalties to be proſecuted, received and divided in the Manner thereby preſcribed and directed.

Planter, or his Agent, to make Oath of the Growth,

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-five, no Coffee ſhall be ſuffered to be put on board any Ship or Veſſel in any of his Majeſty's Colonies and Plantations in *America*, until the Planter or Grower of ſuch Coffee, or his known Agent, ſhall make Oath or Affirmation in Writing before two of his Majeſty's Juſtices of the Peace in or near the Place where the ſaid Coffee grew (which Oath or Affirmation ſuch Juſtices are hereby impowered to adminiſter) that the ſame is actually of the Growth and Produce of ſuch Planter's or Grower's Plantation lying in the Diſtrict, Diviſion or Pariſh of within the Iſland or Colony of which Oath or Affirmation ſhall be

and produce a Copy to the Collector,

produced to the Collector, Comptroller and Naval Officer, or any of them, by the Perſon or Perſons who ſhall enter or ſhip ſuch Coffee, before the Entry and Shipping thereof for *Great Britain*; and ſuch Perſon or Perſons ſhall likewiſe make Oath or Affirmation before the ſaid Officers, or any two of them, that the Coffee then to be ſhipped is the very ſame Coffee, and no other than what is mentioned in ſuch Oath or Affirmation of the Planter or Grower, or his known Agent as aforeſaid, which Oath or Affirmation the Collector and Comptroller of the Cuſtoms, and Naval Officer at the Port where the ſaid Coffee is to be loaded, or any two of them, are impowered to adminiſter; and the ſaid Collector and Comptroller, and Naval Officer are hereby required to deliver a Certificate of ſuch Affidavit or Affirmation, under their reſpective Hands and Seals, to the Commander or Maſter of ſuch Ship or Veſſel, on board of which the ſaid Coffee is to be ſhipped; and the Maſter or Perſon having Command of ſuch

Commanders of Veſſels to make Oath of the Receipt of ſuch Coffee on board, and of no other;

Ship or Veſſel ſhall, before clearing his Ship or Veſſel, alſo make Oath in the like Manner, that he has received ſuch Coffee on board his Ship or Veſſel, and that he has no more or other Coffee on board his Ship or Veſſel than ſuch for which Proofs ſhall be made as aforeſaid, and that he will not take or receive any more Coffee on board before his Arrival in *Great Britain*, and making a Report of his Lading there, for which Affidavit or Affirmation, and Certificate, the ſaid Collector and Comptroller, or

Fee for the Oath.

Naval Officer ſhall receive as a Fee or Reward the Sum of five Shillings, and no more; and all Certificates of ſuch Affidavits or Affirmations ſhall, by the Commander or Maſter of ſuch Ship or Veſſel importing ſuch Coffee into this Kingdom, be produced, by ſuch Maſter or Perſon having Command of the Ship or Veſſel, to the Collector and Comptroller of the Cuſtoms at the Port where ſuch Ship ſhall unlade at the Time of making his Report, and ſhall at the ſame Time deliver to ſuch Collector and Comptroller a Certificate under the Hands and Seals of the Collector and Comptroller of the Cuſtoms, and Naval Officer of the Port or Place where ſuch Coffee ſhall have been ſhipped, or any two of them, teſtifying the particular Quantities of ſuch Coffee which ſhall be ſo laden, and of which ſuch Proofs

Particulars to be ſpecified.

ſhall be made as aforeſaid, ſpecifying the Package or Packages in which the ſame is contained, with the particular Marks, Numbers and Weights of each Package; and the ſaid Maſter ſhall likewiſe make Oath, or if he be one of the People called *Quakers*, ſolemnly affirm before them, that the Coffee in the ſaid Certificate or Certificates mentioned was truly taken on board, as in the ſaid Certificate or Certificates is expreſſed, and that after his Departure from the Place or Places where ſuch Coffee mentioned in the ſaid Certificate or Certificates was laded, he did not take on board, or permit to be laded on board, his ſaid Ship or Veſſel, either at Sea or elſewhere, any Parcel or Parcels of Coffee, and that all the Coffee on board his ſaid Ship is mentioned and ſet forth in the ſaid Certificate or Certificates; and upon the Entry of ſuch Coffee at the Cuſtom-houſe, and paying or ſecuring the ſeveral Duties then due thereupon, a Mark ſhall be ſet on every Parcel, denoting it to contain Coffee of the Growth of the *Britiſh*

The Goods to be marked.

Plantations, and where and by what Ship imported, and thereupon ſuch Parcel or Parcels of Coffee ſo marked ſhall be lodged in a Warehouſe or Warehouſes, purſuant to the Directions of the ſaid Act paſſed in the tenth Year of the Reign of his late Majeſty; and the Importer or Proprietor of any Parcel or Parcels of Coffee, or any other Perſon who ſhall be imployed by ſuch Importer or Proprietor to make an Entry with the Receiver or Collector of the ſaid Inland Duty, ſhall deliver to the ſaid Receiver or Collector the ſaid Certificate or Certificates of the Affidavit or Affirmation of the Growth of the ſaid Coffee in the *Britiſh* Plantations, made before the Collector and Comptroller of the Cuſtoms or Naval Officers, together with the ſaid Oath or Affirmation made as aforeſaid, by the Maſter of ſuch Ship or Veſſel, at the Port where ſuch Coffee was taken on board, together with the Oath or Affirmation, or a Copy thereof, made by the Planter or Grower before two of his Majeſty's Juſtices of the Peace there, in the Manner before directed; as alſo the ſaid Certificate of the Package, Marks and Numbers of the Coffee ſo laden on board; which ſaid Certificate or Certificates, Oath or Affirmation, ſhall remain with the ſaid Collector or Receiver of the ſaid Inland Duty.

Penalty on receiving or landing Coffee of foreign Growth, except from Great Britain.

IV. And be it further enacted by the Authority aforeſaid, That no Commander, or other Perſon having Charge of any Ship or Veſſel, ſhall take in, or permit or ſuffer to be taken in at any of his Majeſty's Plantations in *America*, or at Sea, or in any Creek, Harbour or other Place in *America*, or ſhall land, ſuffer or permit to be landed, out of any Ship or Veſſel in any of the ſaid Plantations, any Coffee of the Growth or Produce of any foreign Country, except ſuch Coffee as ſhall be regularly exported from

from *Great Britain*, on Pain of forfeiting all ſuch Coffee, and the Sum of two hundred Pounds, and likewiſe ſhall ſuffer twelve Months Impriſonment; ſuch Forfeiture to be ſued for, recovered and adjudged, in any Court of Record in any of his Majeſty's Dominions in *Europe*, or in any of his Majeſty's Plantations; and what ſhall be recovered in purſuance of this Act, in any Court of Record in any of his Majeſty's Dominions in *Europe*, ſhall be paid, one Moiety to his Majeſty, and the other Moiety to the Perſon or Perſons who ſhall inform or ſue for the ſame; and what ſhall be recovered in the Plantations, ſhall be divided, one third to his Majeſty, one third to the Governor or Commander in Chief, and the other third to the Perſon or Perſons who ſhall inform or ſue for the ſame.

Penalty on falſe Oath or Certificate.

V. And be it enacted by the Authority aforeſaid, That if any Perſon ſhall falſly make any Oath or Affirmation by this Act directed to be made, and ſhall thereof be legally convicted in any of his Majeſty's Courts of Record in *Great Britain*, or in any of the Courts of Admiralty in any of the ſaid Plantations where ſuch Offence was committed, ſuch Perſon ſo Guilty ſhall forfeit the Sum of two hundred Pounds, and be impriſoned for the Space of twelve Months; and if any Perſon ſhall forge or counterfeit a Certificate of the ſaid Oath or Affirmation, or ſhall publiſh ſuch Certificate, knowing the ſame to be forged or counterfeited, and be legally convicted thereof in any of the Courts aforeſaid, ſuch Perſon ſhall forfeit the Sum of two hundred Pounds, and ſuch Forfeiture ſhall be paid, one Moiety to his Majeſty, and the other Moiety to the Perſon or Perſons who ſhall inform and ſue for the ſame, to be recovered and divided as is before directed and appointed.

Continuance of this Act. 'Continued by 25 Geo. 2. c. 35.' *and farther by* 32 Geo. 2. c. 10.

VI. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in force from the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-five to the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-nine, and from thence to the End of the then next Seſſion of Parliament, and no longer.

32 *Geo.* 2. *c.* 23. *Concerning Coffee, &c. ſee farther,*

CAP. XXV.

An Act for making Proceſs in Courts of Equity effectual againſt Perſons who abſcond, and cannot be ſerved therewith, or who refuſe to appear.

Concerning Chancery refer to 18 *Ed.* 3. *St.* 5. 36 *Ed.* 3. *c.* 9. 17 *R.* 2. *c.* 6. 15 *H.* 6. *c.* 4. 14 & 15 *H.* 8. *c.* 8. 5 *El. c.* 18. [13 *Car.* 2. *St.* 1. *not printed*] 1 *W.* & *M. St.* 1. *c.* 21. 4 *Ann. c.* 16. §. 22. 12 *Geo.* 1. *c.* 32 & 33. 3 *Geo.* 2. *c.* 30.

'WHEREAS ſometimes Perſons have withdrawn themſelves beyond the Seas, or otherwiſe abſconded, to avoid appearing in Courts of Equity, or being ſerved with Proceſs for that Purpoſe, or being brought into Court by *Habeas Corpus*, have refuſed to appear;' For Remedy of the Inconveniencies thence ariſing, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if in any Suit which hath been, or hereafter ſhall be, commenced in any Court of Equity, any Defendant or Defendants, againſt whom any *Subpœna* or other Proceſs ſhall iſſue, ſhall not cauſe his, her or their Appearance to be entred upon ſuch Proceſs within ſuch time, and in ſuch manner as according to the Rules of the Court the ſame ought to have been entred in caſe ſuch Proceſs had been duly ſerved, and an Affidavit or Affidavits ſhall be made to the Satisfaction of ſuch Court, that ſuch Defendant or Defendants is or are beyond the Seas, or that upon Inquiry at his, her or their uſual Place of Abode, he, ſhe or they could not be found ſo as to be ſerved with ſuch Proceſs, and that there is juſt Ground to believe that ſuch Defendant or Defendants is or are gone out of the Realm or otherwiſe abſcond, to avoid being ſerved with the Proceſs of ſuch Court; then and in ſuch Caſe the Court out of which ſuch Proceſs iſſued, may make an Order directing and appointing ſuch Defendant or Defendants to appear at a certain Day therein to be named; and a Copy of ſuch Order ſhall within fourteen Days after ſuch Order made be inſerted in the *London Gazette*, and publiſhed on ſome Lord's Day, immediately after Divine Service, in the Pariſh Church of the Pariſh where ſuch Defendant or Defendants reſpectively made his, her or their uſual Abode within thirty Days next before ſuch his, her or their abſenting; and alſo a Copy of ſuch Order ſhall within the Time aforeſaid be poſted up as after mentioned (that is to ſay) a Copy of every ſuch Order made in his Majeſty's High Court of Chancery, Court of Exchequer, or the Court of the Dutchy Chamber of *Lancaſter* at *Weſtminſter*, ſhall be poſted up in ſome publick Place at the Royal Exchange in *London*; and a Copy of every ſuch Order made in any of the Courts of Equity of the Counties Palatine of *Cheſter*, *Lancaſter* and *Durham*, or of the great Seſſions in *Wales*, ſhall be poſted up at ſome publick Place in ſome Market Town within the Juriſdiction of the Court by which ſuch Order was made, and neareſt to the Place where ſuch Defendant or Defendants reſpectively made his, her or their uſual Abode as aforeſaid, ſuch Place of Abode being alſo within the Juriſdiction of the ſaid Court; and if the Deſendant or Defendants do not appear within the Time limited by ſuch Order, or within ſuch further Time as the Court ſhall appoint, then on Proof made of ſuch Publication of ſuch Order as aforeſaid, the Court being ſatisfied of the Truth thereof may order the Plaintiff's Bill to be taken *pro confeſſo*, and make ſuch Decree thereupon as ſhall be thought juſt, and may thereupon iſſue Proceſs to compel the Performance of ſuch Decree, either by an immediate Sequeſtration of the real and perſonal Eſtate and Effects of the Party ſo abſenting (if any ſuch can be found) or ſuch Part thereof as may be ſufficient to ſatisfy the Demands of the Plaintiff or Plaintiffs in the ſaid Suit, or by cauſing Poſſeſſion of the Eſtate or Effects demanded by the Bill to be delivered to the Plaintiff or Plaintiffs or otherwiſe, as the Nature of the Caſe ſhall require; and the ſaid Court may likewiſe order ſuch Plaintiff or Plaintiffs to be paid and ſatisfied his, her or their Demands out of the Eſtate or Effects ſo ſequeſtred, according to the true Intent and Meaning of ſuch Decree, ſuch Plaintiff or Plaintiffs firſt giving ſufficient Security in ſuch Sum as the Court ſhall think proper, to abide ſuch Order touching the Reſtitution of ſuch Eſtate or Effects as the Court ſhall think

Perſons not entring Appearance within the uſual Time after Subpoena, and juſtly ſuſpected to abſcond to avoid the Proceſs, Court to fix a Day for his Appearance, to be inſerted in the Gazette, and publiſhed in the Pariſh Church of the Defendant, and poſted in ſome publick Place.

Defendant not appearing, the Plaintiff's Bill to be taken pro confeſſo, his Eſtate ſequeſtred,

and Plaintiff ſatisfied,

proper to make concerning the ſame, upon the Defendant or Defendants Appearance to defend ſuch Suit, and paying ſuch Coſts to the Plaintiff or Plaintiffs as the Court ſhall order; but in caſe ſuch Plaintiff or Plaintiffs ſhall refuſe or neglect to give ſuch Security as aforeſaid, then the ſaid Court ſhall order the Eſtate or Effects ſo ſequeſtred, or whereof Poſſeſſion ſhall be decreed to be delivered, to remain under the Direction of the Court, either by appointing a Receiver thereof or otherwiſe, as to ſuch Court ſhall ſeem meet, until the Appearance of the Defendant or Defendants to defend ſuch Suit, and his, her or their paying ſuch Coſts to the Plaintiff or Plaintiffs, as the ſaid Court ſhall think reaſonable, or until ſuch Order ſhall be made therein as the Court ſhall think juſt.

on giving Security to the Court to defend the Suit on Defendant's Appearance; Plaintiff refuſing ſuch Security, the Effects ſequeſtred to remain under Direction of the Court.

II. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *Eaſter* Term one thouſand ſeven hundred and thirty-two, if any Defendant or Defendants, by virtue of any Writ of *Habeas Corpus* or other Proceſs iſſuing out of any Court of Equity, ſhall be brought into Court, and ſhall refuſe or neglect to enter his, her or their Appearance according to the Rules or Method required by the ſaid Court, or to appoint a Clerk in Court, or Attorney of ſuch Court to act on his, her or their Behalf reſpectively, ſuch Court may appoint a Clerk in Court or Attorney of ſuch Court to enter an Appearance for ſuch Defendant or Defendants reſpectively, and ſuch Proceedings may thereupon be had in the Cauſe, as if the Party had actually appeared.

After firſt Day of Eaſter Term 1732, Defendants brought into Court by Habeas Corpus, and refuſing to enter Appearance, Court to enter it for them.

III. Provided always, That if any Perſon, againſt whom any Decree ſhall be made, upon Refuſal or Neglect to enter his, her or their Appearance, or appoint a Clerk in Court, or Attorney to act on his, her or their Behalf, ſhall be in Cuſtody or forthcoming, ſo that he, ſhe or they may be ſerved with a Copy of ſuch Decree, then he, ſhe or they ſhall be ſerved with a Copy thereof, before any Proceſs ſhall be taken out to compel the Performance thereof.

Perſons in Cuſtody ſo refuſing, to be ſerved with a Copy of the Decree.

IV. Provided alſo, That if any Decree ſhall be made in purſuance of this Act againſt any Perſon or Perſons being out of the Realm, or abſconding in manner aforeſaid, at the Time ſuch Decree is pronounced, and ſuch Perſon or Perſons ſhall within ſeven Years after the making ſuch Decree return or become publickly viſible, then and in ſuch Caſe he, ſhe or they ſhall likewiſe be ſerved with a Copy of ſuch Decree within a reaſonable Time after his, her or their Return or publick Appearance ſhall be known to the Plaintiff or Plaintiffs; and in caſe any Defendant againſt whom ſuch Decree ſhall be made, ſhall within ſeven Years after the making ſuch Decree, happen to die before his or her return into this Realm, or appearing openly as aforeſaid, or ſhall within the Time laſt before mentioned die in Cuſtody before his or her being ſerved with a Copy of ſuch Decree, then his or her Heir, if ſuch Defendant ſhall have any real Eſtate ſequeſtred, or whereof Poſſeſſion ſhall have been delivered to the Plaintiff or Plaintiffs, and ſuch Heir may be found, or if ſuch Heir ſhall be a Feme Covert, Infant, or *Non compos mentis*, the Huſband, Guardian or Committee of ſuch Heir reſpectively; or if the perſonal Eſtate of ſuch Defendant be ſequeſtred, or Poſſeſſion thereof delivered to the Plaintiff or Plaintiffs, then his or her Executor or Adminiſtrator (if any ſuch there be) may and ſhall be ſerved with a Copy of ſuch Decree within a reaſonable Time after it ſhall be known to the Plaintiff or Plaintiffs, that the Defendant is dead, and who is his or her Heir, Executor or Adminiſtrator, or where he, ſhe or they reſpectively may be ſerved therewith.

Perſons out of the Realm affected by ſuch Decree, if they return within 7 Years, to be ſerved with a Copy, or in caſe of Death, his Heir, &c.

V. Provided always, That if any Perſon or Perſons ſo ſerved with a Copy of ſuch Decree, ſhall not within ſix Months after ſuch Service appear and petition to have the ſaid Cauſe reheard, ſuch Decree ſo made as aforeſaid ſhall ſtand abſolutely confirmed againſt the Perſon and Perſons ſo ſerved with a Copy thereof, his, her and their reſpective Heirs, Executors and Adminiſtrators, and all Perſons claiming or to claim by, from or under him, her, them or any of them, by virtue of any Act done or to be done ſubſequent to the Commencement of ſuch Suit.

If Perſons ſerved with ſuch Copies, ſhall not petition a rehearing of the Cauſe within 6 Months, the Decree to be abſolutely confirmed, and bar all claiming by them.

VI. Provided nevertheleſs, That if any Perſon, ſo ſerved with a Copy of ſuch Decree, ſhall within ſix Months after ſuch Service, or if any Perſon not being ſo ſerved ſhall within ſeven Years next after the making ſuch Decree, appear in Court, and petition to be heard with reſpect to the Matter of ſuch Decree, and ſhall pay down or give Security for Payment of ſuch Coſts as the Court ſhall think reaſonable in that Behalf, the Perſon or Perſons ſo petitioning, his, her or their reſpective Repreſentatives, or any Perſon or Perſons claiming under him, her or them reſpectively, by virtue of any Act done before the Commencement of the Suit, may be admitted to anſwer the Bill exhibited, and iſſue may be joined, and Witneſſes on both Sides examined, and ſuch other Proceedings, Decree and Execution may be had thereon, as there might have been in caſe the ſame Party had originally appeared, and the Proceedings had then been newly begun, or as if no former Decree or Proceedings had been in the ſame Cauſe.

Defendants petitioning a rehearing within 7 Years, and giving Security for Coſts, admitted to anſwer, and the Cauſe to be heard again.

VII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons, againſt whom ſuch Decree ſhall be made, his, her or their Heirs, Executors or Adminiſtrators, ſhall not within ſeven Years next after the making of ſuch Decree, appear and petition to have the Cauſe reheard, and pay down or give Security for Payment of ſuch Coſts as the Court ſhall think reaſonable in that behalf, ſuch Decree made as aforeſaid ſhall ſtand abſolutely confirmed againſt the Perſon and Perſons againſt whom ſuch Decree ſhall be made, his, her and their Heirs, Executors and Adminiſtrators, and againſt all Perſons claiming or to claim, by, from or under him, her, them or any of them, by virtue of any Act done or to be done ſubſequent to the Commencement of ſuch Suit; and at the End of ſuch ſeven Years it ſhall and may be lawful for the Court to make ſuch further Order as ſhall be juſt and reaſonable, according to the Circumſtances of the Caſe.

Not appearing within 7 Years, and making ſuch Petition to be abſolutely barred.

VIII. Provided always, That this Act ſhall not extend or be conſtrued to extend to warrant or make good any Proceeding againſt any Perſon beyond the Seas, unleſs it ſhall appear to the Satisfaction of the Court by Affidavit or Affidavits, before the making of ſuch Decree, that ſuch Perſon had been in

Not to affect Perſons beyond the Seas, unleſs Affidavit be made of their being in England

that

that Part of *Great Britain* called *England*, within two Years next before the *Subpoena* in ſuch Suit iſſued againſt ſuch Perſon. within 2 Years before the Subpoena.

IX. Provided alſo, That this Act ſhall not extend or be conſtrued to extend to warrant or make good any Proceeding againſt any Perſon in any Court of Equity having a limited Juriſdiction, unleſs it ſhall appear to the Satisfaction of ſuch Court by Affidavit or Affidavits, before the making of ſuch Decree, that ſuch Perſon had reſided within the Juriſdiction of ſuch Court, within one Year next before the *Subpoena* in ſuch Suit iſſued againſt ſuch Perſon. Not to extend to Courts having a limited Juriſdiction, unleſs Oath be made of perſonal Reſidence in ſuch Juriſdiction 1 Year before the Subpoena. *See farther*, 12 *Geo.* 2. *c.* 24. 23 *Geo.* 2. *c.* 25.

CAP. XXVI.

An Act for the effectual repairing the Highways between *Dunſtable* and *Hockliffe* in the County of *Bedford*, by enlarging the Term and Powers granted by two former Acts, one of the ninth and the other of the twelfth Year of the Reign of her late Majeſty Queen ANNE. PR. [The two Acts continued for 21 Years.]

CAP. XXVII.

An Act to explain, amend and render more effectual an Act made in the twelfth Year of the Reign of his late Majeſty King *George* the firſt, intituled, *An Act to prevent frivolous and vexatious Arreſts.*

'WHEREAS in an Act made in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act to prevent frivolous and vexatious Arreſts*, it is amongſt other things enacted, That from and after the twenty-fourth Day of *June* which was in the Year of our Lord one thouſand ſeven hundred and twenty-ſix, no Perſon ſhould be held to ſpecial Bail upon any Proceſs iſſuing out of any ſuperior Court, where the Cauſe of Action ſhould not amount to the Sum of ten Pounds or upwards, nor out of any inferior Court, where the Cauſe of Action ſhould not amount to the Sum of forty Shillings or upwards; and that in all Caſes where the Cauſe of Action ſhould not amount to the Sum of ten Pounds or upwards in any ſuch ſuperior Court, or to forty Shillings or upwards in any ſuch inferior Court (and the Plaintiff or Plaintiffs ſhould proceed by the way of Proceſs againſt the Perſon) he, ſhe or they ſhould not arreſt or cauſe to be arreſted the Body of the Defendant or Defendants, but ſhould ſerve him, her or them perſonally, within the Juriſdiction of the Court, with a Copy of the Proceſs; and if ſuch Defendant or Defendants ſhould not appear at the Return of the Proceſs, or within four Days after ſuch Return, in ſuch Caſe it ſhould and might be lawful to and for the Plaintiff or Plaintiffs, upon Affidavit being made and filed in the proper Court of the perſonal Service of ſuch Proceſs as aforeſaid (which ſaid Affidavit ſhould be filed *gratis*) to enter a common Appearance or file common Bail for the Defendant or Defendants, and to proceed thereon, as if ſuch Defendant or Defendants had entred his, her or their Appearance, or filed common Bail, any Law or Uſage to the contrary notwithſtanding: And whereas the ſaid Proceſs in the ſaid Act mentioned is in a Language for the moſt part unknown to ſuch Defendant or Defendants: And whereas ſuch Defendant or Defendants are to appear at the Return of ſuch Proceſs, or within four Days after ſuch Return, the Shortneſs of which Time hath been found inconvenient in many Caſes: And whereas Affidavit is to be made of the perſonal Service of ſuch Proceſs, and unneceſſary Expence and Delay hath been occaſioned for want of a ſufficient Number of Perſons duly authorized to take ſuch Affidavits:' For Remedy whereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the End of this preſent Seſſion of Parliament, in all Caſes where the Cauſe of Action ſhall not amount to the Sum of ten Pounds or upwards in any ſuperior Court, or to forty Shillings or upwards in any inferior Court, the Writ, Proceſs, Declaration and all other Proceedings ſhall be in the *Engliſh* Tongue, and written in Words at length, in a common legible Hand and Character; and the Defendant or Defendants in ſuch Caſes (a Copy of ſuch Proceſs in *Engliſh* having been ſerved, as by the ſaid Act is directed) ſhall appear at the Return thereof, or within eight Days after ſuch Return, and the Affidavit of the Service of ſuch Proceſs ſhall and may be made before any Judge or Commiſſioner of the Court, out of which ſuch Proceſs ſhall iſſue, authorized to take Affidavits in ſuch Courts, or elſe before the proper Officer for entring common Appearances in ſuch Court, or his lawful Deputy; and which Affidavit is hereby directed to be filed *gratis*.

Recital of 12 Geo. 1. c. 29. *Revived and made perpetual by* 21 *Geo.* 2. *c.* 3.

After the End of this Seſſion Proceſs under 10 l. or 40 s. reſpectively, to be in Engliſh, and in a common Hand.

Defendant to appear within 8 Days after Return of the Proceſs.

Affidavit to be made of the Service.

II. Provided always, That no Attorney, Bailiff or other Perſon, ſhall have, take, charge or demand more than five Shillings, for the making and ſerving a Copy of ſuch Proceſs iſſuing out of any ſuperior Court, or more than one Shilling for the making and ſerving a Copy of ſuch Proceſs, iſſuing out of any inferior Court, on ſuch Defendant or Defendants reſpectively as aforeſaid.

5 s. for making and ſerving Copy of Proceſs in ſuperior, and 1 s. in inferior Courts.

III. Provided nevertheleſs, That in particular Franchiſes and Juriſdictions the proper Officer there ſhall execute ſuch Proceſs.

Proceſs in particular Franchiſes,

IV. And be it further enacted by the Authority aforeſaid, That upon every Copy of ſuch Proceſs, to be ſerved upon any Defendant, ſhall be written in like manner an *Engliſh* Notice to ſuch Defendant of the Intent and Meaning of ſuch Service to the Effect following, *videlicet*,

Form of English Notice to the Defendant, without Fee.

A. B. *you are served with this Process, to the Intent that you may by your Attorney appear in his Majesty's Court of at the Return thereof, being the Day of* (as the Case shall happen to be) *in order to your Defence in this Action*;' and for which said *English* Notice no Fee or Reward shall be demanded or taken.

After the End of this Session no special Writs may be issued in smaller Suits.

'V. And whereas great and unnecessary Expences have been occasioned in small and trifling Suits, 'by the suing forth of special Writs;' For Remedy whereof be it enacted by the Authority aforesaid, That from and after the End of this present Session of Parliament, where the Cause of Action shall not amount to the Sum of ten Pounds or upwards in any superior Court, or to forty Shillings or upwards in any inferior Court, no special Writ or Writs, nor any Process specially therein expressing the Cause or Causes of Action, shall be sued forth or issued from any such superior or inferior Court respectively, in order to compel any Person or Persons to appear thereon in such Court or Courts: And all Proceedings and Judgments, that shall, from and after the End of this present Session of Parliament, be had on any such Writ or Process, shall be, and is hereby declared to be void and of none Effect; and every Attorney or Officer of such Court or Courts, suing forth or issuing any such Writ or Process, shall forfeit the Sum of ten Pounds to the Person or Persons aggrieved thereby, who shall and may recover the same by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, together with full Costs of Suit, in which no Essoin, Protection or Wager of Law, shall be allowed or any more than one Imparlance.

Penalty on issuing such special Writs 10*l.* and Costs of Suit.

'VI. And whereas the said Act hath been found by Experience to be useful and beneficial,' Be it therefore enacted by the Authority aforesaid, That the said Act (except wherein the same is by this present Act explained and amended) shall be and is hereby continued, and shall, together with this present Act, be and remain in full force from the End of this present Session of Parliament, for and during the Term of seven Years, and from thence to the End of the then next Session of Parliament, and no longer.

These Acts to continue seven Years, &c. Made perpetual 21 Geo. 2. c. 3. 6 Geo. 2. c. 14.

CAP. XXVIII.

An Act for encouraging the *Greenland* Fishery.

25 Car. 2. c. 7. 4 & 5 W. & M. c. 17. 10 & 11 W. 3. c. 25. § 17. 1 Ann. St. 1. c. 16. 10 Geo. 1. c. 16. 12 Geo. 1. c. 26. § 7.

'WHEREAS the Trade to *Greenland*, the *Greenland* Seas, and *Davis*'s Streights, in the fishing 'for Whales, Seals and other Creatures caught there, is a very beneficial Trade to this Kingdom, not only in employing great Numbers of Seamen and Ships, and consuming great Quantities of 'Provisions, but also in bringing into this Nation great Quantities of Fins, Oil, or Blubber of Whales, 'and Oil Skins, and other Produce of Seals and other Creatures; and whereas the permitting the Importation of such Fins, Oil, or Blubber, or other Produce whatsoever of Whales, Seals, and other 'Creatures caught by his said Majesty's Subjects in the said Seas, Streights, or in any other Parts of the 'Seas adjoining thereunto, without paying any Duty for the same for a competent Time, may greatly 'contribute to the Encouragement and support of the said Trade;' May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for any Person or Persons, for and during the Space of nine Years, to be computed from the twenty-fifth Day of *December* one thousand seven hundred and thirty-one, to import Whale Fins, Oil, or Blubber of Whales, Sea Oil, Seal Skins, or any other produce of Seals, or other Fish or Creatures taken or caught in the said *Greenland* Seas or *Davis*'s Streights, or in any other Parts of the Seas adjoining or adjacent thereunto, in *British* Ships, whereof the Captain or Master, and one third Part at the least of the Mariners are *British* Subjects, without paying any Custom, Subsidy, or other Duty for the same, during the said Term of nine Years, any Law or Statute to the contrary thereof notwithstanding.

After Dec. 25 1731, for nine Years, Whale or Seal Skins, &c. may be imported from Greenland, &c. Custom free by British Subjects,

II. Provided always, That nothing in this Act contained shall extend or be construed to extend to give Liberty of importing any of the before mentioned Commodities Duty free, unless the Captain, Master or other commanding Officer of the Ship or Vessel importing the same shall first make Oath before some or one of the Commissioners or principal Officer of the Customs in the Port or Ports of Importation (who is and are hereby authorized and required to administer such Oath) that all the Whale Fins, Oil, or Blubber of Whales, Seal Oil, Seal Skins, or other Produce of Seals, or other Fish or Creatures, imported in such Ship or Vessel was really and *bona fide* the Fins, Oil, or Blubber of Whales, or the Skins, Oil, or other Produce of Seals, or other Fish or Creatures caught and taken in the said *Greenland* Seas, *Davis*'s Streights, or other Parts of the Seas adjoining or adjacent thereunto, by the Crew of such Ships and Vessels only, whereof the Captain or Master, and one third Part at least of the Mariners were *British* Subjects.

on Oath of the Master of the Vessel before the chief Officers of the Customs, that such Whales, &c. were taken there by such Ships. Continued by 22 Geo. 2. c. 45. And further by 28 Geo. 2. c. 20.

See further 6 Geo. 2. c. 33. 13 Geo. 2. c. 28. § 5.

CAP.

CAP. XXIX.

An Act for the reviving an Act made in the fifth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the better securing the lawful Trade of his Majesty's Subjects to and from the* East-Indies, *and for the more effectual preventing all his Majesty's Subjects trading thither under foreign Commissions.*

'WHEREAS the Act made in the fifth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the better securing the lawful Trade of his Majesty's Subjects to and from the* East-Indies, *and for the more effectual preventing all his Majesty's Subjects trading thither under foreign Commissions*, which was to continue in Force for five Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the ninth Year of his said late Majesty's Reign, intituled, *An Act to prevent his Majesty's Subjects from subscribing or being concerned in encouraging or promoting any Subscription for an* East-India *Company in the* Austrian Netherlands, *and for the better securing the lawful Trade of his Majesty's Subjects to and from the* East-Indies, was further continued for seven Years from the twenty-fifth Day of *March* one thousand seven hundred and twenty-three, and from thence to the End of the then next Session of Parliament, hath by Experience been found useful and beneficial, and is lately expired;' May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first herein before-mentioned Act shall be and is hereby revived, and shall be in full Force from the first Day of *May* in the Year of our Lord one thousand seven hundred and thirty-two for and during the Term of seven Years, and from thence to the End of the then next Session of Parliament, and no longer.

5 Geo. 1. c. 21.

9 Geo. 1. c. 26.

Act 5 Geo. 1. continued from 1 May 1732 for 7 Years, &c. Continued by 20 Geo. 2. c. 47.

CAP. XXX.

An Act to prevent the Committing of Frauds by Bankrupts.

'WHEREAS Commissions of Bankrupt have been issued against several Persons not long before and since the Expiration of the Statute made in the fifth Year of his late Majesty's Reign, intituled, *An Act for the better preventing Frauds committed by Bankrupts*, and such Persons have been declared Bankrupts by the Commissioners by such Commissions authorized, and yet several of such Bankrupts, by reason of the Expiration of the said Statute, have not only refused to surrender themselves to the Commissioners, and to discover and deliver up their Estate and Effects to the said Commissioners for the Benefit of their Creditors, but have carried away and concealed the same in such Manner, that the said Commissioners have not been able to seize the same, to the manifest Wrong and Injury of their Creditors, and to the great Discouragement of Trade: And whereas many evil-minded Persons have, since the Expiration of the said Statute, bought and taken upon Trust and Credit divers great Quantities of Goods, Wares and Merchandizes, and have thereby, and by their extravagant Manner of living and otherwise, contracted great Debts, and having gotten such Goods and Effects into their Custody, have sold or pawned the same for less than the Value thereof, and thereby raised ready Money, and have withdrawn themselves from their usual Places of Abode, with their Effects, into secret Places, in order to oblige their Creditors to accept of such Composition for their respective Debts, as such evil-minded Persons think fit to offer, or have carried away their Effects beyond the Seas, whereby their Creditors have been totally deprived of their Debts: And whereas many Persons have and do daily become Bankrupts, not so much by reason of Losses and unavoidable Misfortunes, as to the Intent to oblige their Creditors to accept such their unjust Profers and Composition, and to defraud and hinder their Creditors of their just Debts:' Therefore to remedy the said Abuses, and to supply the Defects and Inconveniencies of former Laws relating to Bankrupts, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, who since the fourteenth Day of *May* which was in the Year of our Lord one thousand seven hundred and twenty-nine, hath or have become Bankrupt, or who shall at any Time hereafter during the Continuance of this Act become Bankrupt, within the Intent and Meaning of the several Statutes made and now in Force concerning Bankrupts, or any of them, and against whom a Commission of Bankrupt under the Great Seal of *Great Britain* hath, since the said fourteenth Day of *May* which was in the Year of our Lord one thousand seven hundred and twenty-nine, been awarded and issued out, or shall at any Time hereafter be awarded and issued out, whereupon the Person or Persons against whom such Commission hath issued or shall issue, have or hath been or shall be declared Bankrupt or Bankrupts, shall not within forty-two Days after Notice thereof in Writing, to be left at the usual Place of Abode of such Person or Persons, or personal Notice, in case such Person or Persons be then in Prison, and Notice given in the *London Gazette*, that such Commission or Commissions is, are or have been issued, and of the Time and Place of a Meeting of the Commissioners therein named, or the major Part of them, surrender him, her or themselves to the said Commissioners named in the said Commission, or the major Part of them, and sign or subscribe such Surrender, and submit to be examined from Time to Time upon Oath, or being of the People called *Quakers*, upon the solemn Affirmation by Law appointed

5 Geo. 1. c. 24.

For former Laws concerning Bankrupts, see 34 & 35 *H.* 8. *c.* 4. 13 *Eliz. c.* 7. 1 *Jac.* 1. *c.* 15. 21 *Jac.* 1. *c.* 19. 13 & 14 *Car.* 2. *c.* 24. 10 *Ann. c.* 15. 7 *Geo.* 1. *c.* 31.

Bankrupts since 14 May 1729. *(Offences against this Act are excepted out of the general Pardon,* 20 *Geo.* 2. *c.* 52.)

not surrendering within 42 Days Notice,

conforming to the Statutes,

appointed for such People, by and before such Commissioners, or the major Part of them, by such Commission authorized, and in all Things conform to the several Statutes already made and now in Force concerning Bankrupts; and also upon such his, her or their Examination fully and truly disclose and discover all his, her or their Effects and Estate real and personal, and how and in what Manner, to whom and upon what Consideration, and at what Time or Times he, she or they have or hath disposed of, assigned or transferred any of his, her or their Goods, Wares, Merchandizes, Monies or other Estate and Effects (and all Books, Papers and Writings relating thereunto) of which he, she or they was or were possessed, or in or to which he, she or they was or were any ways interested or intitled, or which any Person or Persons had, or hath or have had in Trust for him, her or them, or for his, her or their Use, at any Time before or after the Issuing of the said Commission, or whereby such Person or Persons, or his, her or their Family or Families, hath or have, or may have or expect any Profit, Possibility of Profit, Benefit or Advantage whatsoever, except only such Part of his, her, or their Estate and Effects, as shall have been really and *bona fide* before sold or disposed of in the way of his, her or their Trade and Dealings; and except such Sums of Money as shall have been laid out in the ordinary Expence of his, her or their Family or Families; and also upon such Examination deliver up unto the said Commissioners by the said Commission authorized, or the major Part of them, all such Part of his, her or their the said Bankrupts Goods, Wares, Merchandizes, Money, Estate and Effects, and all Books, Papers and Writings relating thereunto, as at the Time of such Examination shall be in his, her or their Possession, Custody or Power (his, her or their necessary Wearing Apparel and the necessary Wearing Apparel of the Wife and Children of such Bankrupt only excepted) then he, she or they the said Bankrupt or Bankrupts, in case of any Default and wilful Omission in not surrendring and submitting to be examined as aforesaid, or in case he, she or they shall remove, conceal or embezzle any Part of such his, her or their Estate real or personal, to the Value of twenty Pounds, or any Books of Account, Papers or Writings relating thereto, with an Intent to defraud his, her or their Creditors (and being thereof lawfully convicted by Judgment or Information) shall be deemed and adjudged to be guilty of Felony, and shall suffer as Felons without Benefit of Clergy, or the Benefit of any Statute made in relation to Felons; and in such Cases such Felon's Goods and Estate shall go and be divided among the Creditors seeking Relief under such Commission; any Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

or embezzling Goods to the Value of 20l. guilty of Felony.

Goods of Bankrupts condemned to go to the Creditors.

Number and Limitation of Sittings.

II. Provided always, and be it enacted by the Authority aforesaid, That the said Commissioners, authorized as aforesaid, shall appoint within the said forty-two Days so appointed as aforesaid for the Bankrupt to surrender and conform as aforesaid, not less than three several Meetings for the Purposes aforesaid, the last of which shall be on the forty-second Day hereby limited for such Bankrupt's Appearance; except on Commissions already issued since the said fourteenth Day of *May* one thousand seven hundred and twenty-nine, where the Person or Persons against whom such Commission issued has or have before surrendered and submitted to be examined; in which Case the said Commissioners autho ized as aforesaid, shall appoint only one Sitting more for the Purposes aforesaid, unless the Assignee or Assignees of the Estate of such Bankrupt shall think more Sittings necessary, and desire the same, and three Weeks Notice at least shall be given in the *London Gazette* of the Time and Place of such Meetings.

Lord Chancellor may enlarge the Time for surrendring.

III. Provided always, and it is hereby declared and enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord Chancellor or Lord Keeper, or Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being, to enlarge the Time for such Person or Persons surrendring him, her or themselves, and disclosing and discovering his, her or their Estate and Effects as aforesaid, as the said Lord Chancellor, Lord Keeper or such Commissioners shall think fit, not exceeding fifty Days, to be computed from the End of the said forty-two Days, so as such Order for enlarging the Time be made by the said Lord Chancellor, Lord Keeper or such Commissioners six Days at least before the Time on which such Person or Persons was or were so to surrender him, her or themselves, and make such Discovery as aforesaid.

Books of Account to be delivered to the Assignees on Oath.

IV. And be it further enacted by the Authority aforesaid, That every such Bankrupt or Bankrupts as aforesaid, after any Assignee or Assignees of his, her or their Estate and Effects shall be chosen and appointed, as herein after mentioned, shall be and is and are hereby required forthwith to deliver up upon Oath, or (one of the People called *Quakers*) upon solemn Affirmation before one of the Masters of the High Court of Chancery, or before any Justice of the Peace within his respective Jurisdiction, which Oath or Affirmation they are hereby impowered to administer, unto such Assignee or Assignees all his, her or their Books of Accounts, Papers and Writings not seized by the Messenger of the said Commission, or not before delivered up to the Commissioners, or the major Part of them, and then in his, her or their Custody or Power, and discover such as are in the Custody or Power of any other Person or Persons, that any ways relate to or concern his, her or their Estate or Effects; and all and every such Bankrupt or Bankrupts, not in Prison or Custody, shall at all Times after such Surrender as aforesaid be at Liberty, and is and are hereby required to attend such Assignee or Assignees upon every reasonable Notice in Writing for that Purpose given by such Assignee or Assignees unto such Bankrupt or Bankrupts, or left for him, her or them at his, her or their House or Place of Abode, in order to assist, and shall assist such Assignee or Assignees in making out the Accounts of the said Bankrupt's Estate and Effects.

Bankrupt to attend Assignees,

V. And be it further enacted by the Authority aforesaid, That all and every Bankrupt or Bankrupts having surrendred as aforesaid shall, at all seasonable Times before the Expiration of the said forty-two Days, or such further Time as shall be allowed to such Bankrupts to finish his, her or their Examination, be at Liberty to inspect his, her or their Books, Papers and Writings, in the Presence of such Assignee or Assignees,

inspect Accounts,

Aſſignees, or ſome Perſon to be appointed by ſuch Aſſignee or Aſſignees for that Purpoſe, and to take and bring with him, her or them, for his, her or their Aſſiſtance, ſuch Perſons as he, ſhe or they ſhall think fit, not exceeding two Perſons at any one Time, and to make out ſuch Extracts and Copies from thence, as he, ſhe or they ſhall think fit, the better to enable him, her and them to make a full and true Diſcovery and Diſcloſure of his, her or their Eſtate and Effects; and in order thereto the ſaid Bankrupt or Bankrupts ſhall be free from all Arreſts, Reſtraint or Impriſonment of any of his, her or their Creditors in coming to ſurrender, and from the actual Surrender of ſuch Bankrupt to the ſaid Commiſſioners, for and during the ſaid forty-two Days, or ſuch further Time as ſhall be allowed to ſuch Bankrupt or Bankrupts, for finiſhing his, her or their Examinations as aforeſaid, provided ſuch Bankrupt was not in Cuſtody at the Time of ſuch Surrender and Submiſſion to be examined; and in caſe ſuch Bankrupt ſhall be arreſted for Debt, or on any Eſcape Warrant, coming to ſurrender him or herſelf to the ſaid Commiſſioners, or after his or her Surrender ſhall be ſo arreſted within the Time before-mentioned, that then, on producing ſuch Summons or Notice under the Hands of the ſaid Commiſſioners, Aſſignee or Aſſignees, to the Officer who ſhall arreſt him, her or them, and making it appear to ſuch Officer, that ſuch Notice or Summons is ſigned by the ſaid Commiſſioners, or the major Part of them, or ſuch Aſſignee or Aſſignees, and giving ſuch Officer a Copy thereof, ſhall be immediately diſcharged. And in caſe any Officer ſhall detain ſuch Bankrupt or Bankrupts (after he, ſhe or they ſhall have ſhewn ſuch Notice or Summons to him, and made it appear it was ſigned as aforeſaid) in his Cuſtody, ſuch Officer ſhall forfeit and pay to ſuch Bankrupt, for his own Uſe, the Sum of five Pounds for every Day ſuch Officer ſhall detain ſuch Bankrupt, to be recovered by Action of Debt in any of his Majeſty's Courts of Record at *Weſtminſter*, in the Name or Names of ſuch Bankrupt or Bankrupts, with full Coſts of Suit.

and be free from Reſtraint during Examination, if not in Cuſtody before.

Penalty on Officer detaining Bankrupts.

VI. Provided always, and be it further enacted, That in caſe any Bankrupt be in Priſon or in Cuſtody at the Time of iſſuing of the ſaid Commiſſion as aforeſaid, and is willing to ſurrender and ſubmit to be examined according to the Directions of this Act, and can be brought before the ſaid Commiſſioners and Creditors for that Purpoſe, the Expence thereof ſhall be paid out of the ſaid Bankrupt's Eſtate and Effects: But in caſe ſuch Bankrupt is in Execution, or cannot be brought before the Commiſſioners, that then the acting Commiſſioners ſhall from Time to Time attend the ſaid Bankrupt in Priſon or Cuſtody, and take his or her Diſcovery, as in other Caſes; and the Aſſignees of the ſaid Eſtate ſhall have Power, and are hereby required to appoint one or more Perſons to attend ſuch Bankrupt, being in Priſon or in Cuſtody as aforeſaid, from Time to Time, and to produce to him or her, his or her Books, Papers and Writings, in order to prepare his or her laſt Diſcovery and Examination according to the Directions before-mentioned; a Copy whereof the Aſſignees of the ſaid Eſtate ſhall apply for, and the ſaid Bankrupt ſhall deliver to them or their Order, ten Days at leaſt before ſuch laſt Examination.

Bankrupts in Cuſtody to be brought before Commiſſioners at the Creditors Expence; if in Execution, Commiſſioners to attend them in Priſon.

VII. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons ſo become or to become Bankrupts as aforeſaid, who ſhall within the Time limited by this Act, ſurrender him, her or themſelves to the acting Commiſſioners named and authorized in or by any Commiſſion of Bankrupt awarded or to be awarded againſt him, her or them, and in all Things conform, as in and by this Act is directed, ſhall be allowed the Sum of five Pounds *per Centum* out of the neat Produce of all the Eſtate that ſhall be recovered in and received; which ſhall be paid unto him, her or them by the Aſſignee or Aſſignees of the ſaid Commiſſioners, in caſe the neat Produce of the ſaid Eſtate, after ſuch Allowance made, ſhall be ſufficient to pay the Creditors of the ſaid Bankrupt, who have proved their Debts under the ſaid Commiſſion, the Sum of ten Shillings in the Pound, and ſo as the ſaid five Pounds *per Centum* ſhall not amount in the whole to above the Sum of two hundred Pounds. And in caſe the neat Produce of the ſaid Eſtate ſhall, over and above the Allowance hereafter mentioned, be ſufficient to pay the ſaid Creditors the Sum of twelve Shillings and ſix Pence in the Pound for their reſpective Debts, that then all and every Perſon or Perſons ſo conforming ſhall be allowed the Sum of ſeven Pounds ten Shillings *per Centum* out of ſuch neat Produce, to be paid by ſuch Aſſignee or Aſſignees, ſo as ſuch ſeven Pounds ten Shillings *per Centum* ſhall not amount in the whole to above the Sum of two hundred and fifty Pounds. And in caſe the neat Produce of the ſaid Eſtate ſhall, over and above the Allowance hereafter made, be ſufficient to pay the ſaid Creditors the Sum of fifteen Shillings in the Pound for their reſpective Debts, that then all and every ſuch Perſon and Perſons ſo conforming ſhall be allowed the Sum of ten Pounds *per Centum* out of ſuch neat Produce, to be paid by the Aſſignee or Aſſignees, ſo as ſuch ten Pounds *per Centum* ſhall not amount in the whole to above the Sum of three hundred Pounds; and every ſuch Bankrupt ſhall be diſcharged from all Debts by him, her or them due or owing at the Time that he, ſhe or they did become Bankrupt. And in caſe any ſuch Bankrupt ſhall afterwards be arreſted, proſecuted or impleaded for any Debt due before ſuch Time as he, ſhe or they became Bankrupt, ſuch Bankrupt ſhall be diſcharged upon common Bail, and ſhall and may plead in general, that the Cauſe of ſuch Action or Suit did accrue before ſuch Time as he, ſhe or they became Bankrupts, and may give this Act and the ſpecial Matter in Evidence; and the Certificate of ſuch Bankrupt's conforming, and the Allowance thereof according to the Directions of this Act, ſhall be and ſhall be allowed to be ſufficient Evidence of the Trading, Bankruptcy, Commiſſion and other Proceedings precedent to the obtaining ſuch Certificate, and a Verdict ſhall thereupon paſs for the Defendant, unleſs the Plaintiff in ſuch Action can prove the ſaid Certificate was obtained unfairly and by Fraud, or unleſs the Plaintiff in ſuch Action can make appear any Concealment by ſuch Bankrupt to the Value of ten Pounds; and if a Verdict paſs for the Defendant, or the Plaintiff ſhall become nonſuited, or Judgment be given againſt the Plaintiff, the Defendant ſhall recover his full Coſts.

Allowance to Bankrupts.

Bankrupts diſcharged freed from Debts.

VIII. Provided always, and it is hereby declared and enacted by the Authority aforeſaid, That if the neat Proceed of ſuch Bankrupt's Eſtate ſo to be diſcovered, recovered and received, together with

Bankrupts Allowance if the Effects amount not to 10 s. per Pound.

what ſhall be otherwiſe recovered and received, ſhall not amount to ſo much as will pay all and every the Creditors of ſuch Bankrupt, who ſhall have proved their Debts under the ſaid Commiſſion, the Sum of ten Shillings in the Pound for their reſpective Debts, after all Charges firſt had and deducted, that then and in ſuch Caſe ſuch Bankrupt ſhall not be allowed the Sum of five Pounds *per Centum* out of ſuch Eſtate, as ſhall be ſo recovered in; but ſhall be allowed and paid by the Aſſignees ſo much Money, as the ſaid Aſſignees and Commiſſioners authorized as aforeſaid ſhall think fit to allow to ſuch Bankrupt, not exceeding three Pounds *per Centum*.

In what Caſes future Effects of Bankrupts ſtill liable to Creditors.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, in caſe any Commiſſion of Bankruptcy ſhall iſſue againſt any Perſon or Perſons, who after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two ſhall have been diſcharged by virtue of this Act, or ſhall have compounded with his, her or their Creditors, or delivered to them his, her or their Eſtate or Effects, and been releaſed by them, or been diſcharged by any Act for the Relief of Inſolvent Debtors after the Time aforeſaid, that then and in either of thoſe Caſes the Body and Bodies only of ſuch Perſon and Perſons conforming as aforeſaid ſhall be free from Arreſt and Impriſonment by virtue of this Act; but the future Eſtate and Effects of every ſuch Perſon and Perſons ſhall remain liable to his, her or their Creditors, as before the making of this Act (the Tools of Trade, the neceſſary Houſhold Goods and Furniture, and neceſſary Wearing Apparel of ſuch Bankrupt and his Wife and Children only excepted) unleſs the Eſtate of ſuch Perſon or Perſons, againſt whom ſuch Commiſſion ſhall be awarded, ſhall produce clear after all Charges, ſufficient to pay every Creditor under the ſaid Commiſſion, fifteen Shillings in the Pound for their reſpective Debts.

On what Conditions Certificates to be ſigned.

X. Provided alſo, and be it enacted by the Authority aforeſaid, That no Diſcovery upon Oath or ſolemn Affirmation to be made by any Bankrupt or Bankrupts of his, her or their Eſtate and Effects purſuant to this Act, ſhall intitle ſuch Bankrupt or Bankrupts to the Benefits allowed by this Act, unleſs the Commiſſioners authorized by ſuch Commiſſion, or the major Part of them, ſhall in Writing under their Hands and Seals certify to the Lord Chancellor or Lord Keeper, or Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, that ſuch Bankrupt or Bankrupts hath or have made a full Diſcovery of his or her Eſtate and Effects, and in all Things conformed himſelf, herſelf or themſelves according to the Directions of this Act, and that there doth not appear to them any Reaſon to doubt of the Truth of ſuch Diſcovery, or that the ſame is not a full Diſcovery of all ſuch Bankrupt's Eſtate and Effects; and unleſs four Parts in five in Number and Value of the Creditors of ſuch Bankrupt or Bankrupts, who ſhall be Creditors for not leſs than twenty Pounds reſpectively, and who ſhall have duly proved their Debts under ſuch Commiſſion, or ſome other Perſon by them reſpectively duly authorized thereunto, ſhall ſign ſuch Certificate, and teſtify their Conſent to ſuch Allowance and Certificate, and to the ſaid Bankrupt's Diſcharge in purſuance of this Act, to be alſo certified by ſuch Commiſſioners; but the ſaid Commiſſioners ſhall not certify the ſame, till they ſhall have Proof by Affidavit or Affirmation in Writing of ſuch Creditors, or of the Perſon by them reſpectively authorized for that Purpoſe, ſigning the ſaid Certificate, and of the Power and Authority by which any Perſon ſhall be authorized by any Creditor to ſign ſuch Certificate for any Creditor; which Affidavit or Affirmation, together with ſuch Warrant or Authority to ſign, ſhall be laid before the Lord High Chancellor, Lord Keeper or Commiſſioners of the Great Seal, with the ſaid Certificate, in order for the allowing and confirming the ſame; and unleſs ſuch Bankrupt make Oath, or being of the People called *Quakers*, ſolemnly affirm in Writing, That ſuch Certificate and Conſent of the Creditors thereunto were obtained fairly and without Fraud; and unleſs ſuch Certificate ſhall, after ſuch Oath or Affirmation of the Bankrupt, be allowed and confirmed by the Lord Chancellor, Lord Keeper or Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, or by ſuch two of the Juſtices of the Courts of King's Bench, Common Pleas or Barons of the Court of Exchequer at *Weſtminſter*, to whom the Conſideration of ſuch Certificate ſhall be referred by the Lord Chancellor, Lord Keeper or Commiſſioners of the Great Seal for the Time being; and any of the Creditors of ſuch Bankrupt are allowed to be heard, if they ſhall think fit, before the reſpective Perſons aforeſaid, againſt the making ſuch Certificate, and againſt the Confirmation thereof; nor ſhall any Commmiſſioner ſign ſuch Certificate, till after four Parts in five in Number and Value of the ſaid Creditors ſhall have ſigned the ſame as aforeſaid.

Contracts to induce Creditors to ſign Certificates, void.

XI. And be it enacted by the Authority aforeſaid, That every Bond, Bill, Note, Contract, Agreement or other Security whatſoever, to be made or given by any Bankrupt, or by any other Perſon, unto or to the Uſe of or in Truſt for any Creditor or Creditors, or for the Security of the Payment of any Debt or Sum of Money due from ſuch Bankrupt at the Time of his becoming Bankrupt, or any Part thereof, between the Time of his becoming Bankrupt and ſuch Bankrupt's Diſcharge, as a Conſideration, or to the Intent to perſuade him, her or them to conſent to or ſign any ſuch Allowance or Certificate, ſhall be wholly void and of no Effect; and the Monies thereby ſecured or agreed to be paid ſhall not be recovered or recoverable; and the Party ſued on ſuch Bond, Bill, Note, Contract or Agreement ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; any Thing herein contained, or any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Perſons excepted from the Benefits of this Act.

XII. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act ſhall be conſtrued to extend, or give or grant any Privilege, Benefit or Advantage, to any Bankrupt whatſoever, againſt whom a Commiſſion of Bankrupt under the Great Seal of *Great Britain*, ſince the ſaid fourteenth Day of *May* which was in the Year of our Lord one thouſand ſeven hundred and twenty-nine, hath iſſued, or hereafter ſhall iſſue, who hath or ſhall, for or upon Marriage of any of his or her Children, have given, advanced or paid above the Value of one hundred Pounds, unleſs he or ſhe ſhall prove

prove, or by his or her Books fairly kept, or otherwiſe upon his or her Oath, or being of the People called *Quakers*, upon ſolemn Affirmation, before the major Part of the Commiſſioners in ſuch Commiſſion named and authorized, that he or ſhe had at the Time thereof, over and above the Value ſo given, advanced or paid, remaining in Goods, Wares, Debts, ready Money, or other Eſtate Real or Perſonal, ſufficient to pay and ſatisfy unto each and every Perſon, to whom he or ſhe was any ways indebted, their full and entire Debts; or who hath or ſhall have loſt in any one Day the Sum or Value of five Pounds, or in the whole the Sum or Value of one hundred Pounds within the Space of twelve Months next preceding his, her or their becoming Bankrupt, in playing at or with Cards, Dice, Tables, Tennis, Bowls, Billiards, Shovelboard, or in or by Cock-fighting, Horſe-races, Dog-matches or Foot-races, or other Paſtimes, Game or Games whatſoever, or in or by bearing a Share or Part in the Stakes, Wagers or Adventures, or in or by betting on the Sides or Hands of ſuch as do or ſhall play, act, ride or run as aforeſaid, or that within one Year before he or ſhe became Bankrupt, ſhall have loſt the Sum of one hundred Pounds, by one or more Contracts for the Purchaſe, Sale, Refuſal or Delivery of any Stock of any Company or Corporation whatſoever, or any Parts or Shares of any Government or Publick Funds or Securities, where every ſuch Contract was not to be performed within one Week from the Time of the making ſuch Contract, or where the Stock or other Thing ſo bought or ſold was not actually transferred or delivered in Purſuance of ſuch Contract.

Bankrupts impriſoned after Certificate allowed, how to be diſcharged.

XIII. And be it further enacted by the Authority aforeſaid, That if any Bankrupt who ſhall have obtained his or her Certificate from the acting Commiſſioners, and ſuch Certificate ſhall have been allowed and confirmed as by this Act is directed, ſhall be taken in Execution, or detained in Priſon, on Account of any Debts due or owing before he or ſhe became Bankrupt, by reaſon that Judgment was obtained before ſuch Certificate was allowed and confirmed, it ſhall and may be lawful for any one or more of the Judges of the Court, wherein Judgment has been ſo obtained againſt ſuch Bankrupt, on ſuch Bankrupt's producing his or her Certificate allowed and confirmed, to order any Sheriff or Sheriffs, Bailiff or Officer, Gaoler or Keeper of any Priſon, who hath or ſhall have any ſuch Bankrupt in his Cuſtody, by Virtue of any ſuch Execution, to diſcharge ſuch Bankrupt out of Cuſtody on ſuch Execution without Payment of any Fee or Reward; and ſuch Sheriff or Sheriffs, Bailiff or Officer, Gaoler or Keeper is and are hereby required to diſcharge ſuch Bankrupt out of Cuſtody accordingly, and is and are hereby indemnified from any Action for an Eſcape for his or their ſo doing.

Judges or Juſtices may grant Warrants to apprehend Bankrupts not conforming.

XIV. And be it further enacted by the Authority aforeſaid, That upon Certificate made under the Hands and Seals of the Commiſſioners by ſuch Commiſſion authorized, or to be authorized, or the major Part of them, that ſuch Commiſſion is iſſued, and ſuch Perſon or Perſons proved before them to become Bankrupt or Bankrupts, it ſhall and may be lawful to and for all or any of the Juſtices of his Majeſty's Courts of King's Bench, or Common Pleas, or Barons of the Court of Exchequer, and to and for all and every the Juſtices of the Peace within that Part of the Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, and they are hereby impowered and required, upon Application to them for that Purpoſe made, to grant his or their Warrant or Warrants under his or their Hands and Seals for the taking and apprehending ſuch Perſon or Perſons, and him, her or them to commit to the common Gaol of the County where he, ſhe or they ſhall be ſo apprehended and taken, there to remain until he, ſhe or they be removed by Order of the ſaid Commiſſioners, or the major Part of them, by Warrant under their Hands and Seals; and the Gaoler or Keeper, to whoſe Cuſtody ſuch Perſon or Perſons ſhall be committed, is hereby required to take and receive ſuch Perſon or Perſons into his Cuſtody, and forthwith to give Notice to one or more of the ſaid Commiſſioners in the ſaid Commiſſion named, of ſuch Perſon or Perſons being in his or their Cuſtody, to the Intent the ſaid Commiſſioners may ſend their Warrant to ſuch Gaoler or Keeper (which they are hereby impowered and required forthwith to ſend) for the delivering ſuch Bankrupt or Bankrupts to the Perſon or Perſons named in ſuch Warrant, who ſhall be thereby authorized to convey and bring ſuch Perſon or Perſons to the ſaid Commiſſioners, in order to ſuch Examination and Diſcovery as aforeſaid; and the ſaid Commiſſioners are hereby likewiſe authorized and impowered by ſuch their Warrant, or any other Warrant, to take and ſeize any of the Goods, Wares, Merchandizes and Effects of ſuch Bankrupt or Bankrupts (the neceſſary wearing Apparel of ſuch Bankrupt, or of his Wife or Children only excepted) and any of his, her or their Books, Papers or Writings, which ſhall be then in the Cuſtody or Poſſeſſion of ſuch Bankrupt or Bankrupts, or of any other Perſon or Perſons, in any Priſon or Priſons whatſoever; any Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Gaolers to give Notice to Commiſſioners.

Goods or Books to be ſeized in Priſons.

Bankrupts ſo apprehended, on Conformity, to have the Benefit of the Act.

XV. Provided always, and be it enacted by the Authority aforeſaid, That if any ſuch Perſon or Perſons ſo apprehended and taken, ſhall within the Time or Times allowed by this Act for that Purpoſe, ſubmit to be examined, and in all Things conform, as if he, ſhe or they had ſurrendred, as by this Act ſuch Bankrupt or Bankrupts is or are required, that then ſuch Perſon ſo ſubmitting and conforming ſhall have and receive the Benefit of this Act, to all Intents and Purpoſes, as if he, ſhe or they had voluntarily come in and ſurrendred himſelf, herſelf or themſelves; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

XVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or the major Part of them, to examine as well by Word of Mouth, as on Interrogatories in Writing, all and every Perſon and Perſons, againſt whom any Commiſſion of Bankrupt is or ſhall be awarded, touching all Matters relating to the Trade, Dealings, Eſtate and Effects of all and every ſuch Bankrupt and Bankrupts, and alſo to examine in the Manner aforeſaid all and every other Perſon duly ſummoned before, or preſent at any Meeting of the ſaid Commiſſioners, or the major Part of them, touching all Matters relating to the Perſon, Trade, Dealings, Eſtate and Effects of

of all and every ſuch Bankrupt and Bankrupts, and any Act or Acts of Bankruptcy committed by him, her or them, and alſo to take down or reduce into Writing the Anſwers of Verbal Examinations of every ſuch Bankrupt or other Perſon, had or taken before them as aforeſaid; which Examination ſo taken down or reduced into Writing, the Party examined ſhall and is hereby required to ſign and ſubſcribe: And in caſe any ſuch Bankrupt or Bankrupts, or other Perſon or Perſons, ſhall refuſe to anſwer, or ſhall not fully anſwer to the Satisfaction of the Commiſſioners, or the major Part of them, all lawful Queſtions put to him, her or them, by the ſaid Commiſſioners, or the major Part of them, as well by Word of Mouth, as by Interrogatories in Writing, or ſhall refuſe to ſign and ſubſcribe his, her or their Examination ſo taken down or reduced into Writing as aforeſaid (not having a reaſonable Objection either to the wording thereof or otherwiſe, to be allowed by the ſaid Commiſſioners) it ſhall and may be lawful to and for the ſaid Commiſſioners, or the major Part of them, by Warrant under their Hands and Seals, to commit him, her or them to ſuch Priſon, as the ſaid Commiſſioners, or the major Part of them, ſhall think fit, there to remain without Bail or Mainprize, until ſuch Time as ſuch Perſon or Perſons ſhall ſubmit him, her or themſelves to the ſaid Commiſſioners, and full Anſwer make to the Satisfaction of the ſaid Commiſſioners to all ſuch Queſtions as ſhall be put to him, her or them as aforeſaid, and ſign and ſubſcribe ſuch Examination as aforeſaid, according to the true Intent and Meaning of this Act.

Perſons not anſwering Interrogatories of Commiſſioners, to be impriſoned,

to be particularly ſpecified in the Warrant.

XVII. Provided always, That in caſe any Perſon or Perſons ſhall be committed by the ſaid Commiſſioners for refuſing to anſwer, or not fully anſwering any Queſtion or Queſtions put to him, her or them, by the ſaid Commiſſioners by Word of Mouth, or on Interrogatories, that the ſaid Commiſſioners ſhall, in their Warrant of Commitment, ſpecify ſuch Queſtion or Queſtions.

If Habeas Corpus be brought on ſuch Commitment,

the Judge may recommit the Priſoner.

XVIII. Provided alſo, That in caſe any Perſon or Perſons committed by the Commiſſioners Warrant, by Virtue of this or any other Acts now in Force concerning Bankrupts, ſhall bring any *Habeas Corpus* in order to be diſcharged from any ſuch Commitment, and on the Return of any ſuch *Habeas Corpus*, there ſhall appear any ſuch Inſufficiency whatſoever in the Form of the Warrant, whereby ſuch Perſon was committed, by reaſon whereof the Party might be diſcharged of ſuch Commitment; that then it ſhall and may be lawful for the Court or Judge, before whom ſuch Party ſhall be ſo brought by *Habeas Corpus* as aforeſaid, and ſuch Court or Judge ſhall, and is hereby required, by Rule, Order or Warrant, to commit ſuch Perſon or Perſons to the ſame Priſon, there to remain as aforeſaid, until he, ſhe or they ſhall conform as aforeſaid, unleſs it ſhall be made appear to ſuch Court or Judge by the Party committed, that he, ſhe or they have fully anſwered all lawful Queſtions put to him, her or them by the ſaid Commiſſioners; or in caſe ſuch Perſon was committed for not ſigning his, her or their Examination, unleſs it ſhall appear to ſuch Court or Judge, that the Party ſo committed had a good and ſufficient Reaſon for refuſing to ſign the ſame: And in caſe any Gaoler or Keeper of any Priſon, to whom any ſuch Bankrupt or Bankrupts, Perſon or Perſons ſhall be ſo committed as aforeſaid, ſhall wilfully ſuffer ſuch Bankrupt or Bankrupts, Perſon or Perſons, to eſcape from ſuch Priſon, or to go without the Walls or Doors of the ſaid Priſon, until he, ſhe or they ſhall be duly diſcharged as aforeſaid, ſuch Gaoler or Keeper ſhall for ſuch his Offence, being duly convicted by Indictment or Information, forfeit five hundred Pounds of lawful Money of *Great Britain* for the Uſe of the Creditors of ſuch Bankrupt or Bankrupts.

Penalty on Gaoler for Eſcape 500l.

Penalty on Gaoler refuſing to produce his Priſoner.

XIX. And be it further enacted, That the Gaoler or Keeper of ſuch Priſon as aforeſaid, ſhall upon Requeſt of any Perſon or Perſons, being a Creditor or Creditors of ſuch Bankrupt, and having proved his, her or their Debt, under the ſaid Commiſſion, and producing a Certificate thereof under the Hands of the ſaid Commiſſioners, or the major Part of them, (which ſuch Commiſſioners are hereby required to give *gratis*) forthwith produce and ſhew ſuch Perſon or Perſons ſo committed as aforeſaid to any ſuch Creditor or Creditors requeſting the ſame: And in caſe ſuch Gaoler or Keeper of ſuch Priſon ſhall refuſe to ſhew, or ſhall not forthwith produce ſuch Perſon or Perſons ſo committed as aforeſaid, and being in his actual Cuſtody at the Time of ſuch Requeſt, to ſuch Creditor or Creditors of ſuch Bankrupt, requeſting to ſee ſuch Perſon or Perſons committed as aforeſaid, ſuch Gaoler and Keeper of ſuch Priſon ſhall forfeit for ſuch his wilful Refuſal or Neglect the Sum of one hundred Pounds of lawful Money of *Great Britain*, for the Uſe of the Creditors of ſuch Bankrupt or Bankrupts, to be recovered by Action of Debt in any of his Majeſty's Courts of Record at *Weſtminſter*, in the Name or Names of the Creditor or Creditors requeſting ſuch Sight of ſuch Priſoner.

Allowance to Perſons making Diſcovery of Bankrupts Eſtate.

XX. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who ſhall at any Time after the Time allowed to ſuch Bankrupt to ſurrender and conform as aforeſaid, voluntarily come and make Diſcovery of any Part of ſuch Bankrupt's Eſtate not before come to the Knowledge of the Aſſignees, either to the ſaid Aſſignees, or to the ſaid Commiſſioners authorized as aforeſaid, or the major Part of them, ſhall be allowed five Pounds *per Centum*, and ſuch further and other Reward, as the Aſſignees and the major Part of the Creditors in Value preſent at any Meeting of the Credi ors ſhall think fit, to be paid out of the neat Proceed of ſuch Bankrupt's Eſtate, which ſhall be recovered on ſuch Diſcovery, which ſhall be paid to the Perſon or Perſons ſo diſcovering the ſame, by the Aſſignee or Aſſignees of ſuch Bankrupt's Eſtate, and the Aſſignee or Aſſignees ſhall be allowed the ſame in their Accounts.

Penalty on Perſons concealing Effects in Truſt.

XXI. And for the better Diſcovery of the Eſtate of a Bankrupt, be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall have accepted of any Truſt or Truſts, and ſhall wilfully conceal or protect any Eſtate, real or perſonal, of any Perſon or Perſons becoming Bankrupt as aforeſaid, from his, her or their Creditors, and ſhall not within forty-two Days next after ſuch Commiſſion ſhall iſſue forth, and Notice thereof be given in the *London Gazette*, diſcover and diſcloſe ſuch Truſt and Eſtate in Writing to one or more of the Commiſſioners or Aſſignees of ſuch Bankrupt

or Bankrupts Eſtate, and likewiſe ſubmit him or herſelf to be examined by the Commiſſioners, in and by the ſaid Commiſſion authorized, or the major Part of them, if thereunto required, and truly diſcover the ſame, ſhall forfeit the Sum of one hundred Pounds of lawful Money of *Great Britain*, and double the Value of the Eſtate either Real or Perſonal ſo concealed, to and for the Uſe and Benefit of the ſaid Creditors, to be recovered by Action of Debt in any of his Majeſty's Courts of Record at *Weſtminſter*, in the Name of the Aſſignee or Aſſignees of the ſaid Commiſſioners, in which Caſe full Coſts ſhall be allowed to either Party.

'XXII. And whereas by an Act made in the ſeventh Year of his late Majeſty's Reign, intituled, *An 'Act for the explaining and making more effectual the ſeveral Acts concerning Bankrupts*, Perſons taking Bills, 'Bonds, Promiſſory Notes, or other perſonal Security for their Money payable at a future Day, are 'enabled to prove their Debts under a Commiſſion of Bankruptcy, but not to petition for or join in 'petitioning for any new Commiſſion, which having been found to be inconvenient:' Now it is hereby enacted by the Authority aforeſaid, That ſo much of the ſaid Act as diſables any ſuch Perſon from petitioning for or joining in any Petition for a Commiſſion againſt any Perſon or Perſons who have before committed any Act of Banktuptcy, is hereby repealed: And it ſhall and may be lawful hereafter for ſuch Perſon to petition for or join in petitioning for any ſuch Commiſſion of Bankruptcy; any Thing in the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding. 7 Geo. 1. c. 31. Perſons having Bonds or Notes may petition for Commiſſions.

XXIII. And for preventing the taking out Commiſſions of Bankrupts maliciouſly, Be it enacted by the Authority aforeſaid, That no Commiſſion of Bankrupt under the Great Seal of *Great Britain* ſhall, after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, be awarded and iſſued out againſt any Perſon whatſoever, upon the Petition of one or more Creditors, unleſs the ſingle Debt of the Creditor, or of two or more Perſons being Partners petitioning for the ſame, do amount to the Sum of one hundred Pounds or upwards, or unleſs the Debt of two Creditors, ſo petitioning as aforeſaid, ſhall amount to one hundred and fifty Pounds or upwards, or unleſs the Debt of three or more Creditors, ſo petitioning as aforeſaid, ſhall amount to two hundred Pounds or upwards, and the Creditor or Creditors petitioning for ſuch Commiſſion ſhall, before the ſame ſhall be granted, make an Affidavit, or (being one of the People called *Quakers*) make a ſolemn Affirmation in Writing before one of the Maſters of the High Court of Chancery (which Oath or Affirmation they are hereby impowered to adminiſter, and which ſhall be filed with the proper Officer) of the Truth and Reality of ſuch his, her and their reſpective Debt and Debts, likewiſe give Bond to the Lord Chancellor, Lord Keeper or Commiſſioners of the Great Seal for the Time being, in the Penalty of two hundred Pounds, to be conditioned for proving his, her or their Debts, as well before the Commiſſioners named in ſuch Commiſſion as upon a Trial at Law, in caſe the due iſſuing forth of the ſame ſhall be conteſted and tried, and alſo for proving the Party a Bankrupt at the Time of taking out ſuch Commiſſion, and further to proceed on ſuch Commiſſion as herein after is mentioned; and if ſuch Debt or Debts ſhall not be really due or owing, or if after ſuch Commiſſion taken out it cannot be proved that the Party was a Bankrupt at the Time of the iſſuing of the ſaid Commiſſion, but on the contrary it ſhall appear that ſuch Commiſſion was taken out fraudulently or maliciouſly, that then the Lord Chancellor, Lord Keeper or Commiſſioners of the Great Seal for the Time being, ſhall and may, upon Petition of the Party or Parties grieved, examine into the ſame, and order Satisfaction to be made to him, her or them for the Damages by him, her or them ſuſtained; and for the better Recovery thereof may, in caſe there be Occaſion, aſſign ſuch Bond or Bonds to the Party or Parties ſo petitioning, who may ſue for the ſame in his, her and their Name and Names; any Law, Cuſtom or Uſage to the contrary notwithſtanding. Conditions of granting Commiſſions.

'XXIV. And whereas Commiſſions of Bankrupts are frequently taken out by Perſons who by Means 'of ſuch Commiſſions (on a Compoſition propoſed by the Bankrupts) and on Promiſe not to execute 'the ſame, prevail with and extort from the Bankrupts their whole Debts, or much greater Part thereof 'than ſuch Bankrupts pay to their Creditors, or otherwiſe get from ſuch Bankrupts Goods or other real 'or perſonal Security, which is contrary to the true Intent and Meaning of the ſeveral Statutes made 'concerning Bankrupts, which ſaid Statutes intend, that all ſuch Bankrupts Creditors ſhall be on an 'equal Foot, and not one preferred before another, or paid more than another in Reſpect of his or 'her Debt:' Be it therefore enacted by the Authority aforeſaid, That if any Bankrupt or Bankrupts ſhall, after iſſuing of any Commiſſion againſt him, her or them, pay to the Perſon or Perſons who ſued out the ſame, or otherwiſe give or deliver to ſuch Perſon or Perſons Goods or any other Satisfaction or Security for his, her or their Debt, whereby ſuch Perſon or Perſons ſuing out ſuch Commiſſion ſhall privately have and receive more in the Pound in reſpect of his, her or their Debt than the other Creditors, ſuch Payment of Money, Delivery of Goods, or giving greater or other Security or Satisfaction, ſhall be deemed and taken to be ſuch an Act of Bankruptcy, whereby on good Proof thereof ſuch Commiſſion ſhall and may be ſuperſeded: And it ſhall be lawful for the Lord Chancellor, Lord Keeper or Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, to award to any Creditor or Creditors petitioning another Commiſſion; and ſuch Perſon or Perſons ſo taking or receiving ſuch Goods or other Satisfaction as aforeſaid, ſhall forfeit and loſe as well his, her or their whole Debt, as the whole he, ſhe or they ſhall have taken or received, and ſhall pay back and deliver up the ſame or the full Value thereof, to ſuch Perſon or Perſons as the ſaid Commiſſioners acting under ſuch new Commiſſion ſhall appoint, in Truſt for and to be divided amongſt the other of the Bankrupt's Creditors in Proportion to their reſpective Debts. Commiſſions fraudulently obtained to be ſuperſeded, and another granted. Penalty.

XXV. And be it further enacted by the Authority aforeſaid, That the Creditor or Creditors who ſhall petition for and obtain any Commiſſion of Bankrupt, ſhall be and is and are hereby obliged, at his, her or their own Coſts and Expences, to ſue forth and proſecute the ſame, until an Aſſignee or Aſſignees The Charge of Commiſſions to be paid by the Aſſignees.

ſhall

ſhall be choſen of ſuch Bankrupt's Eſtate and Effects; and the Commiſſioners to be named in any ſuch Commiſſion ſhall, at the ſame Meeting which ſhall be appointed for the Choice of the Aſſignees, aſcertain ſuch Coſts, and by Writing under their Hands ſhall direct and order the Aſſignee or Aſſignees of ſuch Bankrupt's Eſtate, who is and are hereby required to pay and reimburſe ſuch petitioning Creditor or Creditors ſuch his, her or their Coſts and Charges as aforeſaid, out of the firſt Monies or Effects of the ſaid Bankrupt that ſhall be got in and received under the ſaid Commiſſion; and every Creditor of the ſaid Bankrupt ſhall be at Liberty to prove his, her or their Debt or Debts under the ſaid Commiſſion, without paying any Contribution or Sum of Money whatſoever for or on Account of ſuch Debt or Debts; any Law or Statute to the contrary notwithſtanding.

Creditors may prove Debts without paying Contribution.

Notice of Meeting to be given in the Gazette.

XXVI. And be it further enacted by the Authority aforeſaid, That where any Commiſſion of Bankrupt ſhall iſſue out from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, the Commiſſioners therein named, or the major Part of them thereby authorized, ſhall forthwith, after they have declared the Perſon or Perſons againſt whom ſuch Commiſſion ſhall iſſue a Bankrupt or Bankrupts, cauſe Notice thereof to be given in the *London Gazette*, and ſhall appoint a Time and Place for the Creditors to meet, which Meeting for the City of *London* and all Places within the Bills of Mortality ſhall be at the *Guildhall* of the ſaid City, in order to chooſe an Aſſignee or Aſſignees of the ſaid Bankrupt's Eſtate and Effects; at which Meeting the ſaid Commiſſioners ſhall admit the Proof of any Creditor's Debt, that ſhall live remote from the Place of ſuch Meeting of the Commiſſioners, by Affidavit, or, being of the People called *Quakers*, by ſolemn Affirmation, and alſo permit any Perſon duly authorized by Letter of Attorney from ſuch Creditors, Oath or Affirmation being made of the due Execution thereof, either by an Affidavit ſworn or Affirmation made before a Maſter in Chancery, ordinary or extraordinary, or before the Commiſſioners *viva voce* (which Oath or Affirmation they are hereby reſpectively authorized to adminiſter) and in caſe of Creditors reſiding in foreign Parts, ſuch Affidavits or ſolemn Affirmations to be made before a Magiſtrate where the Party ſhall be reſiding, and ſhall together with ſuch Creditor's Letters of Attorney be atteſted by a Notary Publick, to vote in the Choice of an Aſſignee or Aſſignees of ſuch Bankrupt's Eſtate and Effects in the Place and Stead of ſuch Creditor; and the Commiſſioners, or the major Part of them authorized, ſhall aſſign every ſuch Bankrupt's Eſtate and Effects unto ſuch Perſon or Perſons as the major Part in Value of ſuch Creditors, according to the ſeveral Debts then proved, ſhall chooſe as aforeſaid; and the Aſſignee or Aſſignees ſo choſen ſhall be obliged to keep one or more diſtinct Book or Books of Account, wherein he or they ſhall duly enter all Sum and Sums of Money or other Effects, which he or they ſhall have got in or received out of the ſaid Bankrupt's Eſtate, to which Book or Books of Account every Creditor who ſhall have proved his or her Debt ſhall at all ſeaſonable Times have free Reſort, and inſpect the ſame as often as he or ſhe ſhall think fit.

Debts how to be proved.

Choice of Aſſignees.

What Perſons not qualified to chooſe.

XXVII. Provided always, and be it enacted by the Authority aforeſaid, That no Creditor or any other Perſon for and on the Behalf of any Creditor ſhall be permitted to vote in ſuch Choice of Aſſignee or Aſſignees, whoſe Debt or the Debt of the Perſon or Perſons ſo authorizing him to vote, ſhall not amount to the Sum of ten Pounds or upwards.

Mutual Credit to be ſettled.

XXVIII. And be it further enacted by the Authority aforeſaid, That where it ſhall appear to the ſaid Commiſſioners, or the major Part of them, that there hath been mutual Credit given by the Bankrupt and any other Perſon, or mutual Debts between the Bankrupt and any other Perſon, at any Time before ſuch Perſon became Bankrupt, the ſaid Commiſſioners, or the major Part of them, or the Aſſignees of ſuch Bankrupt's Eſtate, ſhall ſtate the Account between them, and one Debt may be ſet againſt another; and what ſhall appear to be due on either Side on the Balance of ſuch Account, and on ſetting ſuch Debts againſt one another, and no more, ſhall be claimed or paid on either Side reſpectively.

Penalty on Debts falſly claimed.

'XXIX. And whereas many Abuſes have been committed by pretended Creditors of Bankrupts,' Be it enacted by the Authority aforeſaid, That if any Perſon at any Time hereafter ſhall, before the acting Commiſſioners in any Commiſſion of Bankrupt, or by Affidavit or Affirmation exhibited to them, ſwear or depoſe, or, being of the People called *Quakers*, affirm, that any Sum of Money is due to him or her from any Bankrupt or Bankrupts, which Sum of Money is not really due or owing, or ſhall ſwear or affirm, that more is due than is really due or owing, knowing the ſame to be not due or owing, and that ſuch Oath or Affirmation is falſe and untrue, and being thereof convicted by Indictment or Information, ſuch Perſon ſhall ſuffer the Pains and Penalties inflicted by the ſeveral Statutes made and now in Force againſt wilful Perjury, and ſhall moreover be liable to pay double the Sum ſo ſworn or affirmed to be due or owing as aforeſaid, to be recovered and levied as other Penalties and Forfeitures are upon penal Statutes after Conviction to be levied and recovered; and ſuch double Sum ſhall be equally divided among all the Creditors ſeeking Relief under the ſaid Commiſſion.

Commiſſioners may appoint Aſſignees.

XXX. Provided always, and be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners authorized as aforeſaid, or the major Part of them, as often as they ſhall ſee Cauſe, for the better preſerving and ſecuring the Bankrupt's Eſtate, immediately to appoint one or more Aſſignee or Aſſignees of the Eſtate and Effects or any Part thereof; which Aſſignee or Aſſignees, or any of them, ſhall or may be removed or diſplaced at the Meeting of the Creditors ſo to be appointed as aforeſaid, for the Choice of Aſſignees, if they or the major Part in Value of them (whoſe Debts reſpectively amount to ten Pounds or upwards as aforeſaid) then preſent, and of ſuch Perſons duly authorized as aforeſaid, ſhall think fit; and ſuch Aſſignee or Aſſignees as ſhall be ſo removed and diſplaced ſhall deliver up and aſſign all the Eſtate and Effects of ſuch Bankrupt which ſhall have come to his or their Hands or Poſſeſſion, or which ſhall have been aſſigned by the ſaid Commiſſioners as aforeſaid, unto ſuch other Aſſignee or Aſſignees who ſhall be ſo choſen by the Creditors as aforeſaid; and all the Eſtate and

Effects

Effects of the Bankrupt which ſhall be delivered up or aſſigned, ſhall be, to all Intents and Purpoſes, as effectually and legally veſted in ſuch new Aſſignee or Aſſignees as if the firſt Aſſignment had been made to him or them by the ſaid Commiſſioners: And if ſuch firſt Aſſignee or Aſſignees ſhall refuſe or neglect by the Space of ten Days next after Notice given of the ſaid Choice of ſuch new Aſſignee or Aſſignees, and of his and their Conſent to accept ſuch Aſſignment, ſignified to the firſt Aſſignee or Aſſignees by Writing under his or their Hand or Hands, to make ſuch Aſſignment and Delivery as aforeſaid, every ſuch firſt Aſſignee or Aſſignees ſhall reſpectively forfeit the Sum of two hundred Pounds, to be divided and diſtributed amongſt the Creditors, towards Satisfaction of their Debts, in ſuch Manner as the Eſtate of the Bankrupt is or ought to be divided and diſtributed, and to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, by ſuch Perſon or Perſons as ſuch the major Part of the Commiſſioners, authorized as aforeſaid, ſhall appoint to ſue for the ſame, with full Coſts of Suit, wherein no Privilege, Protection or Wager in Law, or more than one Imparlance ſhall be allowed; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Penalty on firſt Aſſignees not delivering up the Effects to the new ones.

'XXXI. And whereas it may be found neceſſary, that as well Aſſignments of Bankrupts Eſtates 'already made by Commiſſioners, as Aſſignments hereafter to be made purſuant to the Choice of Cre-'ditors, ſhould be vacated, and a new Aſſignment or Aſſignments be made of the Debts and Effects un-'received and not diſpoſed by the then Aſſignees to other Perſons to be choſen by the Creditors as afore-'ſaid:' Be it therefore enacted and declared by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord Chancellor, Lord Keeper or Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, upon Petition of any Creditors, to make ſuch Order therein as he or they ſhall think juſt and reaſonable: And in caſe a new Aſſignment ſhall be ordered to be made as aforeſaid, that then ſuch Debts, Effects and Eſtate of ſuch Bankrupt ſhall be thereby effectually and legally veſted in ſuch new Aſſignee or Aſſignees; and it ſhall and may be lawful for him and them to ſue for the ſame in his or their Name or Names, and to diſcharge any Action or Suit, or to give any Acquittance for ſuch Debts as effectually to all Intents and Purpoſes as the Aſſignee or Aſſignees in the former Aſſignment might have done in caſe no new Aſſignment had been made, any Thing herein or in any former Act contained or made to the contrary in any wiſe notwithſtanding; and that the ſaid Commiſſioners ſhall cauſe publick Notice to be given in the two *London Gazettes* that ſhall immediately follow the Removal of ſuch Aſſignee or Aſſignees, and the Appointment of ſuch other Aſſignee or Aſſignees as aforeſaid, that ſuch Aſſignee or Aſſignees is or are removed, and ſuch other Aſſignee or Aſſignees appointed in his or their Stead, and that ſuch Perſons as are indebted to the ſaid Bankrupt's Eſtate, do not pay ſuch Debt or Debts to ſuch Aſſignee or Aſſignees as ſhall be removed as aforeſaid.

Notice of Removal to be given in the Gazette.

'XXXII. And whereas by Reaſon of the Monies which are lodged in the Hands of Aſſignees until a 'Dividend is made, Aſſignees do oftentimes delay the dividing thereof, to the very great Prejudice of 'the Bankrupt's Creditors:' For preventing whereof, and to the End Aſſignees may make ſpeedy Dividends of the Eſtate and Effects of ſuch Bankrupts, be it enacted by the Authority aforeſaid, That before the Creditors ſhall proceed to the Choice of an Aſſignee or Aſſignees of any Bankrupt's Eſtate, the major Part in Value of the ſaid Bankrupt's Creditors then preſent ſhall, if they think fit, direct in what Manner, how, and with whom and where the Monies ariſing by, and to be received from Time to Time out of the Bankrupt's Eſtate, ſhall be paid in and remain until the ſame ſhall be divided amongſt all the Creditors as by this Act is directed; to which Rule and Direction every ſuch Aſſignee and Aſſignees, afterwards to be choſen, ſhall conform, as often as one hundred Pounds ſhall be got in and received from ſuch Bankrupt's Eſtate, and ſhall be and are hereby indemnified for what they ſhall do in Purſuance of ſuch Direction of the ſaid Creditors as aforeſaid.

Creditors, before chooſing Aſſignees, to fix the Method of Dividends.

XXXIII. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons choſen or who ſhall be choſen Aſſignee or Aſſignees of the Eſtate and Effects of ſuch Bankrupt, ſhall, at ſome Time after the Expiration of four Months and within twelve Months from the Time of iſſuing of ſuch Commiſſion, cauſe at leaſt twenty-one Days publick Notice to be given in the *London Gazette*, of the Time and Place the Commiſſioners and Aſſignees intend to meet, to make a Dividend or Diſtribution of ſuch Bankrupt's Eſtate and Effects; at which Time the Creditors, who have not before proved their Debts, ſhall then be at Liberty to prove the ſame; which Meeting for the City of *London* and all Places within the Bills of Mortality, ſhall be at the *Guildhall* of the ſaid City; and upon every ſuch Meeting the Aſſignee or Aſſignees ſhall produce, to the ſaid Commiſſioners and Creditors then preſent, fair and juſt Accounts of all his and their Receipts and Payments touching the ſaid Bankrupt's Eſtate and Effects, and of what ſhall remain out ſtanding, and the Particulars thereof; and ſhall, if the Creditors then preſent, or the major Part of them, require the ſame, be examined upon Oath, or, being of the People called *Quakers*, upon ſolemn Affirmation before the ſaid Commiſſioners, or the major Part of them, touching the Truth of ſuch Accounts; and in ſuch Accounts the ſaid Aſſignee or Aſſignees ſhall be allowed and retain all ſuch Sum and Sums of Money as they ſhall have paid and expended in ſuing out and proſecuting of ſuch Commiſſion, and all other juſt Allowances, on Account of and by Reaſon or Means of their being Aſſignee or Aſſignees; and the ſaid Commiſſioners, or the major Part of them, ſhall order ſuch Part of the neat Produce of the ſaid Bankrupt's Eſtate, as by ſuch Accounts or otherwiſe ſhall appear to be in the Hands of the ſaid Aſſignees, as they or the major Part of them ſhall think fit, to be forthwith divided amongſt ſuch of the Bankrupt's Creditors, who have duly proved their Debts under ſuch Commiſſion, in Proportion to their ſeveral and reſpective Debts; and the Commiſſioners, or the major Part of them, ſhall make ſuch their Order for a Dividend in Writing under their Hands, and ſhall cauſe one Part of ſuch Order to be filed amongſt the Proceedings under the ſaid Commiſſion, and ſhall deliver unto each of the Aſſignee or Aſſignees, under ſuch Commiſſion, a Duplicate

Method of making Dividends.

of ſuch their Order likewiſe under the Hands of the ſaid Commiſſioners; which Order of Diſtribution ſhall contain an Account of the Time and Place of making ſuch Order, and the Sum Total or *Quantum* of all the Debts proved under the ſaid Commiſſion, and the Sum Total of the Money remaining in the Hands of the Aſſignee or Aſſignees to be divided, and how much in particular in the Pound is then ordered to be paid to every Creditor under the ſaid Commiſſion; and the ſaid Aſſignee or Aſſignees, in Purſuance of ſuch Order, and without any Deed or Deeds of Diſtribution to be made for that Purpoſe, ſhall forthwith make ſuch Dividend and Diſtribution accordingly, and ſhall take Receipts, in a Book to be kept for that Purpoſe, from each Creditor, for the Part or Share of ſuch Dividend or Diſtribution which he or they ſhall make and pay to each Creditor reſpectively; and ſuch Order and Receipt ſhall be a full and effectual diſcharge to ſuch Aſſignee, for ſo much as he ſhall fairly pay, purſuant to ſuch Order as aforeſaid.

'XXXIV. And whereas Aſſignees are, and may ſometimes be prevented from making ſuch ſpeedy Dividends of the Eſtate and Effects of Bankrupts, as by this Act is intended, by Reaſon of Debts due, or pretended and claimed to be due from ſuch Bankrupts, upon long and intricate Accounts or Demands, which are diſputed or not admitted by the Commiſſioners and Creditors to be juſt and fair Debts, and ſuch Claimants are thereby obliged to aſcertain ſuch their Demands by Actions or Suits in Law or Equity, which are oftentimes many Years depending, and many other Differences and Difficulties do ariſe under Commiſſions of Bankrupts, which might be determined by Arbitration, if Aſſignees had Power to ſubmit the ſame;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Aſſignee or Aſſignees of any Bankrupt's Eſtate and Effects, by and with the Conſent of the major Part in Value of the Bankrupt's Creditors, who ſhall have duly proved their Debts under ſuch Commiſſion, and who ſhall be preſent at any Meeting of the ſaid Creditors, purſuant to Notice to be for that Purpoſe given in the *London Gazette*, to ſubmit any Difference or Diſpute between ſuch Aſſignee or Aſſignees, and any Perſon or Perſons whatſoever, for or on Account, or by Reaſon or Means of any Matter, Cauſe or Thing whatſoever, relating to ſuch Bankrupt or Bankrupts, his, her or their Eſtate or Effects, to the final End and Determination of Arbitrators to be choſen by the ſaid Aſſignee or Aſſignees, and the major Part in Value of ſuch Creditors, and the Party or Parties with whom they ſhall have ſuch Difference, and to perform the Award of ſuch Arbitrators, or otherwiſe to compound and agree the Matters in Difference and Diſpute between them, in ſuch Manner as the ſaid Aſſignee or Aſſignees, with ſuch Conſent as aforeſaid, ſhall think fit, and can agree, and the ſame ſhall be binding to all the Creditors of the ſaid Bankrupt or Bankrupts; and the Aſſignees are hereby indemnified for what they ſhall fairly do according to the Direction aforeſaid.

Aſſignees, with Conſent of Creditors, may ſubmit Diſputes to Arbitration.

Aſſignees with Conſent of Creditors may compound Debts.

XXXV. And be it further alſo enacted by the Authority aforeſaid, That any Aſſignee or Aſſignees made or choſen as aforeſaid, ſhall be, and is and are hereby impowered, by and with the Conſent of the major Part of ſuch Bankrupt's Creditors in Value, who ſhall be preſent at a Meeting to be had for that Purpoſe, of which publick Notice ſhall be given in the *London Gazette*, to make Compoſition with any Perſon or Perſons, Debtors or Accountants to ſuch Bankrupts, where the ſame ſhall appear neceſſary and reaſonable, and to take ſuch reaſonable Part as can upon ſuch Compoſition be gotten, in full Diſcharge of ſuch Debts and Accounts; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Bankrupts, after Allowance of Certificate, to attend Aſſignees in ſettling Accounts.

XXXVI. Provided always, and be it enacted by the Authority aforeſaid, That after ſuch Bankrupt or Bankrupts ſhall have obtained his, her or their Certificate, and the ſame ſhall be duly confirmed as herein is mentioned, every ſuch Bankrupt or Bankrupts ſhall, and is, and are hereby obliged to give his, her or their Attendance, upon every reaſonable Notice in Writing to be given to him, her or them, or to be left at his, her or their uſual Place of Abode, by the Aſſignee or Aſſignees, or their Order, thereby requiring him, her or them, to attend the Aſſignee or Aſſignees of ſuch Bankrupt's Eſtate, in order to make up, adjuſt or ſettle any Account or Accounts between ſuch Bankrupt or Bankrupts and any Debtor to or Creditor of ſuch Bankrupt's Eſtate, or to attend any Court or Courts of Record, in order to be examined touching the ſame, or for ſuch other Buſineſs, which ſuch Aſſignee or Aſſignees ſhall judge neceſſary for getting in the ſaid Bankrupt's Eſtate and Effects, for the Benefit of his, her or their Creditors; for which ſaid Attendance the Bankrupt ſhall be allowed and paid the Sum of two Shillings and ſix Pence *per Diem* by ſuch Aſſignee or Aſſignees out of the Bankrupt's Eſtate; and in caſe ſuch Bankrupt or Bankrupts ſhall neglect or refuſe to attend, or, on ſuch Attendance, ſhall refuſe to aſſiſt in ſuch Diſcovery, without good and ſufficient Cauſe to be ſhewn to the Commiſſioners, or the major Part of them, for ſuch his, her or their Neglect or Refuſal, to be by them allowed as ſufficient, ſuch Aſſignee or Aſſignees making due Proof thereof upon Oath, or, being of the People called *Quakers*, upon ſolemn Affirmation before the ſaid Commiſſioners authorized as aforeſaid, or the major Part of them, the ſaid Commiſſioners, or the major Part of them, are hereby impowered and required to iſſue a Warrant or Warrants, directed to ſuch Perſon or Perſons as they ſhall think proper, for apprehending ſuch Bankrupt or Bankrupts, and him, her or them to commit to the County Gaol, there to remain in cloſe Cuſtody without Bail or Mainprize, until he, ſhe or they ſhall duly conform to the Satisfaction of the ſaid Commiſſioners authorized as aforeſaid, and be by the ſaid Commiſſioners, or the ſpecial Order of the Lord Chancellor, Lord Keeper or Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, or otherwiſe by due Courſe of Law diſcharged; and ſuch Gaoler or Keeper of ſuch Priſon to which ſuch Bankrupt or Bankrupts ſhall be committed, is hereby required to keep ſuch Perſon or Perſons in cloſe Cuſtody within the Walls of the ſaid Priſon, until he, ſhe or they be duly diſcharged as aforeſaid, under the Pains and Penalties before mentioned, for ſuch Gaoler or Keeper ſuffering ſuch Priſoners, committed purſuant to this Act, to eſcape and go at large.

Allowance for Attendance.

Imprisonment on Non-attendance.

XXXVII. And

XXXVII. And be it further enacted by the Authority aforeſaid, That within eighteen Months next after the iſſuing of any ſuch Commiſſion as aforeſaid, the Aſſignee or Aſſignees ſhall make a ſecond Dividend of the Bankrupt's Eſtate and Effects, in caſe the ſame was not wholly divided upon the firſt Dividend, and ſhall cauſe a Notice to be inſerted in the *London Gazette*, of the Time and Place the ſaid Commiſſioners intend to meet to make a ſecond Dividend and Diſtribution of ſuch Bankrupt's Eſtate or Effects, and for the Creditors, who ſhall not before have proved their Debts, to come and prove the ſame; and at ſuch Meeting every ſuch Aſſignee or Aſſignees ſhall produce upon Oath or Affirmation as aforeſaid, his, her or their Account or Accounts of the Bankrupt's Eſtate and Effects, and what upon the Balance thereof ſhall appear to be in his, her or their Hands, ſhall, by the like Order of the Commiſſioners, or the major Part of them, be forthwith divided amongſt ſuch of the Bankrupt's Creditors who ſhall have made due Proof of their Debts, in Proportion to their ſeveral and reſpective Debts; which ſecond Dividend ſhall be final, unleſs any Suit at Law or in Equity ſhall be depending, or any Part of the Eſtate ſtanding out, that cannot have been diſpoſed of, or that the major Part of the Creditors ſhall not have agreed to be ſold and diſpoſed of in Manner aforeſaid, or unleſs ſome other or future Eſtate or Effects of the ſaid Bankrupt ſhall afterwards come to or veſt in the ſaid Aſſignee or Aſſignees; in which Caſe the ſaid Aſſignee or Aſſignees ſhall, as ſoon as may be, convert ſuch future or other Eſtate and Effects into Money in Manner aforeſaid, and ſhall, within two Months next after the ſame ſhall be converted into Money as aforeſaid, by the like Order of the Commiſſioners, or the major Part of them, divide the ſame among ſuch Bankrupt's Creditors who ſhall have made due Proof of their Debts under ſuch Commiſſion.

Final Dividend within 18 Months.

Exceptions.

XXXVIII. Provided always, That no Suit in Equity ſhall be commenced by any Aſſignee or Aſſignees, without the Conſent of the major Part in value of the Creditors of ſuch Bankrupt, who ſhall be preſent at a Meeting of the Creditors, purſuant to Notice to be given in the *London Gazette* for that Purpoſe.

No Suit in Equity to be commenced without Conſent of Creditors.

'XXXIX. And whereas Perſons dealing as Bankers, Brokers and Factors, are frequently intruſted 'with great Sums of Money, and with Goods and Effects of very great Value belonging to other Per-'ſons:' It is hereby further enacted, That ſuch Bankers, Brokers and Factors, ſhall be and are hereby declared to be ſubject and liable to this and other the Statutes made concerning Bankrupts.

Bankers, Brokers and Factors liable to Statutes.

XL. Provided always, and it is hereby further declared and enacted by the Authority aforeſaid, That no Farmer, Grazier or Drover of Cattle, or any Perſon or Perſons, who is or are, or ſhall be Receiver General of the Taxes granted by Act of Parliament, ſhall be intitled as ſuch to any of the Benefits given by this Act, or be deemed a Bankrupt within the ſame, or within any of the Statutes now in Force concerning Bankrupts; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Perſons not liable.

'XLI. And whereas Commiſſions of Bankrupts, and the Depoſitions taken before the Commiſſioners 'of Bankrupts, and the Proceedings upon ſuch Commiſſions, are moſt commonly kept by ſuch Perſons 'as act as Clerks or Secretaries to ſuch Commiſſioners, and by reaſon of the Death of ſuch Clerks or 'Secretaries are many Times loſt and miſlaid, by Means whereof ſuch Perſons as have or may purchaſe 'any Meſſuages, Lands, Tenements or Hereditaments, under any Commiſſion grounded upon the Sta-'tutes made concerning Bankrupts, may be diſabled to make out their Right and Title to the ſame: 'And there being no certain Place where the Creditors of any Bankrupt, or any Perſon or Perſons claim-'ing any Eſtate or Intereſt in any Meſſuages, Lands, Tenements or Hereditaments, by or under any 'ſuch Commiſſion as aforeſaid, can have Recourſe to ſuch Commiſſion and the Proceedings thereupon; 'and ſuch Commiſſions, Depoſitions and Proceedings, in caſe they can be produced, are not at preſent 'of Record, nor can be given in Evidence, which may be of very evil Conſequence to ſuch Purchaſers 'or Perſons claiming as aforeſaid:' Be it therefore enacted by the Authority aforeſaid, That upon the Petition of any Perſon or Perſons to the Lord Chancellor, Lord Keeper, or Commiſſioners for the Cuſtody of the Great Seal of *Great Britain*, praying that ſuch Commiſſions, and the Depoſitions taken thereon, or any Part of ſuch Depoſitions, and ſuch Certificates ſo to be allowed and confirmed as aforeſaid, or any Certificates heretofore allowed and confirmed, or any other Matters or Things relating to the ſaid Commiſſions, or the Proceedings thereupon, may be entred of Record, the Lord High Chancellor, Lord Keeper, or Commiſſioners of the Great Seal, ſhall and may direct and order ſuch Commiſſions, Depoſitions, Proceedings and Certificates, or other Matters or Things, to be entred of Record; and in caſe of the Death of the Witneſſes proving ſuch Bankruptcy, or in caſe the ſaid Commiſſions, Depoſitions, Proceedings, or other Matters or Things, ſhall be loſt or miſlaid, a true Copy of the Record of ſuch Commiſſions, Depoſitions and Proceedings, or other Matters or Things, ſigned and atteſted as herein after is mentioned, ſhall and may upon all Occaſions, be given in Evidence to prove ſuch Commiſſions, and the Bankruptcy of ſuch Perſon, againſt whom ſuch Commiſſion hath been or ſhall be awarded, or other Matters or Things; any Law, Uſage or Cuſtom to the contrary notwithſtanding: And all Certificates which have been allowed and confirmed, or to be allowed and confirmed, and entred of Record as aforeſaid, or a true Copy of every Certificate ſigned and atteſted as herein after is mentioned, ſhall and may be given in Evidence in any of his Majeſty's Courts of Record, and be without any further Proof deemed, adjudged and taken, to be a full and effectual Bar and Diſcharge of and againſt any Action or Suit, which ſhall be commenced or brought by any Creditor or Creditors of ſuch Bankrupt, for any Debt or Demand contracted, due or demandable before the iſſuing of ſuch Commiſſion, unleſs any Creditor or Creditors of the Perſon that hath ſuch Certificate, ſhall prove that ſuch Certificate was fraudulently obtained; in which caſe Coſts ſhall be allowed to either Party, as in other common Caſes: And to the End any Creditor or other Perſon or Perſons may know where to ſearch and ſee whether ſuch Commiſſion hath iſſued, and find what Depoſitions have been taken by virtue thereof, and

Proceedings to be entred on Record, by Direction of the Lord Chancellor.

what Proceedings have been thereupon, and whether the ſaid Bankrupt hath made ſuch Affidavit or Affirmation as aforeſaid, and whether ſuch Certificates are entred of Record as aforeſaid, and all other Matters or Things which ſhall be entred of Record in purſuance of this Act, the Lord High Chancellor, Lord Keeper or Commiſſioners for the Cuſtody of the Great Seal ſhall appoint a certain proper Place near the Inns of Court, where all and every the Matters aforeſaid ſhall be entred of Record, where all Perſons ſhall be at Liberty to ſearch and ſee if the ſame are duly entred of Record; and the Lord Chancellor, Lord Keeper or Commiſſioners ſhall, by a Writing under his or their Hands, appoint a proper Perſon, who ſhall, by himſelf, or his ſufficient Deputy, to be approved by the Lord High Chancellor, Lord Keeper or Commiſſioners, by a Writing under his or their Hands, enter of Record ſuch Commiſſions, Depoſitions, Proceedings and Certificates, and other Matters and Things, and have the Cuſtody of the Entries thereof; and alſo appoint ſuch Fee and Reward to be paid to ſuch Perſon for his Labour and Pains therein, as the Lord High Chancellor, Lord Keeper or Commiſſioners ſhall think reaſonable, not exceeding what is uſually paid in the like Caſes; and that the Perſon ſo to be appointed, and his Deputy, ſhall continue to enter of Record all and every the Matters and Things aforeſaid, and to have the Cuſtody of the ſame, ſo long as he or they ſhall reſpectively behave themſelves well in entring the ſame of Record, and keeping ſuch Entries, and ſhall not be removed, but by Order in Writing under the Hand of the Lord High Chancellor, Lord Keeper or Commiſſioners, on a good and ſufficient Cauſe therein ſpecified; and in caſe ſuch Perſon ſhall die, or be as aforeſaid removed, the Lord High Chancellor, Lord Keeper or Commiſſioners for the Time being ſhall and may, in Writing under his or their Hands, appoint another Perſon to enter the ſame of Record, who ſhall have the Cuſtody of the Entries thereof, and ſhall have and receive the like Fee and Reward for his Labour and Pains therein.

Liberty to ſearch.

'XLII. And whereas the ſuing out and proſecuting of Commiſſions of Bankrupt is at preſent very ex-'penſive, to the great Prejudice of the Bankrupt and his Creditors;' Be it further enacted by the Authority aforeſaid, That there ſhall not be paid or allowed by the Creditors, or out of the Eſtate of the Bankrupt, any Monies whatſoever for Expences in Eating or Drinking of the Commiſſioners, or of any other Perſons at the Times of the Meeting of the ſaid Commiſſioners, or any of the Creditors: And that no Schedule ſhall be annexed to any Deed of Aſſignment of the perſonal Eſtate of ſuch Bankrupt from the Commiſſioners to the Aſſignee or Aſſignees of the ſaid Eſtate: And if any Commiſſioner or Commiſſioners in any Commiſſion ſhall order any ſuch Expence to be made, or eat or drink at any ſuch Meeting at the Charge of the Creditors, or out of the Eſtate of ſuch Bankrupt, or receive or take above the Sum of twenty Shillings each Commiſſioner for each reſpective Meeting, every ſuch Commiſſioner ſo offending ſhall be diſabled for ever to act as a Commiſſioner in ſuch or any other Commiſſion founded on this Act, or any of the Statutes made concerning Bankrupts.

Clauſe to prevent unneceſſary Expences.

XLIII. Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners authorized as aforeſaid, and every of them, ſhall not be capable of acting as a Commiſſioner or Commiſſioners in the Execution of any of the Powers and Authorities given and granted by this preſent Act, or any other Act or Acts of Parliament now in Force concerning Bankrupts, after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two (unleſs it be the Power hereby given of adminiſtring Oaths to Commiſſioners) until ſuch Time as he and they reſpectively ſhall have taken an Oath to the Effect following; that is to ſay,

Commiſſioners Oath,

I A. B. *do ſwear, That I will faithfully, impartially and honeſtly, according to the beſt of my Skill and Knowledge, execute the ſeveral Powers and Truſts repoſed in me as a Commiſſioner in a Commiſſion of Bankrupt againſt and that without Favour or Affection, Prejudice or Malice.*

So help me God.

a Memorial thereof to be entred.

XLIV. Which Oath any two or more of the ſaid Commiſſioners are hereby impowered and required to adminiſter to each other in the ſame Commiſſion named and authorized; and they the ſaid Commiſſioners ſhall and are hereby required to enter and keep a Memorial or Memorials thereof, ſigned by them reſpectively, among the Depoſitions and other Proceedings on each reſpective Commiſſion that ſhall be iſſued forth by virtue of this Act, or any other Act or Acts of Parliament now in Force concerning Bankrupts.

Commiſſions not to abate by the Death of his Majeſty, &c.

XLV. And be it further enacted by the Authority aforeſaid, That no Commiſſion of Bankrupt ſhall abate by reaſon of the Death of his preſent Majeſty (whom God long preſerve) his Heirs or Succeſſors, but ſuch Commiſſions ſhall continue in full Force; and if it ſhall be neceſſary to renew any ſuch Commiſſion by reaſon of the Death of the Commiſſioners named in ſuch Commiſſion, ſo that a ſufficient Number of Commiſſioners ſhall not be living, who can act therein, or for any other Cauſe, in every ſuch Caſe ſuch Commiſſion ſhall be renewed, and but Half of the Fees uſually paid upon granting or obtaining of Commiſſions of Bankrupt ſhall be paid for any ſuch renewed Commiſſions.

Bills of Fees &c. to be ſettled by a Maſter in Chancery.

XLVI. And to the End that Commiſſions of Bankrupt may be carried on and proſecuted with as little Expence as reaſonably may be, Be it enacted by the Authority aforeſaid, That all Bills of Fees or Diſburſements claimed or demanded by any Solicitor, Clerk or Attorney imployed under any Commiſſion of Bankrupt ſhall be ſettled, adjuſted and certified by one of the Maſters of the Court of Chancery; and ſo much as the Maſter ſhall certify to be due to ſuch Clerk, Solicitor or Attorney, and no more, ſhall be paid by the Aſſignee under ſuch Commiſſion; and the Maſter who ſhall ſettle and adjuſt ſuch Bill, ſhall have and receive for his Care in ſettling and adjuſting the ſame, as alſo for his Certificate thereof, the Sum of twenty Shillings, and no more.

'XLVII. And whereas ſeveral Bankrupts have, either through Inadvertency or the Intricacy and 'Multiplicity of their Affairs, failed to obtain, within the Time limited, Certificates allowed as directed

'by a Clauſe in an Act paſſed in the Third Year of the Reign of his preſent Majeſty (amongſt other 'Things) for Relief of Bankrupts whoſe Certificates were not allowed before the Expiration of a late 'Act for the better preventing Frauds committed by Bankrupts, now expired, notwithſtanding they have 'diſcovered all their Eſtate and Effects, and delivered the ſame up for the Benefit of their Creditors, and 'been conformable unto the ſaid Act in other Particulars;' Be it therefore further enacted by the Authority aforeſaid, That all and every Bankrupt and Bankrupts, who was or were declared a Bankrupt or Bankrupts, on or before the fourteenth Day of *May* one thouſand ſeven hundred and twenty-nine, and have diſcovered all their Eſtate and Effects, and have delivered up the ſame for the Benefit of their Creditors, ſhall be intitled to all and ſingular the Relief, Benefit and Advantages, and be ſubject and liable to all the Penalties mentioned or contained in the Act of Parliament paſſed in the fifth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better preventing Frauds committed by Bankrupts*, if they already have obtained, or ſhall hereafter, at any Time before the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three, obtain Certificates of their Conformity purſuant to the ſaid Act; and ſuch Certificates ſhall be allowed and confirmed as the ſaid Act directs; any Thing herein contained to the contrary notwithſtanding.

Certificates of Bankrupts before 14 May 1729, on Conformity, confirmed,

'XLVIII. And whereas Actions may have been brought againſt ſuch Bankrupts, and other Proceed-'ings had thereupon, for Cauſes and Matters ariſing and growing due before the Time of the Bankruptcy 'of ſuch Bankrupts,' Be it further enacted by the Authority aforeſaid, That all ſuch Actions, and all Proceedings thereon for any ſuch Cauſes or Matters, ſhall be and are hereby diſcharged againſt ſuch Bankrupts and their Bail ſo obtaining ſuch Certificates allowed as aforeſaid.

and Proceedings againſt them diſcharged.

XLIX. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for the Space of three Years from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, and from thence to the End of the then next Seſſion of Parliament, and no longer.

Duration of the Act. Continued by 24 Geo. 2. c. 57. ſect. 8. *And continued farther by* 31 *Geo.* 2. *c.* 35, *to* 29 *Sept.* 1764. *See likewiſe* 19 *Geo.* 2. *c.* 32.

CAP. XXXI.

An Act for appointing Commiſſioners for taking, ſtating and determining all the Claims and Demands of the Creditors of *The Charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges at legal Intereſt*; and of all Perſons claiming any Share or Intereſt in the Stock or Fund of the ſaid Corporation, and for enabling the ſaid Corporation to name one Perſon to be an Aſſignee under the reſpective Commiſſions of Bankruptcy awarded againſt *George Robinſon* and *John Thomſon*; and for enabling the Commiſſioners acting under the ſaid Commiſſions of Bankruptcy to proceed and inquire of the Eſtates, Goods and Effects of the ſaid Bankrupts, and to apply the ſame; and to oblige *John Thomſon*, Father of the ſaid *John Thomſon* the Bankrupt, to appear before the ſaid Commiſſioners of Bankruptcy in *England*. P R.

'WHEREAS many and great Diſputes and Law Suits have ariſen and are like to continue between 'the Proprietors of *The Charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with 'ſmall Sums upon Pledges at legal Intereſt*, and their Creditors: And whereas the ſaid Charitable Corporation 'have already ſuffered great Loſſes: And whereas it is juſt and reaſonable, that the ſaid Diſputes ſhould 'be ſettled with as little Expence, and in as ſhort and eaſy a Manner as may be, and that the State of 'the Affairs of the ſaid Corporation, and the Demands of all Perſons claiming any Share, Intereſt, 'Debts or Sums of Money in, to, out of or from the ſame, may be aſcertained, ſettled, adjuſted and 'determined:' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"Truſtees for aſcertaining Claims: Duration of their Authority for ſix Months. Creditors to deliver "their Claims by 1 *Aug.* 1732. Officers of the Corporation to aſſiſt the Truſtees. Perſons refuſing to "anſwer Commiſſioners, to be impriſoned. Perſons poſſeſſed of Goods belonging to the Corporation "11 *Oct.* 1731, to diſcover them. Claims not entred in the Time limited, void. The Corporation in "a General Court may chooſe an Aſſignee for each Bankrupt's Eſtate, and diſplace them again. New "Aſſignments to be certified under the Company's Seal. Effects to be delivered to the new Aſſignees. "Surplus of the reſpective Eſtates to go to the Corporation. *J. Thomſon*'s Father not ſubmitting to Exa-"mination, declared a Felon. *J. Thomſon*'s Father anſwering, not to hinder any other Evidence. Com-"miſſioners to deliver Accounts to the Parliament.

CAP. XXXII.

An Act to reſtrain Sir *Robert Sutton*, Knight of the Bath, Sir *Archibald Grant*, Baronet, *Denis Bond*, *William Burroughs*, Eſquires, *Richard Woolley* and *Thomas Warren*, from going out of this Kingdom for the Space of one Year and until the End of the then next Seſſion of Parliament; and for diſcovering their Eſtates and Effects, and to prevent the tranſporting or alienating the ſame; and to oblige *William Squire* to ſurrender himſelf at a Time and Place mentioned in the Act, and to give Security for his not going out of this Kingdom for the Space of one Year and until the End of the then next Seſſion of Parliament, and for diſcovering his Eſtate and Effects, and to prevent the tranſporting or alienating the ſame; and for committing the aforeſaid *William Burroughs* to the Priſon of the *Fleet*, until he ſhall have complied with the Directions of this Act. P R.

CAP.

CAP. XXXIII.

An Act to explain, amend and render more effectual an Act paſſed in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by Authority of Parliament for making Rivers navigable.*

1 Geo. 2. Stat. 2. c. 19. Enforced by 8 Geo. 2. c. 20.

'WHEREAS an Act of Parliament paſſed in the firſt Year of his preſent Majeſty for puniſhing ſuch Perſons as ſhould wilfully and maliciouſly pull down or deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by Authority of Parliament for making Rivers navigable: And whereas the Proviſions by the ſaid Act made for puniſhing ſuch Offenders have by Experience been found to be inſufficient:' For Remedy thereof, and for rendring the ſaid Act more effectual, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons whatſoever, from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-two, ſhall either by Day or Night wilfully and maliciouſly break down, cut down, pluck up, throw down, level or otherwiſe deſtroy any Turnpike Gate or Turnpike Gates, or any Poſts or Poſts, Rail or Rails, Wall or Walls, or other Fence or Fences belonging to any ſuch Turnpike Gate or Turnpike Gates, erected or to be erected to prevent Paſſengers from paſſing by without paying the Toll directed to be paid by any Act or Acts of Parliament already made, or hereafter to be made for that Purpoſe, and ſhall be lawfully convicted of the ſame upon Indictment before any of his Majeſty's Juſtices of Aſſize, *Oyer* and *Terminer* and General Gaol Delivery for the County, City, Town, Borough or Corporation where ſuch Offence or Offences ſhall be committed, every ſuch Perſon and Perſons ſo offending, and being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and every ſuch Felon and Felons ſhall be ſubject and liable to like Pains and Penalties, as in Caſes of Felony; and the Courts, by and before whom ſuch Perſon or Perſons ſhall be tried, ſhall and hereby have Power and Authority to tranſport ſuch Felons for the Space of ſeven Years, in like Manner as other Felon are directed to be tranſported by the Laws and Statutes of this Realm.

After 24 June 1732, maliciouſly deſtroying Turnpikes, Felony.

Tranſportation.

Returning from Tranſportation, Death.

II. And be it further enacted by the Authority aforeſaid, That if ſuch Offender or Offenders ſhall return into *Great Britain* or *Ireland* before the Expiration of the ſaid Term of ſeven Years, contrary to the true Intent and Meaning hereof, or of the ſaid Act paſſed in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by the Authority of Parliament for making rivers navigable*, he or they ſo returning ſhall ſuffer Death as Felons, and have Execution awarded againſt them as Perſons attainted of Felony, without Benefit of Clergy.

1 Geo. 2. Stat. 2. c. 19.

Charges of Proſecution to be paid out of the Tolls.

III. And be it further enacted by the Authority aforeſaid, That the Truſtees, Commiſſioners, Proprietors, Undertakers or other Perſon or Perſons whatſoever authorized or impowered to put in Execution any Act or Acts of Parliament made or to be made for repairing of Highways or making Rivers navigable, ſhall and may, by and out of the Tolls, Rates and Duties ariſing by virtue of any ſuch Act or Acts of Parliament, pay and diſcharge the Coſts, Charges and Expences ariſing or becoming due for or by reaſon of any Action, Information, Indictment or other Proſecution whatſoever, which ſhall or may be commenced or proſecuted for or on account of the pulling down or otherwiſe deſtroying any Turnpike Gate, Poſt, Rail, or other Fence or Fences belonging to any Turnpike Gate or any Turnpike Houſe or Houſes, or any Lock, Sluice, Floodgate or other Works, on any navigable River, erected or to be erected by Authority of Parliament.

Sheriff, by Order of Juſtices in their General Quarter-Seſſions, to remove unwarrantable Turnpikes.

IV. And be it enacted by the Authority aforeſaid, That if the Commiſſioners and Truſtees appointed or to be appointed to put any Act of Parliament made or to be made for the Repair of any Highway or Highways in Execution, ſhall abuſe or exceed their Power by erecting or cauſing to be erected, or continuing or cauſing to be continued, any Gate or Gates, Turnpike or Turnpikes, where they have not any Power by virtue of any Act of Parliament, to erect ſuch Gate or Gates, Turnpike or Turnpikes, it ſhall and may be lawful to and for the Juſtices of the Peace of the County where any ſuch Gate or Gates, Turnpike or Turnpikes, is, are or ſhall be erected or continued, in their General Quarter-Seſſions aſſembled, upon Complaint of any ſuch Abuſe or Exceſs of Power in ſuch Commiſſioners and Truſtees, in a ſummary Way to hear and determine the ſame, and thereupon to order the Sheriff of the County (who is hereby authorized and required to execute ſuch Order) to remove any ſuch Gate or Gates, Turnpike or Turnpikes.

Act 1 Geo. 2. Stat. 2. c. 19. and this, continued for 5 Years. Made perpetual by 27 Geo. 2. c. 16.

V. And be it further enacted by the Authority aforeſaid, That this Act, and alſo the ſaid Act hereby explained and amended, and every Article, Clauſe and Sentence therein contained, not altered by this preſent Act, ſhall from henceforth continue and be in full Force and Effect for the Term of five Years, to be computed from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, and from thence to the End of the then next Seſſion of Parliament, and no longer.

Concerning Highways, ſee farther 7 Geo. 2. c. 9. 8 Geo. 2. c. 20. 9 Geo. 2. c. 18. 14 Geo. 2. c. 42. 16 Geo. 2. c. 29. 18 Geo. 2. c. 33. 21 Geo. 2. c. 28. 24 Geo. 2. c. 43. 26 Geo. 2. c. 28 & 30. 28 Geo. 2. c. 17. 30 Geo. 2. c. 28. 31 Geo. 2. c. 34.

Anno Regni GEORGII II. ſexto.

'AT the Parliament begun and holden at *Weſtminſter* the twenty-third Day of *January*, *Anno Domini* one thouſand ſeven hundred and twenty-ſeven, in the firſt Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the ſixteenth Day of *January* one thouſand ſeven hundred and thirty-two, being the ſixth Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-three; and for giving further Time to Clerks and Aprentices to pay Duties omitted to be paid for their Indentures and Contracts. EXP.

CAP. II.

An Act to allow a further Time to *John Thomſon* to appear and produce the Books, and diſcover the Effects of *The Charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges at legal Intereſt*, and to be examined thereupon at the Times and Places fixed in the Bill, and for allowing the ſaid *John Thomſon* a Proportion out of the Effects of the ſaid Corporation which he ſhall diſcover, and for preventing fraudulent Releaſing or Aſſigning any Debt due, from *George Robinſon* or the ſaid *John Thomſon*, or either of them. PR.

'WHEREAS by an Act made and paſſed in the laſt Seſſion of this preſent Parliament, intituled, *An Act to encourage and compel* George Robinſon *Eſquire, and* John Thomſon, *to appear and produce the Books and diſcover the Effects of* The Charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges at legal Intereſt, *and to be examined thereupon at the Times and Places therein mentioned*, it was amongſt other Things enacted, That if the ſaid *George Robinſon* and *John Thompſon* reſpectively ſhould not, on or before the thirtieth Day of *March* one thouſand ſeven hundred and thirty-two, appear before either Houſe of Parliament or a Committee of either Houſe of Parliament, and ſubmit to be examined touching the Matters and Things, and in the Manner therein mentioned, and in that Caſe ſhould not, on or before the fourth Day of *April* one thouſand ſeven hundred and thirty-two, ſurrender himſelf or themſelves reſpectively to the Commiſſioners named in the ſeveral Commiſſions of Bankruptcy therein mentioned to be awarded againſt them reſpectively, or to ſome of them, and ſubmit to be examined from Time to Time upon Oath by and before the ſaid Commiſſioners, or the major Part of them, and in all Things conform themſelves to the ſeveral Statutes made concerning Bankrupts, and alſo upon ſuch Examination make ſuch Diſcovery as is in the ſaid Act mentioned, and deliver up to the ſaid Commiſſioners, or the major Part of them, all ſuch Goods, Wares, Merchandizes, Effects and Eſtate, and all Books, Papers and Writings relating thereunto, as at the Time of ſuch Examination before ſuch Commiſſioners ſhould be in the Poſſeſſion, Cuſtody or Power of the ſaid *George Robinſon* or *John Thomſon*, or either of them, then ſuch of them the ſaid *George Robinſon* and *John Thomſon* as ſhould be guilty of any Default or wilful Omiſſion therein, being thereof lawfully convicted by Indictment, ſhould be deemed and adjudged to be a Felon, and ſhould ſuffer as a Felon without Benefit of Clergy, and all Juſtices of Peace within the Kingdom of *England*, Dominion of *Wales* and Town of *Berwick upon Tweed* were authorized and required by the ſaid Act, in caſe the ſaid *George Robinſon* or *John Thomſon* reſpectively ſhould not appear before either Houſe of Parliament or a Committee of either Houſe of Parliament, and ſubmit to be examined as aforeſaid within the Time thereby limited for that Purpoſe, to grant Warrants for the taking and apprehending the ſaid *George Robinſon* or *John Thomſon*, and them or either of them ſo taken to commit to the common Gaol of the County, City or Place where they or either of them ſhould be ſo taken and apprehended; and Power and Authority was alſo given by the ſame Act to any Perſon or Perſons, by virtue of a Warrant under the Hands and Seals of the ſaid Commiſſioners of Bankruptcy in and by the ſaid Commiſſions reſpectively authorized, to demand Admittance in the Day-time into any Houſe or Room wherein they or any of them ſhould have Reaſon to believe, or ſhould be informed, the ſaid *George Robinſon* or *John Thomſon*, ſo making Default as aforeſaid, were, and upon Refuſal to be admitted into ſuch Houſe or Room, in the Company of a Conſtable or other Peace-Officer in the Day-time, to break or cauſe to be broke open the Doors or Locks of every ſuch Houſe or Room, and the ſaid *George Robinſon* or *John Thomſon* ſo making Default as aforeſaid to ſeize, take and carry away, and to deliver to ſuch Perſon or Perſons, as by the ſaid Commiſſioners, or the major Part of them, ſhould be impowered and appointed to receive them reſpectively: And whereas the ſaid *George Robinſon* and *John Thomſon* have both of them neglected to comply with the Terms of the ſaid Act of Parliament, and are

' thereby become liable to be indicted for Felony by virtue of the ſame Act: And whereas an humble ' Application hath been made to Parliament on the Behalf of the ſaid *John Thomſon*, who hath withdrawn ' himſelf, and is now beyond the Seas, that a further Time may be allowed him for ſubmitting to ' the Terms and Conditions of the ſaid Act, and it is apprehended that it would be for the Service ' of the ſaid Corporation, that the ſaid *John Thomſon* ſhould return into this Kindom, and be examined ' touching the Matters and Things in the ſaid recited Act directed and appointed to be inquired into, ' and that the Diſcoveries he is capable to make may tend to the Benefit and Advantage of the ſaid ' Corporation, and of the Sufferers by the fraudulent Management of the ſame:' Be it therefore enacted, *&c.*

" Clauſe relating to the apprehending *John Thomſon* repealed: On his Submiſſion and Conformity by " 9 *March* 1732, not liable to Actions on that Account, and to be protected from Arreſts, but on Neg- " lect the former Sentence confirmed, and the Clauſe relating to the apprehending of him to be in full " Force. Penalty on *G. Robinſon* and *J. Thomſon*, if they deliver up any Mortgage, *&c.*

CAP. III.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. IV.

An Act to indemnify Perſons who have omitted to qualify themſelves for Imployments or Offices by taking the Oaths, and making and ſubſcribing the Declaration againſt Tranſubſtantiation, and receiving the Sacrament, and allowing them further Time for that Purpoſe. EXP.

" Perſons qualifying themſelves before 29 *Sept.* 1733, indemnified. Members of Corporations, who " have neglected to take the Oaths of Office, qualifying themſelves by 29 *Sept.* 1733, indemnified. Of- " fices already avoided by Law, not to be reſtored.

CAP. V.

An Act for allowing further Time for the Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers and Leſſees. EXP.

3 Geo. 1. c. 18. ' WHEREAS by a Clauſe in an Act of Parliament paſſed in the third Year of his late Ma- ' jeſty's Reign, intituled, *An Act for explaining an Act paſſed in the laſt Seſſion of Parliament, in- ' tituled*, An Act to oblige Papiſts to regiſter their Names and Real Eſtates, *and for enlarging the Time ' for ſuch Regiſtring, and for ſecuring Purchaſes made by Proteſtants*, it was enacted, That from and after ' the nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and ' ſeventeen no Manors, Lands, Tenements, Hereditaments or any Intereſt therein, or Rent or Pro- ' fit thereout, ſhould paſs, alter or change from any Papiſt or Perſon profeſſing the Popiſh Religion, by ' any Deed or Will, except ſuch Deed within ſix Months after the Date, and ſuch Will within ſix ' Months after the Death of the Teſtator, ſhould be inrolled in one of the King's Courts of Record ' at *Weſtminſter*, or elſe within the ſame County or Counties, wherein the Manors, Lands and Te- ' nements lie, in ſuch Manner as therein for that Purpoſe is particularly directed: And whereas by a
10 Geo. 1. c. 4. ' Clauſe in another Act of Parliament paſſed in the tenth Year of his ſaid late Majeſty's Reign, intitu- ' led, *An Act for explaining and amending the Act of the laſt Seſſion of Parliament, intituled*, An Act to ' oblige all Perſons being Papiſts, in that Part of *Great Britain* called *Scotland*, and all Perſons in *Great ' Britain* refuſing or neglecting to take the Oaths appointed for the Security of his Majeſty's Perſon and ' Government, by ſeveral Acts herein mentioned, to regiſter their Names and Real Eſtates, *and for enlarg- ' ing the Time for taking the ſaid Oaths and making ſuch Regiſters, and for allowing further Time for the ' Inrolment of Deeds or Wills made by Papiſts, which have been omitted to be inrolled, purſuant to an Act ' of the third Year of his ſaid late Majeſty's Reign, and alſo for giving Relief to Proteſtant Leſſees*, it was en- ' acted, for the Relief of ſuch Perſons who had neglected or omitted to inrol their Deeds or Wills, that ' every Deed and Will which had been then made, ſince the nine and twentieth Day of *September* one ' thouſand ſeven hundred and ſeventeen, in order to paſs, alter or change any Manors, Lands, Tene- ' ments or Hereditaments or any Intereſt therein, or Rent or Profit thereout, from any Perſon profeſſing ' the Popiſh Religion, though not then inrolled, ſhould be as good and effectual in the Law, as the ſame ' would have been, in caſe the ſaid Deeds and Wills had been inrolled within the Time limited by the ' ſaid Clauſe in the ſaid former Act for Inrolment thereof, provided the ſaid Deeds and Wills ſhould be ' inrolled on or before the nine and twentieth Day of *September* one thouſand ſeven hundred and twenty- ' four in ſuch Manner as by the ſaid former Act was directed: And whereas by a Clauſe in another Act
3 Geo. 2. c. 29. ' of Parliament paſſed in the third Year of his preſent Majeſty's Reign, intituled, *An Act for continuing ' and amending an Act for regulating the Price and Aſſize of Bread, for Relief of Bankrupts whoſe Certifi- ' cates were not allowed before the Expiration of a late Act for the better preventing Frauds committed by Bank- ' rupts, for allowing further Time for Inrolment of Deeds or Wills made by Papiſts, and for Relief of Pro- ' teſtant Purchaſers and Leſſees, and for making further Proviſion concerning Certificates relating to the Setlements ' of poor Perſons, and the Charges of maintaining and removing certificated Perſons*, it was enacted, for the ' Relief of ſuch Perſons who had neglected or omitted to inrol their Deeds or Wills, that every Deed ' and Will which had been made ſince the nine and twentieth Day of *September* one thouſand ſeven

' hundred

'hundred and ſeventeen, in order to paſs, alter or change any Manors, Lands, Tenements or Here-'ditaments, or any Intereſt therein or Rent or Profit thereout, from any Perſon profeſſing the Popiſh 'Religion, though not then inrolled, ſhould be as good and effectual in the Law, as the ſame would 'have been, in caſe the ſaid Deeds and Wills had been inrolled within the Times limited in the ſaid 'Clauſes in the ſaid former Acts for the Inrolment thereof; provided the ſame Deeds and Wills ſhould be 'inrolled on or before twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-one, in 'ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed: And whereas ſeveral of 'his Majeſty's Proteſtant Subjects, ſince the twenty-ninth Day of *September* one thouſand ſeven hundred 'and ſeventeen, have purchaſed Lands and taken Leaſes upon Fines paid, where ſome ſmall Rents have 'been reſerved, from Papiſts or Perſons profeſſing the Popiſh Religion, and have omitted or neglected to 'inrol their Purchaſe Deeds and Leaſes within the Times limited by the ſaid Clauſes in the ſaid Acts 'directed for the Inrolment thereof, and are in Danger of being defeated of their ſaid Purchaſes and 'Leaſes: And whereas ſeveral Infants and others, claiming under the laſt Wills and Teſtaments of Pa-'piſts or Perſons profeſſing the Popiſh Religion, may be defeated of their ſaid Lands ſo deviſed to 'them, through the Neglect or Omiſſion of the Executors or Truſtees of ſuch Wills, to inrol the ſame 'in due Time, according to the Direction of the ſaid Clauſes in the ſaid Acts:' Be it therefore enacted, *&c.*

"Deeds and Wills made by Papiſts ſince 29 *Sept.* 1717, and not duly inrolled, ſhall be good, if inrolled "by 29 *Sept.* 1733. Deeds or Wills, of whoſe Deficiency in Inrolment Advantage was taken by 1 *Feb.* "1732, excepted. No Purchaſe made for valuable Conſideration by any Proteſtant ſhall be avoided for "want of Inrolment: So as no Judgement, *&c.* hath been obtained." *See* 9 *Geo.* 2. *c.* 26. *Concerning Papiſts, ſee farther* 11 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 13.

CAP. VI.

An Act for obviating a Doubt which may ariſe upon an Act made in the fourth Year of his preſent Majeſty's Reign, intituled, *An Act that all Proceedings in the Courts of Juſtice within that Part of* Great Britain *called* England, *and in the Court of Exchequer in* Scotland, *ſhall be in the* Engliſh *Language*, ſo far as the ſame doth or may relate to the Court of the Receipt of his Majeſty's Exchequer, or to any Members or Branches thereof.

'WHEREAS by an Act made in the fourth Year of his Majeſty's Reign, intituled, *An Act that* 4 Geo. 2. c. 26. '*all Proceedings in the Courts of Juſtice within that Part of* Great Britain *called* England, *and in the* '*Court of Exchequer in* Scotland, *ſhall be in the* Engliſh *Language*, it is amongſt other Things enacted, 'That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three, all 'Writs, Proceſs and Returns thereof, and Proceedings thereon, and all Pleadings, Rules, Orders, 'Indictments, Informations, Inquiſitions, Preſentments, Verdicts, Prohibitions, Certificates, and all 'Patents, Charters, Pardons, Commiſſions, Records, Judgments, Statutes, Recognizances, Bonds, 'Rolls, Entries, Fines and Recoveries, and all Proceedings relating thereunto, and all Proceedings 'of Courts Leet, Courts Baron and Cuſtomary Courts, and all Copies thereof, and all Proceedings 'whatſoever in any Courts of Juſtice within that Part of *Great Britain* called *England*, and in the Court 'of Exchequer in *Scotland*, and which concern the Law and Adminiſtration of Juſtice, ſhall be in the '*Engliſh* Tongue and Language only, and not in *Latin* or *French*, or any other Tongue or Language 'whatſoever, and ſhall be written in ſuch a common legible Hand and Character as the Acts of Par-'liament are uſually ingroſſed in, and the Lines and Words of the ſame to be written at leaſt as 'cloſe as the ſaid Acts uſually are, and not in any Hand commonly called *Court Hand*, and in Words 'at length and not abbreviated: And whereas a Doubt may ariſe, whether the Proceedings in the Court 'of the Receipt of his Majeſty's Exchequer are or may be comprehended or included within the ſaid Act, 'or any general Words therein contained;' For obviating the ſaid Doubts, Be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, or any Thing therein contained, ſhall not extend, or be conſtrued, deemed or taken to extend to the ſaid Court of the Receipt of his Majeſty's Exchequer, or to any Proceedings therein, or to any Members or Branches thereof.

The Act 4 Geo. 2. c. 26. directing Proceedings in Law to be in Engliſh, not to affect the Court of Receipt of the Exchequer.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Court of Receipt and the ſeveral Members thereof, and their Under Officers, Deputies and Clerks, ſhall carry on the Buſineſs to them ſeverally and reſpectively belonging and appertaining, according to the uſual Courſe and antient Method and Practice, and in like Manner as if the ſaid Act had never been made; any Thing therein to the contrary thereof in any wiſe notwithſtanding.

The Buſineſs of the ſaid Court to be carried on according to the ancient Method.

CAP. VII.

An Act for the free Importation and Exportation of Diamonds, Pearls, Rubies, Emeralds and all other Jewels and precious Stones.

'WHEREAS this Kingdom is now become a great Mart for Diamonds and other precious Stones 'and Jewels, from whence moſt foreign Countries are ſupplied, and great Numbers of rough 'Diamonds are ſent from abroad to be cut and poliſhed here, which is a great Advantage to this Nation,

'and there is great Reaſon to believe, if the Importation thereof was encouraged and made eaſy, the ſaid 'Trade would increaſe: And whereas among the Rules in the Table of Fees and Allowance due and 'payable to the Officers of the Cuſtoms, dated the ſeventeenth Day of *May* one thouſand ſix hundred 'and ſixty two, ſigned by Sir *Edward Turnor*, then Speaker of the Houſe of Commons, and confirmed 'by the Act of Tunnage and Poundage paſſed in the twelfth Year of the Reign of King CHARLES the 'Second, and ſince continued, and now in Force, it is declared, That Diamonds, precious Stones, Jewels 'and Pearls of all Sorts ſhall paſs outwards without Warrant or Fee;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the tenth Day of *April* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-three all Diamonds, Pearls, Rubies, Emeralds, and all other precious Stones and Jewels, ſhall paſs inwards without Warrant or Fee, in like Manner as they now paſs outwards, and free from the Payment of any Duty granted to his Majeſty, his Heirs or Succeſſors; and it ſhall and may be lawful for any Perſon or Perſons to import or export the ſame in any Ship or Veſſel whatſoever; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding; ſubject nevertheleſs to the Proviſo herein after contained.

After 10 April 1733, Diamonds and all other precious Stones may be imported or exported free from Duty.

Proviſo as to the Eaſt-India Company. 9 & 10 W. 3. c. 44.

II. Provided always, That nothing herein contained ſhall extend to annul or make void the Duty granted to his Majeſty for the Uſe of the United Company of Merchants of *England* trading to the *Eaſt-Indies* by an Act paſſed in the ninth and tenth Years of the Reign of his late Majeſty King WILLIAM the Third, for ſuch Pearls, Diamonds and other precious Stones or Jewels as ſhall be imported into this Kingdom from any Place within the Limits of the Charter granted to the ſaid Company, or to take away or alter any Privileges, Profits or Advantages granted to or now held or enjoyed by the ſaid Company.

CAP. VIII.

An Act for rebuilding the Pariſh Church of Saint *George the Martyr* in the Borough of *Southwark*, in the county of *Surrey*, as one of the fifty new Churches directed to be built by Two Acts of Parliament, one made in the ninth, the other in the tenth Year of the Reign of her late Majeſty Queen *Anne*. PR.

"The Church of Saint *George the Martyr* in *Southwark* to be built as one of the fifty new Churches, "6,000 *l.* to be paid out of the Coal Duty by 24 *June* 1733, for that Purpoſe.

CAP. IX.

An Act to explain and amend two Acts of Parliament, one made in the twelfth and the other in the thirteenth Year of his late Majeſty's Reign, for making navigable the River *Dun* in the County of *York*, and for the better perfecting and maintaining the ſaid Navigation, and for uniting the ſeveral Proprietors thereof into one Company. PR.

12 Geo. 1. c. 38.

'WHEREAS by an Act of Parliament made in the twelfth Year of the Reign of his late Ma-'jeſty King GEORGE the Firſt, intituled, *An Act for making the River* Dun *in the Weſt Riding of 'the County of* York, *navigable from* Holmſtile *in* Doncaſter *up to the utmoſt Extent of* Tinſley *Weſtward*, 'a Township within two Miles of *Sheffield*, the Maſters, Wardens, Searchers, Aſſiſtants and Common-'alty of the Company of Cutlers in *Hallamſhire* in the County of *York*, their Succeſſors and Aſſigns, are 'nominated and appointed Undertakers of the ſaid Navigation, with Power to make the ſaid River navi-'gable, at their own Expence, from *Holmſtile* aforeſaid, up the ſaid River above *Holmſtile* to the utmoſt 'Extent of *Tinſley* Weſtward, and for making and erecting Wharfs and Warehouſes, Locks, Dams, 'and for making Towing-paths on the Banks of the ſaid River, for the haling of Veſſels with Men 'or Horſes, and for purchaſing Lands for the Purpoſes aforeſaid, and alſo ſuch Powers of taking Tun-'nage and Lock Dues, and other Sums of Money, as a Recompence for the Expences they ſhall be 'at in making the ſaid River navigable, as in and by the ſaid Act will more fully appear: And where-

13 Geo. 1. c. 20.

'as by one other Act of Parliament made in the thirteenth Year of the Reign of his ſaid late Ma-'jeſty, intituled, *An Act for improving the Navigation of the River* Dun, *from a Place called* Holmſtile *in 'the Townſhip of* Doncaſter, *in the County of* York, *to* Wilſick *Houſe in the Pariſh of* Barnby Dun *in the 'ſaid County*, the Mayor, Aldermen and Burgeſſes of the Borough of *Doncaſter* in the ſaid County of 'York, their Succeſſors and Aſſigns, are nominated and appointed Undertakers of the ſaid Navigation 'from *Holmſtile* aforeſaid down the ſaid River *Dun* below *Holmſtile* to *Wilſick* Houſe aforeſaid, and they, 'their Succeſſors and Aſſigns, are thereby impowered, by themſelves, their Servants, Agents, Work-'men and Aſſigns, at their own Expence, to carry the Navigation of the ſaid River, from *Holmſtile* in 'Doncaſter aforeſaid, down the ſaid River to *Wilſick* Houſe, and to make the ſame River paſſable with 'Boats, Barges, Lighters and other Veſſels, at all times in the Year, from *Holmſtile* aforeſaid to *Wilſick* 'Houſe, and to ſcour and cleanſe the ſaid River, make Ways and Bridges, Locks, Cuts, Dams, and 'exerciſe all ſuch other Powers and Authorities, by the ſaid Act given them, and alſo to make Towing-'paths on the Banks of the ſaid River, for haling of Veſſels with Men or Horſes, and alſo to purchaſe 'Lands for the Purpoſes aforeſaid, and alſo Powers of taking Tunnage, Lock Dues, and other Sums of 'Money, as a Recompence for the Expences they ſhall be at in making the ſaid River navigable, and to 'exerciſe ſeveral other Powers and Authorities, mentioned in the ſaid Act, as in and by the laſt men-'tioned Act will more fully appear: And whereas by the ſaid laſt in part recited Act, three Wood

‘ Bridges over the River commonly cal'ed the *New River* or *Dutch River*, in the ſame Act mentioned, ‘ and fifteen Yards of the Banks of the ſame River, on each Side thereof. (except ſo much of ſuch ‘ Part of the Bank near one of the ſaid three Bridges, called *Rockliffe Bridge*, whereon there is a Cottage ‘ erected and built, and the Yard of the ſaid Cottage) were and are veſted in the ſaid Mayor, Alder- ‘ men and Burgeſſes of *Doncaſter* and their Succeſſors, who were and are obliged by the ſaid Act, for ‘ ever, from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and twenty-ſeven, ‘ to repair, maintain and rebuild the ſaid Bridges; and the ſaid Mayor, Aldermen and Burgeſſes, by the ‘ ſame Act, are authorized and obliged to make Leaves to draw up, or Draw-bridges, and ſuch other ‘ Alterations of and in the ſaid three Bridges, as ſhould be convenient and neceſſary for the more eaſy ‘ Paſſage of Boats, Lighters and other Veſſels with Maſts, through the ſame, without taking down or ‘ lowering their Maſts in ſuch their Paſſage, and the ſaid Corporation of *Doncaſter*, by the ſaid Act, was ‘ obliged to make ſuch Leaves or Draw-bridges within the Space of two Years next after the ſaid twenty- ‘ fifth day of *March*, and from thenceforth for ever after to keep and maintain ſuch Leaves or Draw- ‘ bridges, in the ſaid three Bridges, for the Uſes and Purpoſes aforeſaid; and ſaid Corporation of *Don- ‘ caſter* and their Succeſſors, for and in reſpect of the Charge which they ſhould be put to in altering the ‘ ſaid three Bridges, and making ſuch convenient Paſſage for Boats, Lighters and other Veſſels, through ‘ the ſame, and for repairing and maintaining the ſaid three Bridges, and fifteen Yards of the Banks ‘ (except before excepted) above and below each of the ſaid Bridges, and building new Bridges in lieu ‘ of them, ſo often as there ſhall be Occaſion, are by the ſaid Act authorized to demand, receive and ‘ take, for the Paſſage of every ſuch Boat, Lighter or other Veſſel, which ſhall paſs through the ſaid three ‘ Bridges, or any of them (for the Paſſage of which Boat, Lighter or other Veſſel, ſuch Draw-bridges ‘ or any of them ſhall be opened) of the Owner or Maſter of every ſuch Boat, Lighter or other Veſſel, ‘ certain Duties or Sums of Money, by the ſaid Act directed, and the Participants and Owners of Lands ‘ lying in the Level of *Hatfield Chace* and Parts thereto adjacent, in the Counties of *York*, *Lincoln* and ‘ *Nottingham* in the ſaid Act mentioned, were and are by the ſaid Act obliged to pay the ſaid Mayor, ‘ Aldermen and Burgeſſes, and their Succeſſors, twenty Pounds a Year at certain Days and Times there- ‘ in mentioned, and ſuch Remedies were and are given to them for the Recovery thereof, as in and by ‘ the ſaid Act are expreſſed: And whereas the Undertakers of the ſaid two ſeparate Navigations of the ‘ ſaid River, above and below *Holmſtile*, have laid out ſeveral great Sums of Money in carrying on the ‘ ſaid reſpective Navigations, amounting in the whole to ſeventeen thouſand two hundred and fifty ‘ Pounds, and have made great Progreſs in making of the ſaid River *Dun* navigable, as well above as ‘ below *Holmſtile*, and the ſaid two Corporations for carrying on the ſaid Work found it neceſſary to di- ‘ vide their reſpective Intereſts, in the ſaid two ſeparate Navigations, into Shares, and to aſſign ſeveral ‘ Shares thereof unto ſeveral Perſons, who had contributed towards raiſing of the ſaid ſeventeen thouſand ‘ two hundred and fifty Pounds, for the carrying on of the ſaid reſpective Navigations: And whereas ‘ for the better carrying on and compleating of the ſaid Navigations, above and below *Holmſtile* it is ‘ found neceſſary, that the Undertakers of both the ſaid Navigations ſhould be united into one Com- ‘ pany and Copartnerſhip, and that all the Intereſt of the Undertakers of both the ſaid Navigations ‘ ſhould be divided into one hundred and fifty Shares, to be diſtributed unto and among the ſaid two ‘ Corporations, and other the Contributors to the ſaid Undertakings, in proportion to the ſeveral Sums ‘ of Money by them reſpectively advanced, towards carrying on both the ſaid Navigations, for each of ‘ which ſaid Shares there hath been already advanced and paid or laid out, the Sum of one hundred and ‘ fifteen Pounds a Share, amounting in the whole to the ſaid Sum of ſeventeen thouſand two hundred and ‘ fifty Pounds: And to the end that both the ſaid Navigations, above and below *Holmſtile*, ſhould be ‘ thence after carried on by the Proprietors, of the ſaid one hundred and fifty Shares, at their com- ‘ mon Expence, according to the Proportion of their reſpective Intereſts in the ſaid Shares, they, by ‘ Indenture bearing Date the fifth Day of *January* in the fourth Year of the Reign of his preſent ‘ Majeſty, and in the Year of our Lord one thouſand ſeven hundred and thirty, made or mentioned to be ‘ made, *&c.*

“ Powers given by the former Acts to the ſeparate Navigations veſted in the united Company, and the “ whole to be divided into 150 Shares. After 24 *June* 1733, the Undertakers of each Navigation made “ one Body Corporate, and may purchaſe Lands, Tenements, *&c.* The Books of Accounts to be kept “ at *Sheffield* and *Doncaſter*. General Court may alter former Rules, or make new ones. The Na- “ vigation to be continued to *Tinſley*, and capable of Veſſels of 20 Tun. On Defect of ſuch Conti- “ nuation by the Proprietors, the Cutlers Company to carry it on, and receive the Duties. If the Cor- “ poration of *Doncaſter* neglect to repair the three Bridges on the *New River*, Land Owners there may “ repair them. This Act not to leſſen the Powers given to Commiſſioners by the former Act.

CAP. X.

An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-three. EXP. 1s. in the Pound.

CAP. XI.

An Act for providing a Maintenance for the Miniſter of the new Church of *Horſlydown* in the Borough of *Southwark*, in the County of *Surrey*, and for making the Diſtrict aſſigned to the ſame a diſtinct Pariſh, and for other Purpoſes therein mentioned. PR.

“ Appointment of 3500 *l.* out of the Coal Duties to the uſe of the Miniſter. 1100 *l.* to be allowed out “ of the ſaid Duties for paving and adorning the Church Yard, *&c.* The Floor of the Church not to

" be broken up for Burials. Churchwardens may ſet up Monuments and Grave Stones. 60*l. per* " *Annum* to be paid to the Miniſter. The Proviſions hereby allowed to the Miniſter, to be inſtead of " all Tithes, *&c.* The new Pariſh not to be held in *Commendam.* Churchwardens to provide three " decent Palls. No Perſons to bring other Palls into the Church Yards without paying the Fees, except " Palls of the old Pariſh. Veſtry may raiſe 500*l.* by a Pound-rate for buying Neceſſaries for the Sacra- " ment, *&c.* to be recovered as the Poors Rates. All Church Yards within the two Pariſhes to be " held in common. Inhabitants of the new Pariſh to enjoy all Advantages of the Free School in com- " mon with the old. The old Pariſh to maintain its own Poor."

CAP. XII.

An Act for erecting Piers in and for repairing and keeping in Repair the Harbour of *Little Hampton*, called *Arundel Port*, in the County of *Suſſex*. PR.

' WHEREAS it is a great Encouragement to Trade and Navigation to have good Harbours ' and Ports for receiving of Shipping: And whereas the Harbour of *Little Hampton*, called *Arun-* ' *del Port*, in the County of *Suſſex*, was heretofore a ſafe Harbour, and capable of receiving Ships and ' Veſſels of a conſiderable Burthen, but a Beach being now thrown up by the Sea, the ſaid Harbour is ' thereby become choaked up, and the Navigation of the River *Arun*, commonly called *Arundel River*, ' obſtructed, and the ſaid Harbour rendred almoſt uſeleſs, to the great Damage of the Inhabitants of ' the ſaid Town of *Arundel:* And whereas the ſaid Harbour cannot be reſtored, improved and pre- ' ſerved, unleſs a Chanel be cut through the ſaid Beach and Piers, and Locks erected and made in pro- ' per Places: And whereas the Inhabitants of the ſaid Town are unable to raiſe a ſufficient Sum of ' Money to defray the Expence of carrying on, compleating and preſerving ſo uſeful and beneficial an ' Undertaking, without the Aid and Aſſiſtance of Parliament:' May it therefore pleaſe your Majeſty that it may be enacted, &c.

" After 24 *June* 1733, the following Duties to be paid. For every Chaldron of Coals or other Goods " paying Duty by the Chaldron, ſhipped or landed in the Port of *Arundel*, 1*s.* For every Tun of Salt " and other Goods paying Duty or Freight by the Tun, 1*s.* For every Load of Timber or converted " Timber, 1*s.* For every Load of Tan or Bark, 2*s.* For every hundred of Spars, Ufers or Staves, " 1*s.* For every hundred of ſingle Deals, 1*s.* 6*d.* For every hundred of double Deals, 2*s.* and for " every hundred of three Inch Deals, 2*s.* 6*d.* For every Quarter of Wheat and other Grains and " Seeds, 3*d.* For every Load of Flower or Meal, 1*s.* and for every Load of Bran, 6*d.* For every " Hogſhead of Wine or other Liquors, 1*s.* For every Hogſhead of Sugar and dry Goods, 9*d.* For " every Tierce, 6*d.* and for every Barrel of Pitch or other Goods in Barrels, 4*d.* For every Bundle, " *&c.* of Hemp, Linen, Woollen, Glaſs, Fruits and Earthen Ware, 1*d. per* Hundred. For every " hundred of Allom, Cheeſe and other Goods, paying Duty or Freight *per* hundred Weight, 1*d.* For " every hundred Feet of paving Stone or Marble, 2*s.* For every thouſand of Tiles, Bricks or Clin- " kers, 1*s.* For every Groſs of Bottles, 3*d.* For every Barge or Craft paſſing through each Lock, 1*s.* " For all Goods not enumerated one twelfth Part of the uſual Freight from *London* to *Arundel.* For " every *Britiſh* Ship which ſhall load or unload (Fiſhing Veſſels excepted) 3*d. per* Tun. For every " *Britiſh* Ship which ſhall ſail into the Harbour, and neither load nor unload there, 1*d.* 2*q. per* Tun. " For every Foreign Ship, and for Goods imported and exported in foreign Bottoms, double Duties. " No Veſſels to be cleared at the Cuſtom-houſe, without a Certificate that theſe Duties are paid. On " Juſtices Certificate that all Charges are reimburſed, half of the Duties to ceaſe. Commiſſioners may " appoint a Perſon to direct the mooring and ballaſting of Veſſels. On Death or Removal of Com- " miſſioners others to be choſen.

CAP. XIII.

For former Laws concerning Plantations, refer to
12 *Car.* 2. *c.* 18.
15 *Car.* 2. *c.* 7.
22 & 23 *Car.* 2. *c.* 26.
25 *Car.* 2. *c.* 7.
7 & 8 *W.* 3. *c.* 22.
11 *W.* 3. *c.* 12.
3 & 4 *Ann. c.* 5 & 10.
6 *Ann. c.* 30 & 37.
8 *Ann. c.* 13.
9 *Ann. c.* 17 & 27.
10 *Ann. c.* 22 & 26.
4 *Geo.* 1. *c.* 11.
8 *Geo.* 1. *c.* 12 & 15.
13 *Geo.* 1. *c.* 5.
3 *Geo.* 2. *c.* 12 & 28.
4 *Geo.* 2. *c.* 15.
5 *Geo.* 2. *c.* 7 & 9.

An Act for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*.

' WHEREAS the Welfare and Proſperity of your Majeſty's Sugar Colonies in *America* are of the ' greateſt Conſequence and Importance to the Trade, Navigation and Strength of this Kingdom: ' And whereas the Planters of the ſaid Sugar Colonies have of late Years fallen under ſuch great Diſ- ' couragements, that they are unable to improve or carry on the Sugar Trade upon an equal Footing ' with the foreign Sugar Colonies, without ſome Advantage and Relief be given to them from *Great* ' *Britain*:' For Remedy whereof, and for the Good and Welfare of your Majeſty's Subjects, we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* aſſembled in Parliament, have given and granted unto your Majeſty the ſeveral and reſpective Rates and Duties herein after mentioned, and in ſuch Manner and Form as is herein after expreſſed; and do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-three, there ſhall be raiſed, levied, collected and paid, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, upon all Rum or Spirits of the Produce or Manufacture of any of the Colonies or Plantations in *America*, not in the Poſſeſſion or under the Dominion of his Majeſty,

Majeſty, his Heirs and Succeſſors, which at any Time or Times within or during the Continuance of this Act, ſhall be imported or brought into any of the Colonies or Plantations in *America*, which now are or hereafter may be in the Poſſeſſion or under the Dominion of his Majeſty, his Heirs or Succeſſors, the Sum of nine Pence, Money of *Great Britain*, to be paid according to the Proportion and Value of five Shillings and ſix Pence the Ounce in Silver, for every Gallon thereof, and after that Rate for any greater or leſſer Quantity; and upon all Molaſſes or Syrups of ſuch foreign Produce or Manufacture as aforeſaid, which ſhall be imported or brought into any of the ſaid Colonies or Plantations of or belonging to his Majeſty, the Sum of ſix Pence of like Money for every Gallon thereof, and after that Rate for any greater or leſſer Quantity; and upon all Sugars and Paneles of ſuch foreign Growth, Produce or Manufacture as aforeſaid, which ſhall be imported into any of the ſaid Colonies or Plantations of or belonging to his Majeſty, a Duty after the Rate of five Shillings of like Money, for every hundred Weight *Avoirdupoize*, of the ſaid Sugar and Paneles, and after that Rate for a greater or leſſer Quantity.

After 25 Dec. 1733, 9d. per Gallon to be paid for Rum and Spirits made in the American Plantations not belonging to his Majeſty, on Importation to the Britiſh Plantations, and 6d. per Gallon for Molaſſes and Syrups, and 5s. per C. weight for Sugars and Paneles.

II. And for the better raiſing, levying and collecting the ſaid Duties, it is hereby further enacted by the Authority aforeſaid, That upon the Importation of any ſuch Goods as aforeſaid, into any of the ſaid Colonies or Plantations belonging to the Crown of *Great Britain*, an Entry or Entries ſhall be made with the Collector or other proper Officer of the Cuſtoms, or the Impoſt Officer, or proper Officer of the Exciſe, in the Port or Place where the ſame ſhall be imported, and that all and every the ſaid Duties hereby impoſed, for and upon all ſuch Rum, Spirits, Molaſſes, Syrups, Sugar and Paneles, of ſuch foreign Growth, Produce or Manufacture aforeſaid, which ſhall be imported into any of the ſaid Colonies or Plantations of or belonging to the Crown of *Great Britain* as aforeſaid, ſhall be paid down in ready Money by the Importers thereof, before the landing of the ſame reſpectively.

Duties how to be levied.

III. And be it further enacted, That in caſe any of the ſaid Commodities ſhall be landed or put on Shore in any of his Majeſty's ſaid Colonies or Plantations in *America*, out of any Ship or Veſſel, before due Entry be made thereof at the Port or Place where the ſame ſhall be imported, and before the Duties by this Act charged or chargeable thereupon ſhall be duly paid, or without a Warrant for the landing and delivering the ſame, firſt ſigned by the Collector, or Impoſt Officer, or other proper Officer or Officers of the Cuſtom or Exciſe belonging to ſuch Port or Place reſpectively, all ſuch Goods as ſhall be ſo landed or put on Shore, or the Value of the ſame, ſhall be forfeited; and all and every ſuch Goods as ſhall be ſo landed or put on Shore, contrary to the true Intent and Meaning of this Act, ſhall and may be ſeized by the Governor or Commander in Chief, for the Time being, of the Colonies or Plantations where the ſame ſhall be ſo landed or put on Shore, or any Perſon or Perſons by them authorized in that behalf, or by Warrant of any Juſtice of the Peace or other Magiſtrate (which Warrant ſuch Juſtice or Magiſtrate is hereby impowered and required to give upon Requeſt) or by any Cuſtom-houſe Officer, Impoſt or Exciſe Officer, or any Perſon or Perſons him or them accompanying, aiding and aſſiſting; and all and every ſuch Offence and Forfeitures ſhall and may be proſecuted for and recovered in any Court of Admiralty in his Majeſty's Colonies or Plantations in *America* (which Court of Admiralty is hereby authorized, impowered and required to proceed to hear and finally determine the ſame) or in any Court of Record in the ſaid Colonies or Plantations where ſuch Offence is committed, at the Election of the Informer or Proſecutor, according to the Courſe and Method uſed and practiſed there in Proſecutions for Offences againſt penal Laws relating to Cuſtoms or Exciſe; and ſuch Penalties and Forfeitures ſo recovered there, ſhall be divided as follows; *viz.* One third Part thereof for the Uſe of his Majeſty, his Heirs and Succeſſors, to be applied for the Support of the Government of the Colony or Plantation where the ſame ſhall be recovered, one third Part to the Governor or Commander in Chief of the ſaid Colony or Plantation, and the other third Part to the Informer or Proſecutor who ſhall ſue for the ſame.

The ſaid Goods if landed before Entry and Payment of Duties, ſhall be forfeited, and may be ſeized, and recovered in the Court of Admiralty or in any Court of Record there. Forfeitures how to be diſtributed.

IV. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-three, no Sugars, Paneles, Syrups or Molaſſes, of the Growth, Product and Manufacture of any of the Colonies or Plantations in *America*, nor any Rum or Spirits of *America*, except of the Growth or Manufacture of his Majeſty's Sugar Colonies there, ſhall be imported by any Perſon or Perſons whatſoever into the Kingdom of *Ireland*, but ſuch only as ſhall be fairly and *bona fide* loaden and ſhipped in *Great Britain* in Ships navigated according to the ſeveral Laws now in being in that behalf, under the Penalty of forfeiting all ſuch Sugar, Paneles, Syrups or Molaſſes, Rum or Spirits, or the Value thereof, together with the Ship or Veſſel in which the ſame ſhall be imported, with all her Guns, Tackle, Furniture, Ammunition, and Apparel; and if any of the Commodities aforementioned ſhall be imported into *Ireland* contrary to the true Intent and Meaning of this Act, all and every ſuch Commodities, with the Ship or Veſſel wherein they ſhall be imported, and the Tackle, Ammunition and Furniture thereof, ſhall and may be ſeized by the Lord Lieutenant, Lord Deputy, or Lords Juſtices, for the Time being, for the Kingdom of *Ireland*, or any Perſon or Perſons authorized by him, them or any of them, or by Warrant of any Juſtice of the Peace or other Magiſtrate (which Warrant ſuch Juſtice or Magiſtrate is hereby impowered and required to give upon Requeſt) or by any Cuſtom-houſe Officer, or Exciſe Officer, or any Perſon or Perſons him, them or any of them, accompanying, aiding and aſſiſting; and all and every the ſaid Offences, committed againſt this Act, may be proſecuted, and the Penalties and Forfeitures recovered, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in *Dublin*, at the Election of the Informer or Proſecutor, by Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law, ſhall be allowed, or any more than one Imparlance; and the Penalties and Forfeitures recovered on ſuch Proſecution ſhall go and be divided and applied in manner following; *viz.* One Moiety to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of the Informer or Proſecutor.

No Sugar, &c. except of the Britiſh Plantations, to be imported into Ireland, unleſs ſhipped in Great Britain, &c. Penalty.

V. And

Penalty on Perſons aſſiſting in ſuch unlawful Importation.

V. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be aiding and aſſiſting in bringing on ſhore or landing any ſuch Sugar, Paneles, Syrups or Molaſſes, Rum or Spirits, into the Kingdom of *Ireland*, or into any of his Majeſty's Colonies or Plantations in *America*, contrary to the true Intent and Meaning of this Act, or ſhall receive into his, her or their Houſe or Cuſtody, any of the Commodities aforementioned, knowing the ſame to be imported or landed and brought on ſhore, contrary to this Act, every ſuch Perſon ſo offending ſhall forfeit treble the Value of ſuch Goods, to be eſtimated and computed according to the beſt Price that each reſpective Commodity bears at the Place where any ſuch Seizures ſhall be made, to be ſued for, recovered and applied in manner aforementioned.

500l. Penalty on moleſting Officer in his Duty.

VI. And be it further enacted, That if any Perſon or Perſons ſhall hinder, moleſt or reſiſt, any Cuſtom-houſe Officer, Impoſt or Exciſe Officer, or their or any of their Aſſiſtants, in the due Execution of his or their Duty in ſeizing or ſecuring any of the Commodities aforementioned, imported into the Kingdom of *Ireland*, or landed or put on ſhore in any of the Colonies or Plantations in *America*, which now are or hereafter may be in the Poſſeſſion or under the Dominion of his Majeſty, his Heirs or Succeſſors, contrary to the Purport or true Meaning of this Act, he, ſhe or they ſhall forfeit and pay the Sum of fifty Pounds, to be ſued for, recovered and applied in manner aforementioned, and ſhall alſo be liable to be proſecuted for the ſame, by Indictment or otherwiſe, and being thereof found guilty, ſhall be impriſoned for three Months without Bail or Mainprize; and if any Officer or Officers of the Cuſtoms, Impoſt or Exciſe Officer or Officers, or their Aſſiſtants, ſhall be ſued or proſecuted for any thing done in Execution of his or their Duty for the better and more effectual putting in force this preſent Act, he or they may and ſhall plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, and the Judges ſhall allow thereof; and if any Officer or Officers of the Cuſtoms or Exciſe, in the Kingdom of *Ireland*, or any Officer or Officers of the Cuſtoms, Impoſt or Exciſe Office, in any of his Majeſty's Plantations or Colonies in *America*, ſhall willingly or knowingly connive at the fraudulent Importation, or landing and bringing on ſhore, of any of the Commodities aforementioned, contrary to the Purport and true Meaning of this Act, or ſuch Officer or Officers ſhall take upon him or them to ſeize any of the ſaid Commodities, and ſhall by Fraud or Colluſion deſiſt from or delay the Proſecution thereof to Condemnation, he or they ſo conniving, deſiſting or delaying, ſhall forfeit and loſe the Sum of fifty Pounds, to be ſued for, recovered and applied in manner aforeſaid, and ſuch Officer or Officers ſhall alſo be incapable of holding any Office or Imployment under his Majeſty, his Heirs or Succeſſors.

Officer, if ſued may plead the General Iſſue.

500l. Penalty on Officer conniving at ſuch fraudulent Importation.

100l. Penalty on Maſter of Ship, &c. permitting ſuch Importation.

VII. And it is hereby further enacted by the Authority aforeſaid, That if any of his Majeſty's Subjects, who is or ſhall be Maſter, or have the Charge of any Ship or Veſſel, ſhall take in, or permit or ſuffer to be taken in, at Sea or in any Creek or Harbour, or other Place, any Sugar, Paneles, Syrups or Molaſſes, Rum or Spirits, in order to be imported into *Ireland*, or brought on ſhore and landed in any of his Majeſty's Plantations in *America*, contrary to the true Intent and Meaning of this Act; every ſuch Maſter or other Perſon, ſo offending, ſhall forfeit and pay the Sum of one hundred Pounds, to be ſued for, recovered and applied in manner herein before mentioned.

The Onus probandi in Suits to lie on the Owners.

VIII. And be it further enacted, That upon all Suits and Proſecutions for the Importation of any of the Commodities aforementioned into the Kingdom of *Ireland*, or for the bringing on ſhore and landing of any of the Commodities aforementioned in any of his Majeſty's Colonies or Plantations in *America*, contrary to the Purport and true Meaning of this Act, the *Onus probandi*, that the ſame and every Part thereof were fairly and *bona fide*, and without Fraud, loaden and ſhipped in *Great Britain*, in Ships navigated according to the ſeveral Laws in Being in that behalf, or that the Rum or Spirits were made of the Growth or Manufacture of ſome of his Majeſty's Sugar Colonies in *America*, or that all and every the Commodities aforeſaid, which ſhall be imported into any of his Majeſty's Colonies or Plantations in *America*, were of the Growth, Produce or Manufacture of his Majeſty's Colonies or Plantations there, or were duly entered, and had really and *bona fide* paid the Duties hereby charged and chargeable thereon, before the bringing on ſhore and landing thereof in any of his Majeſty's Colonies or Plantations in *America*, ſhall lie on the Claimer or Owner thereof.

Duties paid for Sugar or Paneles imported from the Britiſh Plantations after 24 June 1733, to be repaid on Exportation within the Year.

IX. And it is hereby further enacted by the Authority aforeſaid, That in caſe any Sugar or Paneles of the Growth, Produce or Manufacture of any of the Colonies or Plantations belonging to or in the Poſſeſſion of his Majeſty, his Heirs or Succeſſors, which ſhall have been imported into *Great Britain* after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, ſhall at any time within one Year after the Importation thereof, be again exported out of *Great Britain*, and that due Proof be firſt made, by Certificate from the proper Officers, of the due Entry and Payment of the Subſidies or Duties charged or payable upon the Importation thereof, together with the Oath of the Merchant or his Agent importing and exporting the ſame, or in caſe ſuch Merchant or Agent ſhall be one of the People called *Quakers*, by his ſolemn Affirmation to the Truth thereof, and that all other Requiſites ſhall be performed that are by Law to be performed in Caſes where any of the ſaid Subſidies or Duties are to be paid by any former Statute, all the Reſidue and Remainder of the Subſidy or Duty, by any former Act or Acts of Parliament granted and charged on ſuch Sugar or Paneles as aforeſaid, ſhall without any Delay or Reward be repaid to ſuch Merchant or Merchants, who do export the ſame, within one Month after Demand thereof.

Allowance on Exportation for Sugars refined in Great Britain.

X. And it is hereby further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, for every hundred Weight of Sugar refined in *Great Britain*, and ſo in Proportion for a greater or leſſer Quantity, which ſhall be exported out of this Kingdom, there ſhall be, by virtue of this Act, repaid at the Cuſtom-houſe to the Exporter, within one Month after the Demand thereof, over and above the ſeveral Sums of three Shillings

and

and one Shilling *per* Hundred, payable by two former Acts of Parliament, one of them made in the ninth and tenth Years of the Reign of his late Majeſty King WILLIAM the Third, and the other in the ſecond and third Years of the Reign of her late Majeſty Queen ANNE, the further Sum of two Shillings; Oath or ſolemn Affirmation as aforeſaid, being firſt made by the Refiner, that the ſaid Sugar ſo exported, was produced from Brown and Muſcovado Sugar, and that as he verily believes, the ſame was imported from ſome of the Colonies or Plantations in *America* belonging to and in the Poſſeſſion of the Crown of *Great Britain*, and that as he verily believes, the Duty of the ſaid Brown and Muſcovado Sugar was duly paid at the time of the Importation thereof, and that the ſame was duly exported; his Majeſty's Searcher alſo certifying the Shipping thereof, and all other Requiſites being duly performed, according to the Book of Rates. 9 & 10 W. 3. c. 23. 2 & 3 Ann. c. 9.

XI. And be it further enacted by the Authority aforeſaid, That all Suits and Proſecutions for any Offence againſt this Act ſhall be brought and commenced within two Years after ſuch Offence committed. Suits to be commenced in two Years after Offence.

XII. And for the better and more effectual carrying this Act into Execution, Be it further enacted, That the Expence of proſecuting any Offence againſt this Act ſhall be paid and born, in the firſt Place, out of the Shares and Parts of the Penalties and Forfeitures hereby given and granted to his Majeſty, his Heirs and Succeſſors, upon any Seizure, Condemnation and Judgment to be had and obtained for or by reaſon of any Fraud or Miſbehaviour againſt the true Intent or Meaning of this Act. Charge of Proſecution how to be born.

XIII. Provided nevertheleſs, That nothing herein contained ſhall extend or be conſtrued to extend to hinder or reſtrain the Importation of any Sugars, being of the Growth or Produce of any of the Dominions belonging to the King of *Spain*, or the King of *Portugal*, from any Part or Place from whence ſuch Sugars might lawfully have been imported before the making of this Act; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding. Sugars may be imported from the Spaniſh or Portugueſe Dominions, as formerly.

XIV. And it is hereby declared and enacted, That this preſent Act ſhall be taken to be a Publick Act, of which all Judges and Juſtices ſhall take Notice, without ſpecially Pleading the ſame; and the ſame ſhall continue and be in Force for the Space of five Years, to be computed from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, and to the end of the then next Seſſion of Parliament. Publick Act. 'Continued by 26 Geo. 2. c. 32.' *and farther by* 1 Geo. 3. c. 9. *Farther Provisions concerning* 30 Geo. 2. c. 9.

Plantations, 8 Geo. 2. c. 19. 12 Geo. 2. c. 30. 15 Geo. 2. c. 31 & 33. 24 Geo. 2. c. 51 & 53. 29 Geo. 2. c. 5 & 35.

CAP. XIV.

An Act for the more effectual preventing frivolous and vexatious Arreſts, and for the more eaſy Recovery of Debts and Damages, in the Courts of Great Seſſions in the Principality of *Wales*, and in the Court of Aſſize in the County Palatine of *Cheſter*, and for the obviating a Doubt which has ariſen upon an Act made in the fourth Year of his preſent Majeſty's Reign, intituled, *An Act that all Proceedings in Courts of Juſtice, within that Part of* Great Britain *called* England, *and in the Court of Exchequer in* Scotland, *ſhall be in the* Engliſh *Language*, ſo far as the ſame Act doth or may relate to the Courts of Juſtice holden within the ſaid Principality, and for explaining and amending the ſaid Act.

'WHEREAS in and by an Act made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend and render more effectual an Act made in the twelfth Year of the Reign of his late Majeſty King* GEORGE *the Firſt, intituled*, An Act to prevent vexatious Arreſts, it is (*inter alia*) enacted, That where the Cauſe of Action ſhould not amount to the Sum of ten Pounds or upwards, in any ſuperior Court, the Writ, Proceſs, Declaration and all other Proceedings ſhould be in the *Engliſh* Tongue, and written in Words at length, in a common legible Hand and Character, and the Defendant or Defendants in ſuch Caſes (a Copy of ſuch Proceſs in *Engliſh* having been ſerved, as by the ſaid Act is directed) ſhall appear at the Return thereof, or within eight Days after ſuch Return: And whereas the Courts of Great Seſſions in the Principality of *Wales*, and the Court of Aſſize in the County Palatine of *Cheſter*, are held only for and during the Space of ſix Days,' Therefore for the more effectual and ſpeedy Determination of all Actions perſonal, to be commenced in the ſaid Courts of Great Seſſions, and the ſaid Court of Aſſize reſpectively, where the Debt or Damages expreſſed in the ſaid Proceſs, or declared for, do not amount to the Sum of ten Pounds, Be it enacted therefore by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in all ſuch perſonal Actions where the Debt or Damages as aforeſaid, ſhall not amount to the Sum of ten Pounds, to be commenced in the ſaid Courts of Great Seſſions and Aſſize, and where the Plaintiff or Plaintiffs, in ſuch Action or Actions, ſhall ſue out an original Writ or Proceſs, and ſerve the Defendant or Defendants with a true Copy thereof, by a literate Perſon, at leaſt eight Days before the Commencement of the ſaid Courts of Great Seſſions and Aſſize reſpectively, and ſhall cauſe on every Copy of ſuch Proceſs to be written the Notice in the ſaid Act ſpecified and directed, the Defendant or Defendants in ſuch Caſes ſhall appear at the Return of ſuch original Writ or Proceſs, or at or before the third Court to be held in the ſame reſpective Courts of Great Seſſions and Aſſize, and in caſe the ſaid Defendant or Defendants ſhall not appear at the Return of the ſaid original Writ or Proceſs, or at or before the ſaid third Court, that then it ſhall and may be lawful to and for the Plaintiff or Plaintiffs, or his or their Attorney, upon Affidavit being made and filed in the proper Court, 5 Geo. 2. c. 7. 12 Geo. 1. c. 29. In perſonal Actions under 10 l. in the Courts of Great Seſſions, &c. on original Writ and Service, &c. and Defendant's Nonappearance at the third Court.

Plaintiff, &c. on Affidavit of Service, may enter Appearance for him.

Court, of the perſonal Service of ſuch Writ or Proceſs as aforeſaid (which ſaid Affidavit ſhall be filed in the ſaid Court, and for the filing whereof there ſhall be paid the Sum of one Shilling to the proper Officer, and no more) to enter an Appearance for ſuch Defendant or Defendants, and to proceed thereon as if the Defendant or Defendants had entred his, her or their Appearance to ſuch Action or Actions; any Law or Uſage in the ſaid Courts of Great Seſſions or of Aſſize to the contrary notwithſtanding.

5s only for Copy and Service.

II. Provided always, no Attorney, Bailiff or other Perſon ſhall have, take, charge or demand more than the Sum of five Shillings for the making and ſerving a Copy of ſuch original Writ or Proceſs iſſuing out of ſuch Courts of Great Seſſions or of Aſſize, on ſuch Defendant or Defendants reſpectively as aforeſaid.

The Act 4 Geo. 2. c. 26. That Proceedings in Courts of Juſtice ſhall be in Engliſh, extended to Wales.

'III. And whereas Doubts have ariſen whether an Act made in the fourth Year of his preſent Ma-'jeſty's Reign, intituled, *An Act that all Proceedings in Courts of Juſtice within that Part of* Great Bri-'tain *called* England, *and in the Court of Exchequer in* Scotland, *ſhall be in the* Engliſh *Language*, doth 'extend to the ſaid Courts of Great Seſſions and other Courts in the Principality of *Wales*, the ſaid 'Courts of Great Seſſions, and the ſaid other Courts in the ſaid Principality, not being therein men-'tioned:' For the removing and obviating of ſuch Doubts, be it further enacted, and it is hereby declared, That the ſaid laſt mentioned Act, and all Clauſes and Directions therein, ſhall be deemed and taken, and is and are hereby directed to be deemed and taken to extend to the ſaid Courts of Great Seſſions, and all other Courts within the ſaid Principality of *Wales*, in as large, ample and beneficial Manner as if the ſaid Courts of Great Seſſions, and the ſaid other Courts in the ſaid Principality, had been particularly mentioned and expreſſed in the ſaid Act.

Penalties for Offences there againſt the ſaid Act, where to be recovered.

IV. And it is hereby further enacted, That where any Perſon or Perſons ſhall offend againſt the ſaid laſt mentioned Act in the ſaid Courts of Great Seſſions, or the ſaid other Courts in *Wales*, that the Penalty expreſſed in the ſaid Act to be forfeited and paid for ſuch Offence, ſhall and may be ſued for and recovered by ſuch Perſon who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, either in any of his Majeſty's Courts of Record in *Weſtminſter*, as by the ſaid Act is directed, or in the Court of Great Seſſions held for the County where the ſame Offence ſhall be committed, wherein no Eſſoign, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

After 25 March 1733, No Penalty to be incurred for Abbreviations commonly uſed in Engliſh, nor Technical Terms, &c.

V. And be it further enacted by the Authority aforeſaid, That all Writs, Proceſs and Returns thereof, and Proceedings thereon, and all Pleadings, Rules, Orders, Indictments, Informations, Inquiſitions, Preſentments, Verdicts, Prohibitions, Certificates, Patents, Charters, Pardons, Commiſſions, Records, Judgments, Statutes, Recognizances, Bonds, Rolls, Entries, Fines and Recoveries, and all Proceedings relating thereunto, and all Proceedings of Courts Leet, Courts Baron and Cuſtomary Courts, and all Copies thereof, and all Proceedings whatſoever, in any Courts of Juſtice within *England*, *Wales* and the Town of *Berwick upon Tweed*, and in the Court of Exchequer in *Scotland*, and which concern the Law and Adminiſtration of Juſtice, may from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three, be written or printed in a common legible Hand and Character, and with the like Way of Writing or Printing, and with the like Manner of expreſſing Numbers by Figures, as have been heretofore or are now commonly uſed in the ſaid Courts reſpectively, and with ſuch Abbreviations as are now commonly uſed in the *Engliſh* Language, and that no Penalty or Puniſhment ſhall be incurred, by Virtue of the ſaid recited Act, for any other Offence than for Writing or Printing any of the Proceedings, or other the Matters and Things above mentioned, in any Hand commonly called *Court Hand*, or in any Language except the *Engliſh* Language; nor ſhall any ſuch Penalty or Puniſhment be extended to the expreſſing the proper or known Names of Writs or other Proceſs or Technical Words in the ſame Language as hath been commonly uſed, ſo as the ſame be written or printed in a common legible Hand and Character, and not in any Hand commonly called *Court Hand*; and that all Proſecutions for Offences againſt the ſaid Act ſhall be commenced within three Months after the ſame ſhall be committed; and that the ſeveral Officers in the ſeveral Offices of the King's and the Lord Treaſurer's Remembrancer, and in the Offices of the Clerk of the Pipe, and the Clerk of Eſtreats in his Majeſty's Court of Exchequer, ſhall and may write and ſend out, in Proceſs for his Majeſty's Service, Rolls or Schedules of all ſuch Debts as have been forfeited and became due and owing to his ſaid Majeſty, before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-three, in the ſame Manner they uſed to do, provided the Writ or Proceſs to be annexed to the ſaid Rolls or Schedules ſhall be in the *Engliſh* Tongue and in a common legible Hand, and according to the Direction of the ſaid recited Act; any Thing in the ſaid Act made in the fourth Year of his preſent Majeſty's Reign, or any other Law or Statute to the contrary thereof in any wiſe notwithſtanding.

Proſecutions to be commenced within 3 Months.

Proceſs of the Pipe Office, &c. may be iſſued as formerly,

if the Proceſs annexed be in Engliſh, and a common Hand.

CAP. XV.

An Act for making more effectual an Act paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Roads therein mentioned, from the Pariſh of *Enfield* in the County of *Middleſex*, to the Town of *Hertford*, and to the great Bridge in *Ware* in the County of *Hertford*, and for amending the Road from the ſaid great Bridge to the South End of the great Bridge at *Wades Mill*, and from the great Road at *Cheſhunt* to the Weſt End of *Small Lea Bridge* in the ſaid County of *Hertford*. PR.

" All Powers granted by the Act 11 Geo. 1. c. 11. for repairing *Enfield* Road further continued for 7 " Years, and after 3 *May* 1733, extended to *Wades Mill*, &c.

CAP.

CAP. XVI.

An Act for repairing the Roads leading from a Place called *Saint Johns Bridge* in the County of *Berks*, to a Place called *Fyfield* in the ſaid County. P R.

The Toll took Place from the firſt Day of *June* 1733, and is to have Continuance for 21 Years. [Continued by 12 Geo. 2. c. 11.]

CAP. XVII.

An Act for repealing an Act for laying a Duty on compound Waters or Spirits, and for licenſing the Retailers thereof, and for determining certain Duties on *French* Brandy, and for granting other Duties in Lieu thereof, and for enforcing the Laws for preventing the running of Brandies.

Moſt Gracious Sovereign,

'WHEREAS an Act of Parliament made in the ſecond Year of your Majeſty's Reign, inti- 2 Geo. 2. c. 17.
'tuled, *An Act for laying a Duty on compound Waters or Spirits, and for licenſing the Retailers 'thereof*, hath not anſwered the good Purpoſes thereby intended, and hath been a Diſcouragement to 'the diſtilling of Spirits from Corn in *Great Britain*,' We your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, the ſaid Act and every Matter and Thing therein contained, ſhall be and is hereby repealed; any Thing in the ſaid Act to the contrary thereof in any wiſe notwithſtanding. The ſaid Act after 24 June 1733, repealed.

'II. And whereas by an Act of Parliament made in the ſeventh and eighth Year of the Reign of his 'late Majeſty King WILLIAM the Third, of glorious Memory, intituled, *An Act for granting to his 'Majeſty an additional Duty upon all* French *Goods and Merchandizes*, it is amongſt other Things enacted, 'That for every Tun of *French* Brandy of ſingle Proof, imported after the twenty-eighth Day of *Fe-'bruary* one thouſand ſix hundred and ninety-ſix, for the Term of thirty-one Years, and from thence 'to the End of the next Seſſion of Parliament, there ſhould be paid the Sum of thirty Pounds, and 'for every Tun of *French* Brandy of double Proof, imported as aforeſaid, ſixty Pounds, over and above 'the Duties charged thereupon, without any Deduction, and ſo proportionably for a greater or leſſer 'Quantity, which ſaid ſeveral Duties have been by ſeveral Acts of Parliament ſince continued, and are 'now payable to his Majeſty: And whereas the high Duties upon *French* Brandies have tempted many 'of the Traders therein to import great Quantities thereof from *Flemiſh* Ports, and as *German* or *Flemiſh* 'Brandy, to the great Prejudice of the Revenue and the fair Trader;' For Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, the ſaid Duty of thirty Pounds *per* Tun on *French* Brandy of ſingle Proof, and ſixty Pounds *per* Tun on *French* Brandy of double Proof, ſhall ceaſe, determine and be no longer paid or payable. The Duties impoſed by 7 & 8 W. 3. c. 20. on French Brandy repealed.

III. And to the Intent that no Failure or Deficiency may accrue or happen in the reſpective Funds, to which the Duties by this Act determined were appropriated and applicable, by the Determination of the aforeſaid Duties; we your Majeſty's ſaid dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, have, in Lieu of the ſaid laſt mentioned Duties hereby determined, freely and unanimouſly reſolved to give and grant to your Majeſty the Duty and Impoſition herein after mentioned, and do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, in Lieu of the ſaid Duties hereby determined, there be raiſed, levied, collected and paid unto his Majeſty, his Heirs and Succeſſors, the ſeveral Rates and Duties of Exciſe herein after expreſſed, that is to ſay, After 24 June 1733, to be paid, in lieu of the Duties of 30 and 60 l. per Tun,

For every Gallon of ſingle Brandy, Spirits or *Aqua Vitæ* imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, one Shilling. for Brandy, &c. imported per Gallon 1 s.

For every Gallon of Brandy, Spirits or *Aqua Vitæ* above Proof, commonly called *Double Brandy*, imported from beyond the Seas, to be paid by the Importer before landing, over and above the Duties payable for the ſame, two Shillings. Double Brandy 2 s.

IV. And be it enacted by the Authority aforeſaid, That the ſaid ſeveral Rates, Duties and Impoſitions ſhall be raiſed, levied, collected, paid and accounted for unto his Majeſty, his Heirs and Succeſſors, in the ſame Manner and Form, and by ſuch Rules, Ways and Means, and under ſuch Penalties, Forfeitures and Diſabilities, and with ſuch Power of Mitigation, and other Powers, and with ſuch Allowances, as any the Duties of Exciſe upon Beer, Ale or other Liquors are by any Act or Acts of Parliament or Law whatſoever now in Force, enacted, appointed or allowed to be raiſed, levied, collected, managed, recovered and paid; and that ſo much of the ſaid Acts as are now in Force for the raiſing, levying, collecting, paying and anſwering the ſaid Duties of Exciſe, ſhall be continued, and be practiſed, put in Execution and obſerved, in and for the raiſing, levying, collecting, managing, adjudging 'Appropriated by 9 Geo. 2. c. 23. To be levied as the Duties of Exciſe on Beer, &c.

judging and anſwering the ſaid Duties of Exciſe by this Act granted, as fully and effectually as if the ſame were particularly and at large re-enacted in the Body of this preſent Act.

The Money ariſing by theſe Duties to be paid diſtinct from others,

V. And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Commiſſioners of Exciſe ſhall pay all the Monies that they reſpectively ſhall receive of the ſaid Duties (the neceſſary Charges of receiving, levying, managing and accounting for the ſame excepted) into the Receipt of his Majeſty's Exchequer, diſtinct and apart from all other Branches of the publick Revenues, for the Purpoſes in this Act expreſſed.

and appropriated to the ſame Uſes as the Duties hereby determined.

VI. And it is hereby further enacted by the Authority aforeſaid, That the Monies ariſing by the ſaid Duties by this Act charged and impoſed, ſhall be appropriated, iſſued and applied, and the ſame are hereby appropriated and made payable to the ſame Uſes, Intents and Purpoſes as the ſaid laſt mentioned Duties, hereby determined as aforeſaid, were appropriated and applicable before the making of this preſent Act, and ſhall have the ſame Continuance, and ſhall be alſo ſubject and liable to the ſame Redemption by Parliament as the ſaid laſt mentioned Duties, hereby determined as aforeſaid, were ſubject and liable unto.

Spirits drawn from Britiſh Corn, without Mixture of other Materials,

on Oath and Certificate, &c.

VII. And for the Encouragement of the Exportation of Spirits drawn from Corn in *Great Britain*, be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, it ſhall and may be lawful to and for any Diſtiller or Diſtillers, or other Perſon or Perſons, to export ſuch Spirits drawn from Corn as aforeſaid, upon Oath made before any two or more of the Commiſſioners of Exciſe, or Juſtices of the Peace for the County or Place from whence any ſuch Spirits, drawn from Corn in *Great Britain*, are intended to be exported, That the ſame are drawn from Corn in *Great Britain* without any Mixture with any other Materials, either native or foreign, and that the Duties of the ſame are duly entered and paid, and that the ſame are exported for Merchandize to be ſpent beyond the Seas; and upon producing a Certificate under the Hands of the Officers of Exciſe for the Port or Place where ſuch Spirits were ſhipped, of the Quantity ſo ſhipped, and that the ſame was ſhipped in the Preſence of ſuch Officer, that ſuch Diſtiller or Diſtillers, or other Perſon or Perſons, ſo exporting the ſame, ſhall be allowed or paid back by the Commiſſioners of Exciſe, or their Collector for the Port or Place where ſuch Spirits ſhall be ſhipped off, the Sum of four Pounds eighteen Shillings for every Tun of ſuch Spirits ſo ſhipped off, and ſo in Proportion for any greater or leſſer Quantity, in full of all Drawbacks and Bounty that can be made for the ſame, except the Bounty of one Pound ten Shillings for every Tun of ſuch Spirits, which ſhall be payable at the Cuſtom Houſe in Manner herein after directed.

allowed a Drawback of 4 l. 18 s. per Tun.

1 W. & M. ſeſſ. 1. c. 12.

'VIII. And whereas by an Act made in the firſt Year of the Reign of the late King WILLIAM and 'Queen MARY, intituled, *An Act for encouraging the Exportation of Corn*, an Allowance of two Shillings 'and ſix Pence *per* Quarter is to be paid to the Exporter of Barley or Malt, when the ſame is ſold at 'twenty-four Shillings the Quarter or under: And whereas in the making of a Tun of Spirits drawn 'from Barley or Malt twelve Quarters of Barley or Malt are made uſe of, but it is uncertain how 'much of the ſaid Barley is made into Malt;' For preventing any Queſtion or Diſpute that may ariſe thereupon, Be it enacted by the Authority aforeſaid, That for every Tun of Spirits drawn from Barley, Malt or other Corn, there ſhall be paid to the Exporter of the ſame, by the Commiſſioners of his Majeſty's Cuſtoms, or other proper Officers belonging to them, when Barley is at twenty-four Shillings *per* Quarter or under, upon ſuch Proof of the Exportation of the ſame, as by the ſaid Act is directed, and out of ſuch Duties as are liable to the Payment of the Bounties on Corn exported, the Sum of one Pound ten Shillings, in the ſame Manner as if the like Quantity of Barley, Malt or other Corn had been exported, and ſo in Proportion for a greater or leſſer Quantity.

When Barley is at 24 s. per Quarter,

1 l. 10 s. allowed as a Drawback for each Tun of Malt Spirits exported.

Not to alter the Duties payable on Rum or Spirits of the American Plantations.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend or be conſtrued, deemed or taken to extend to alter the Duties now paid on Rum or Spirits that ſhall be of the Growth or Manufacture of his Majeſty's Plantations in *America*.

40 l. Penalty on Cuſtom-houſe Officer for every Neglect of his Duty herein.

X. And for the more effectual ſecuring the due Execution by the inferior Officers of his Majeſty's Cuſtoms of the Proviſions in the ſeveral Acts for preventing the running of Brandies; Be it enacted by the Authority aforeſaid, That when any Officer or Officers of the Cuſtoms ſhall neglect to ſeize and proſecute any Veſſel, Boat, Horſes or other Cattle or Carriage which ſhall be forfeited for the Cauſes above mentioned, every ſuch Officer and Officers being thereof lawfully convicted upon his or their Appearance or Default, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, or by the Confeſſion of the Officer or Officers, by or before one or more Juſtice or Juſtices of the Peace of the County, Diviſion or Liberty where ſuch Offence ſhall be committed, or the Offender ſhall be found (which Oath ſuch Juſtice or Juſtices of the Peace are hereby required to adminiſter) the Officer and Officers ſo convicted ſhall ſeverally forfeit for every ſuch Neglect the Sum of fifty Pounds, one Moiety thereof to the Uſe of the King, and the other Moiety thereof to the Uſe of the Informer or Proſecutor; the ſame to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices of the Peace before whom ſuch Offender ſhall be convicted as aforeſaid; and for want of ſuch Diſtreſs, every ſuch Offender ſhall by ſuch Juſtice or Juſtices be committed to Priſon, there to remain without Bail or Mainprize for the Space of ſix Months.

10 l. Penalty on hawking or ſelling Brandy, &c. about the Streets.

XI. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, no Perſon or Perſons ſhall hawk or ſell, or expoſe to Sale, any Brandy, Strong Waters or other Spirits about the Streets in any Wheelbarrow, or upon the Water in any Ship, Boat or Veſſel, or in any other Manner whatever, or ſhall ſell or expoſe the ſame to Sale on any Bulk or Bulks, Shed or Sheds, Stall or Stalls, or on or in any other Place or Places, other than the Dwelling Houſe of the Perſons ſo ſelling the ſame, upon Pain of forfeiting for

every

every ſuch Offence the Sum of ten Pounds; and that it ſhall and may be lawful for any one or more of his Majeſty's Juſtices of the Peace for or near the Place or Places where ſuch laſt mentioned Offence or Offences ſhall be committed, and he or they are hereby impowered to hear and determine, upon the Confeſſion of the Offender, or upon the Oath or Oaths of one or more credible Witneſs or Witneſſes (which Oath or Oaths the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter) in a ſummary Manner, every ſuch Offence or Offences, upon Complaint made to him or them thereof within one Calendar Month next after the Offence is committed; and if any Perſon or Perſons ſhall be convicted of any ſuch Offence or Offences, the ſaid Penalty or Forfeitures ſhall and may be raiſed and levied by ſuch Perſon or Perſons as ſhall be appointed by the ſaid Juſtice or Juſtices, by Warrant or Warrants under his or their Hands and Seals; and that after the ſame ſhall be levied, it ſhall be paid, one Moiety thereof to the Informer or Informers, and the other Moiety into the Hands of the Overſeers of, and for the Uſe of, the Poor of that Pariſh where any ſuch Offence or Offences ſhall happen to be committed; and in caſe any ſuch Perſon or Perſons as ſhall have been convicted of any ſuch Offence or Offences laſt mentioned ſhall refuſe to pay the ſaid Sum of ten Pounds, or ſhall not have Goods and Chattels upon which the ſame may be levied, the ſaid Juſtice or Juſtices of the Peace ſhall and may commit ſuch Offender or Offenders to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month.

On want of Diſtreſs, Offender to be ſent to the Houſe of Correction.

Concerning Brandy, &c.

See 7 Geo. 2. c. 14. 9 Geo. 2. c. 23. 10 Geo. 2. c. 17. 11 Geo. 2. c. 26. 15 Geo. 2. c. 25. 16 Geo. 2. c. 8. 17 Geo. 2. c. 17. 19 Geo. 2. c. 12. 20 Geo. 2. c. 39. 24 Geo. 2. c. 40. 26 Geo. 2. c. 13. 27 Geo. 2. c. 11. 31 Geo. 2. c. 36. 32 Geo. 2. c. 29. 33 Geo. 2. c. 9 & 28.

CAP. XVIII.

An Act for continuing a Duty of two Pennies Scots or one ſixth Part of a Penny Sterling upon every Scots Pint of Ale and Beer brewed and ſold within the Town of *Linlithgow* and Liberties thereof, in the County of *Weſt Lothian*, for paying the Debts of the ſaid Town, and other Purpoſes therein mentioned. PR.

The Duty of two Pennies Scots granted by 9 Geo. 1. c. 20. further continued for 21 Years from 1 *July* 1734.

CAP. XIX.

An Act for making a Chapel in the Town of *Tiverton* in the County of *Devon* a perpetual Cure, and for providing a Maintenance for the Miniſters who ſhall officiate therein. PR.

" The ſaid new Chapel made a perpetual Cure, and veſted in the preſent four Miniſters and their Suc-
" ceſſors, as a Body Corporate. 60*l. per Ann.* allowed to the Miniſters, to be paid quarterly. Divine
" Offices to be performed therein by Rotation. This Act not to diveſt the Miniſters of any Eccleſiaſtical
" Duties within the Pariſh. The Wardens of the Church of *Tiverton* to be Wardens of the new
" Chapel, and may diſpoſe of the Pews, *&c.* to the Inhabitants, but not to others. The Miniſters
" may appoint a Clerk and other Officers, with Salaries not exceeding 10*l. per Ann.* The Money
" raiſed by Pews, *&c.* to be accounted for as belonging to the Pariſh of *Tiverton*, but appropriated, in
" the firſt Place, to defray the Charges of the Chapel. The Chapel to be ſubject to the Juriſdiction
" of the Biſhop of *Exon.*"

CAP. XX.

An Act for enlarging the Term and Powers granted by an Act paſſed in the tenth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the better repairing and amending the Road leading from* Ipſwich *to* Cleydon, *and the Road called the* Pye Road *in the County of* Suffolk, *and for amending the Roads leading from* Yaxley Bull *through* Eye *to* Lanthorn Green *in the ſaid County.* PR.

The Toll took Place the firſt Day of *June* 1733, and is to have Continuance for 21 Years.

CAP. XXI.

An Act for providing a Maintenance for the Rector of the new Church near *Old-Street* in the Pariſh of Saint *Giles Cripplegate*, and for making that Part of the ſaid Pariſh, which is called *The Lordſhip Part*, a diſtinct Pariſh, and for impowering the Commiſſioners for building of the fifty new Churches, to apply a Sum of Money to wall in the ſaid Church and Church Yard, and to erect a Houſe for the Habitation of the Rector of the ſaid Church, out of the Money appropriated for the Endowment of the ſaid fifty new Churches. PR.

" Appointment of 3,500*l.* out of the Coal Duties to the Uſe of the Miniſter. 120*l. per Ann.* to be
" paid to the Miniſter quarterly. The new Diſtrict to be a diſtinct Pariſh. 2,000*l.* to be paid by 25
" *June* 1733. Veſtry may make Rates for buying Neceſſaries for the Sacrament, *&c.* The Clerk of
" the new Pariſh to be a Member of the Company of Pariſh Clerks. The Rector of the new Church
" to pay the preſent Clerk of the old Pariſh 25*l. per Ann.* On Death or Reſignation of the preſent
" Clerk, the Rector of the new Pariſh to pay 10*l. per Annum* to the Rector of the old Pariſh. New
" Rectory not to be held in *Commendam.*"

CAP. XXII.

An Act for filling up ſuch Part of the Channel of *Bridewell Dock* and *Fleet Ditch* as lies between *Holborn Bridge* and *Fleet Bridge*, and for converting the Ground, when filled up, to the Uſe of the City of *London*. PR.

22 Car. 2. c. 11.

'WHEREAS by an Act of Parliament made in the two and twentieth Year of the Reign of his late Majeſty King CHARLES the Second, intituled, *An additional Act for the rebuilding of the City of* London, *uniting of Pariſhes, and rebuilding of the Cathedral and Parochial Churches within the ſaid City*, it was (amongſt other Things) enacted, That for the Convenience of Trade, the Channel of *Bridewell Dock*, from the Channel of the River of *Thames* to *London Bridge*, ſhould be ſunk to a ſufficient Level, whereby to make it navigable, of ſuch Breadth and under ſuch other Limitations as in that Act is mentioned; and the Tolls and other Profits ariſing by the Navigation were by the ſaid Act veſted in the Mayor, Commonalty and Citizens of the City of *London*, for the Preſervation of the ſaid Navigation, Sluices and other incident Charges thereof: And whereas a Channel was made and levelled purſuant to the ſaid Act, but that Part of the ſaid Channel which lies between *Fleet Bridge* (at the End of *Fleet Street*) and *Holborn Bridge*, is by Experience found to be of no Convenience or Benefit to the Trade of the ſaid City of *London*, and being diſuſed in Navigation, and filled and choaked up with Mud, has been for ſeveral Years laſt paſt, and now is, a grievous and dangerous Nuſance, not only to the neighbouring Inhabitants, but alſo to his Majeſty's Subjects in general paſſing and repaſſing by the ſame:' Wherefore your Majeſty's moſt dutiful and loyal Subjects, the Mayor, Commonalty and Citizens of the City of *London*, do moſt humbly beſeech your Majeſty that it may be enacted, *&c.*

" Lord Mayor and Citizens of *London* may fill up Part of *Fleet Ditch* at their own Expence, and the Fee-" ſimple of the Ground thereof veſted in them and their Succeſſors for ever. Sufficient Drains to be " made. No Houſes or Sheds to be erected thereon exceeding 15 Feet in Height. Saving Clauſe to " any Perſons intereſted in the Premiſſes.

CAP. XXIII.

An Act to explain and amend an Act made in the ſeventh and eighth Years of the Reign of King WILLIAM the the Third, intituled, *An Act for the further regulating Elections of Members to ſerve in Parliament, and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning ſuch Members*, ſo far as the ſame relates to the holding of County Courts.

7 & 8 W. 3. c. 25.

'WHEREAS by an Act paſſed in the ſeventh and eighth Years of the Reign of King WILLIAM the Third, intituled, *An Act for the further regulating Elections of Members to ſerve in Parliament, and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning ſuch Members*, it was (amongſt other Things) enacted, That the Sheriff of any County, upon the Election to be made of any Knight or Knights of the Shire, ſhould proceed to Election at the next County Court, unleſs the ſame ſhould fall out to be held within ſix Days after the Receipt of the Writ, or upon the ſame Day, and then ſhould adjourn the ſaid Court to ſome convenient Day, giving ten Days Notice of the Time and Place of Election: And whereas by the ſame Act it was alſo enacted, That all County Courts held for the County of *York*, or any other County Courts, which were uſed to be held on a *Monday*, ſhould from thenceforth be called and begun on a *Wedneſday*: And whereas there was no expreſs Proviſion to prevent the Adjournment of any County Court to a *Monday*, whereby Doubts have ariſen whether the ſame might not be adjourned to a *Monday*, which is declared by the ſaid Act to be a very inconvenient Day to all the Suitors thereunto, which hath given Occaſion to County Courts being frequently adjourned over to a *Monday*, to the great Inconvenience of ſuch Suitors, who at Elections for Knights of the Shire, and their Services at other Times, are thereby obliged to travel on *Sundays*: And whereas there is no Proviſion made by the ſaid Act, with relation to not adjourning County Courts to a *Friday* or *Saturday*, which is as inconvenient to all the Suitors as if the ſame were adjourned to a *Monday*;' For Remedy whereof be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, no County Court whatſoever, held within that Part of *Great Britain* called *England*, ſhall be adjourned to a *Monday*, a *Friday* or *Saturday*, and that all and every ſuch Adjournment and Adjournments, and all and every Act and Deed done or performed at ſuch Courts ſo adjourned, ſhall be deemed, adjudged and taken to be utterly null and void to all Intents and Purpoſes whatſoever; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

After 24 June 1733, no County Court in Great Britain to be adjourned to a Monday, Friday or Saturday: Repealed by 18 Geo. 2. c. 18. ſect 11.

But County Courts begun on any other Days may be adjourned to thoſe.

II. Provided nevertheleſs, That any County Court began, holden on or adjourned to a Day not prohibited by this Act, or the ſaid other recited Act, for electing any Knight or Knights of the Shire for any County, or for hearing and determining Cauſes, or ſuch other Matters and Buſineſs as are uſually tranſacted at County Courts within the Limits aforeſaid, may be adjourned over from Day to Day, though the ſame

may happen on a *Monday*, *Friday* or *Saturday*, until ſuch Election or ſuch other Matters as aforeſaid be fully finiſhed and determined; any Thing in this preſent Act contained to the contrary in any wiſe notwithſtanding.

See farther 8 *Geo.* 2. *c.* 30. 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 33 *Geo.* 2. *c.* 20.

13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 18 *Geo.* 2. *c.* 18. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14.

CAP. XXIV.

Act Act for the more effectual repairing the Roads leading from *Wades Mill* in the County of *Hertford* to *Barley* and *Royſton* in the ſaid County. PR.

The Tolls took Place from the 24th Day of *June* 1733, and have Continuance for 21 Years. [Continued by 16 Geo. 2. c. 16.]

CAP. XXV.

An Act for enabling his Majeſty to apply five hundred thouſand Pounds out of the Sinking Fund for the Service of the Year one thouſand ſeven hundred and thirty-three, and for the further Diſpoſition of the ſaid Fund, by paying off one million of *South-Sea* Annuities, and for enabling his Majeſty out of the Monies ariſen by Sale of the Lands in the Iſland of Saint *Chriſtopher*, to pay the Sum of eighty thouſand Pounds for the Marriage Portion of the Princeſs Royal, and ten thouſand Pounds to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, and for making good all Deficiencies and Charges by taking of Broad Pieces into the Mint, out of the Coinage Duty; and for appropriating the Supplies granted in this Seſſion of Parliament, and for iſſuing to the Subdean, Treaſurer and Steward of the Collegiate Church of Saint *Peter Weſtminſter*, out of the Monies reſerved for building fifty new Churches within the Cities of *London* and *Weſtminſter* and the Suburbs thereof, and for making Proviſions for the Miniſters of the ſame, four thouſand Pounds for the Repair of the ſaid Collegiate Church, and twelve hundred Pounds for finiſhing the Dormitory belonging thereunto.

9 *Ann.* *c.* 21. 10 *Ann.* *c.* 19 & 30. 1 *Geo.* 1. *c.* 21. 3 *Geo.* 1. *c.* 9. 5 *Geo.* 1. *c.* 19. 6 *Geo.* 1. *c.* 4 & 11. 7 *Geo.* 1. *c.* 5. 7 *Geo.* 1. *St.* 2. 8 *Geo.* 1. *c.* 21 & 22. 9 *Geo.* 1. *c.* 6. 1 *Geo.* 2. *c.* 8. 3 *Geo.* 2. *c.* 16 & 20. 4 *Geo.* 2. *c.* 5. 5 *Geo.* 2. *c.* 17.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to have the Publick Debts and Incumbrances leſſened and diſcharged, as faſt as conveniently may be with Regard to Juſtice and the Publick Faith, and at the ſame Time to raiſe a Sum not exceeding five hundred thouſand Pounds towards the Supply for the Service of the Year one thouſand ſeven hundred and thirty-three, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as are or ſhall be in the Receipt of his Majeſty's Exchequer, of the Surpluſſes, Exceſſes and Overplus Monies commonly called *The Sinking Fund*, at or at any Time before the Feaſt of the Nativity of Saint *John Baptiſt* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-three (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Acts to be paid out of the ſame) there ſhall be iſſued, paid and applied, a Sum not exceeding five hundred thouſand Pounds, towards the Supply for the ſaid Year one thouſand ſeven hundred and thirty-three as aforeſaid; and the Lords Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, and the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

500,000 l. out of the Money in the Sinking Fund at Midſummer 1733, to be iſſued towards the Supply of the current Year.

II. And be it further enacted by the Authority aforeſaid, That by or out of ſuch Monies as are or ſhall be in the Receipt of the Exchequer of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*, ariſen or to ariſe at or from the Feaſt of Saint *Michael the Archangel* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-three (after Payment of or reſerving ſufficient to pay the ſaid Sum of five hundred thouſand Pounds, and ſuch other Monies as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall be iſſued, paid, and applied to the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fiſhery, at the ſaid Feaſt-Day, and afterwards quarterly from Time to Time, as the ſame ſhall ariſe, ſuch Sum or Sums of Money as ſhall on ſuch Quarter Day or Days be in the Receipt of Exchequer, for or towards redeeming Part of the Annuities attending on the Capital Stock of Annuities remaining due to the ſaid Company, until the ſame Payments ſhall in the whole amount to the Sum of one million Sterling; and that as the ſaid Payments of Principal Money ſhall be from Time to Time made, a proportional Part of their ſaid Capital Stock of Annuities, and of the Annuities attending thereon, and of the Allowance for Charges of Management, ſhall alſo from Time to Time ceaſe and determine for the Benefit of the Publick: But as it may ſo happen, that on the ſaid Feaſt-Day of Saint *Michael the Archangel* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-three, there may not be ſufficient Money in the Exchequer, ariſen from the ſaid Surpluſſes, to ſatisfy and

The Monies ariſing by the ſaid Fund, to be afterwards applied towards diſcharging 1,000,000 l. of South-Sea Annuities.

and pay the ſaid intire Sum of one million, and the ſaid *South-Sea* Company may deſire then to receive the whole Sum in one intire Payment, in order to make one Diſtribution of the whole amongſt all the Proprietors of their ſaid Capital Stock of Annuities at one Time; Be it further enacted by the Authority aforeſaid, That upon Application being made by the ſaid Company to the Commiſſioners of his Majeſty's Treaſury now or for the time being, or the Lord High Treaſurer for the time being, and giving them Notice of ſuch their Deſire to have and receive the ſaid one million in one intire Payment ten Days at leaſt before the ſaid Feaſt-Day, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three or more of them, or the Lord High Treaſurer, by Warrant under their Hands to permit or ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance or lend to his Majeſty at the Receipt of his Exchequer ſo much Money, as together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ſhall be wanting to compleat the ſaid Sum of one million, upon Credit of the growing Produce of the ſaid Surpluſſes, Exceſſes or Overplus Monies, and to be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with an Intereſt for the Forbearance thereof, in the mean Time, after a Rate not exceeding three Pounds *per Centum per Annum*; and in ſuch caſe the Money ſo to be lent or advanced, ſhall be iſſued and paid to the ſaid Company, together with the Monies then remaining in the Exchequer of the ſaid Surpluſſes, to compleat the Payment of the ſaid entire Sum of one million; and the Monies which from thenceforth ſhall ariſe from the ſaid Surpluſſes, ſhall quarterly be iſſued and applied to diſcharge and ſatisfy ſuch Loans with the Intereſt thereof, in the due Order and common Courſe of the Exchequer, in caſes of Loans; any thing herein before contained to the contrary notwithſtanding.

Treaſury may borrow Money at 3 l. per Cent. on the ſaid Fund to ſupply Deficiencies.

III. And be it enacted by the Authority aforeſaid, That the ſaid *South Sea* Company ſhall forthwith, upon the Receipt of the ſaid Sum of one million, or as ſoon after as conveniently may be, divide out, and diſtribute the ſame as near as conveniently may be done, amongſt all the ſeveral Proprietors of their ſaid Capital Stock of Annuities, towards ſinking and diſcharging ſo much of their Shares or Intereſts in the ſaid Capital Stock of Annuities, by even and equal Dividends amongſt them all, in Proportion to their reſpective Shares or Intereſts therein.

The Money to be equally diſtributed to the Proprietors.

IV. And to the End, Intent and Purpoſe that all truſt Eſtates and Intereſts in the ſaid Capital Stock of Annuities of the *South-Sea* Company may be preſerved and improved for the Benefit of the Perſons concerned therein, with the leaſt Expence and Inconvenience to them; Be it enacted by the Authority aforeſaid, That in all and every Caſe and Caſes where, in purſuance of this Act, any Payments or Dividends ſhall be made of the Capital of any ſuch Annuity Stock, as ſhall be veſted in any Perſon or Perſons in Truſt for other Perſons, who have or claim diſtinct or different Intereſts therein, or for any other Ends or Purpoſes, for which the Capital Sum or Annuity ought to be preſerved intire, ſuch Payments or Dividends of the Capital Stock of Annuities ſhall not be paid or applied as Dividends of Profit, Annuity or Intereſt, but ſhall remain in the Hands of ſuch Truſtees reſpectively, till otherwiſe diſpoſed of at Intereſt; and for that Purpoſe it ſhall and may be lawful to and for the Truſtee or Truſtees, who ſhall receive the ſame, at his or their Diſcretion, to lay out or diſpoſe of the ſame or any Part thereof, in the Purchaſe of ſo much other Capital Stock of the ſame Kind, as at the current Market Price of ſuch Annuity Stock the Monies received for ſuch Dividends ſhall, as near as conveniently may be, extend to purchaſe; which new purchaſed Stock of Annuities ſhall be transferred to ſuch Truſtee or Truſtees, and a Receipt or Receipts ſhall be given and ſigned by the Perſon or Perſons transferring the ſame, for the Monies paid for the ſame; and in caſe ſuch Truſtees reſpectively, by Writing indorſed on or annexed to ſuch Receipts, and ſigned or acknowledged before one of the Maſters of the High Court of Chancery, ſhall declare that the Monies in the ſaid Receipts were the Produce of the ſaid Dividends of the ſaid Capital Stock of Annuities, (which Signing or Acknowledgment ſuch Maſters in Chancery are hereby required to accept or take, and each and every ſuch Maſter before whom the ſame ſhall be done, ſhall at the ſame time certify the ſame, by ſubſcribing his Name thereto, for doing whereof ſuch Maſter ſhall be paid for each Certificate one Shilling and no more) then and in every ſuch Caſe, the Annuity Stock mentioned in ſuch Receipts to be transferred, ſhall reſpectively go and be deemed ſubject and liable to the ſame Truſts, for the Benefit of the ſame Perſons, and for the ſame Uſes, Ends, Intents and Purpoſes, as the reſt of the truſt Annuity Stock remaining in ſuch Truſtees reſpectively will or ought to be ſubject and liable to; and ſuch Truſtees reſpectively ſhall from thenceforth be indemnified from any Loſs, Charges or Damages, on account of their ſo doing, at the Expence of the ſaid truſt Eſtates.

Truſt Eſtates to be preſerved.

See farther concerning South-Sea Company, Cap. 28. and 7 Geo. 2. c. 17. 9 Geo. 2. c. 34. 10 Geo. 2. c. 17. 20 Geo. 2. c. 3. 24 Geo. 2. c. 2 & 11. 26 Geo. 2. c. 16.

V. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to reſtrain or prohibit any ſuch Truſtees from laying out or diſpoſing of any of the ſaid truſt Monies in any other Purchaſes or any other Securities, whether publick or private, if they ſhall ſo think fit, in the ſame Manner and with the ſame Freedom and Security to themſelves as they might have done if this Act had not been made.

Not to hinder the diſpoſing of Truſt Monies in other Securities.

VI. And be it further enacted by the Authority aforeſaid, That out of the Money ariſen by Sale of the Lands in the Iſland of Saint *Chriſtopher*, now remaining in the Exchequer, there be iſſued and applied the Sum of eighty thouſand Pounds for the Marriage Portion of her Royal Highneſs the Princeſs Royal, without any Deduction, Fee or Reward whatſoever; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding.

80,000 l. out of the Sale of Lands in St. Chriſtopher's Iſland granted as the Marriage Portion of the Princeſs Royal,

VII. And be it further enacted by the Authority aforeſaid, That after ſatisfying and paying, or reſerving ſufficient to ſatisfy and pay the Sum of eighty thouſand Pounds, by this Act granted as a Marriage Portion to Her Royal Highneſs the Princeſs Royal, there ſhall and may be iſſued and applied, out of the Money ariſen by Sale of the Lands in the Iſland of Saint *Chriſtopher*, now remaining in the Exchequer,

and 10,000 l. to the Colony of Georgia.

the Sum of ten thouſand Pounds, to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, to be applied towards defraying the Charges of carrying over and ſettling foreign and other Proteſtants in the ſaid Colony.

The Appropriation of the Monies granted this Seſſion.

VIII. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty-three, and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts*, and ſo much Money, if any ſuch be, of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and thirty-three*, and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved to diſcharge the ſame; and the Sum of five hundred thouſand Pounds by this Act granted out of the Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ariſen or to ariſe into the Receipt of his Majeſty's Exchequer, at or before the Feaſt-Day of the Nativity of Saint *John Baptiſt* in the Year of our Lord one thouſand ſeven hundred and thirty-three; and alſo the Sum of thirty-three thouſand one hundred forty-three Pounds ſix Shillings and one Penny Halfpenny, remaining in the Receipt of Exchequer for Arrears of former Land Taxes, ſhall be appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay,

731,498 l. 19 s. 8 d. for Naval Services.

IX. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſeven hundred thirty-one thouſand four hundred ninety-eight Pounds nineteen Shillings and eight Pence, for or towards the naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof performed and to be performed, and for or towards extraordinary Repairs of his Majeſty's Navy performed and to be performed, and for or towards other Services of the Navy performed and to be performed.

10,000 l. for Greenwich Hoſpital.

X. And it is hereby further enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for and towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

79,180 l. 17 s. 4 d. for the Ordnance.

XI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſeventy-nine thouſand one hundred eighty Pounds ſeventeen Shillings and four Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service not provided for by Parliament.

907,592 l. 13 s. 10 d. for the Land Forces.

651,484 l. 17 s. 1 d. Halfpenny for Guards, and Garriſons, &c. in Great Britain.

164,835 l. 8 s. 1 d. Halfpenny for the Plantations, &c.

25,128 l. 15 s. 5 d. for Chelſea Hoſpital.

7,261. 8 s. 2 d. for extraordinary Services.

55,717 l. 5 s. for Half-pay Officers.

3,170 l. for Widows of Half-pay Officers.

XII. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding nine hundred ſeven thouſand five hundred ninety-two Pounds thirteen Shillings and ten Pence, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum of Money not exceeding ſix hundred fifty-one thouſand four hundred eighty-four Pounds ſeventeen Shillings and one Penny Half-penny, for defraying the Charge of ſeventeen thouſand ſeven hundren and nine Men, including Commiſſion and Non-commiſſion Officers and Invalids, for Guards, Garriſons and ſix independent Companies for the Service of the Highlands, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, and other Services relating to the Forces for the Year one thouſand ſeven hundred and thirty-three; and any Sum or Sums of Money, not exceeding one hundred ſixty-four thouſand eight hundred thirty-five Pounds eight Shillings and one Penny Half-penny for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons at *Annapolis Royal*, *Canſo*, *Placentia* and *Gibraltar*, for the Year one thouſand ſeven hundred and thirty-three; and any Sum or Sums of Money, not exceeding twenty-five thouſand one hundred twenty-eight Pounds fifteen Shillings and five Pence, upon Account for Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty-three; and any Sum or Sums of Money, not exceeding ſeven thouſand two hundred fifty-ſix Pounds eight Shillings and two Pence, for defraying ſeveral extraordinary Expences and Services incurred, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding fifty-five thouſand ſeven hundred ſeventeen Pounds five Shillings, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and thirty-three; ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money, not exceeding three thouſand one hundred ſeventy Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces

Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain* (and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen) for the Year one thouſand ſeven hundred and thirty-three; which ſaid Sum of three thouſand one hundred and ſeventy Pounds ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions or other Allowances for the ſame, as his Majeſty by ſuch or the like Warrant or Warrants ſhall be graciouſly pleaſed to direct or appoint.

121,395 l. 3 s. 4 d. for Deficiencies in the Year 1732.

XIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred and twenty-one thouſand three hundred ninety-five Pounds three Shillings and four Pence, towards making good the Deficiency of the Grants for the Year one thouſand ſeven hundred and thirty-two.

43,274 l. 19 s. 9 d. for Deficiencies of the General Fund.

XIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding forty-three thouſand two hundred ſeventy-four Pounds nineteen Shillings and nine Pence, for making good the Deficiency of the Fund commonly called *The General Fund*, for raiſing ſeven hundred twenty-four thouſand eight hundred forty-nine Pounds ſix Shillings and ten Pence and one fifth Part of a Penny, for the Year ended at *Michaelmas* one thouſand ſeven hundred and thirty-two; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the *Royal African* Company of *England*, on the Coaſt of *Africa*; and any Sum or Sums of Money, not exceeding ſix thouſand ſeven hundred and eighty-four Pounds, to be applied and paid to the Truſtees of *William Strode* an Infant, in full Satisfaction of all their Demands on, Claims to or Intereſt in certain Lands and Buildings thereon, called *The Lambhay*, in or near *Plymouth* in the County of *Devon*, and now in the Poſſeſſion of the Crown.

10,000 l. for Forts of the African Company.

6,784 l. to William Strode.

The aforeſaid Monies limited only to the Uſes directed.

XV. And be it enacted, That the ſaid Aids or Supplies, provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments, directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules to be obſerved in Application of the Half-pay.

XVI. And as to the ſaid Sum of fifty-five thouſand ſeven hundred ſeventeen Pounds five Shillings, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, that no Perſon ſhall have or receive any Part of the ſame, who was a Minor and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

5 Geo. 2. c. 17.

'XVII. And whereas by an Act of Parliament made in the fifth Year of his Majeſty's Reign, intituled, *An Act for the further Application of the Sinking Fund by paying off one million of* South-Sea *Stock; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets and Orders loſt, burnt or otherwiſe deſtroyed*, ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which any Sum or Sums of Money, not exceeding fifty-eight thouſand ſix hundred eighty-eight Pounds two Shillings, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared, That ſo much of the ſaid Sum of fifty-eight thouſand ſix hundred and eighty-eight Pounds two Shillings, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

Overplus Monies allowed to reduced Officers, 1732, to be diſpoſed of to maimed Officers, &c.

After 24 June 1733, the Wages and Allowance of Victuals of one Man in every Hundred, in Ships of War, to be allowed for Relief of Officers Widows.

XVIII. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, there ſhall be allowed upon the Books of every Ship of War, in Sea Pay, a Man in every hundred Men, that the Complement of ſuch Ship of War ſhall conſiſt of, and that the Produce of the Wages of each ſuch Seaman, and Value of his Victuals, ſhall be given and applied to the Relief of the poor Widows of Commiſſion and Warrant Officers of the

Royal

Royal Navy, according to such Rules, Orders and Regulations, as his Majesty hath established and appointed, or shall establish and appoint for that Purpose; and the principal Officers and Commissioners of the Navy Royal, now and for the Time being, and all other Persons herein concerned, shall and are hereby authorized and impowered to give Allowance on such Ships Books of the said one Man in every hundred Men borne thereupon accordingly.

Concerning Seamen, see further 8 *Geo.* 2. *c.* 29. 11 *Geo.* 2. *c.* 30 13 *Geo.* 2. *c.* 3 & 17. 14 *Geo.* 2. *c.* 38. 31 *Geo.* 2. *c.* 10.

17 *Geo.* 2. *c.* 34. 18 *Geo* 2. *c.* 31. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47.

'XIX. And whereas on or about the nineteenth Day of *February* one thousand seven hundred and 'thirty-two, an humble Address of the Commons in Parliament was presented to his Majesty, that he 'would be pleased to authorize and require the Officers of the Mint to allow four Pounds one Shil-'ling *per* Ounce Troy to all such Persons as should bring any of the Gold Coins of twenty-five Shillings 'or twenty-three Shillings, commonly called *Broad Pieces*, or any Halves or Quarters thereof, into the 'Mint for the Space of one Year, and to coin the same into the other current Gold Coins of this King-'dom; and it was on the twentieth Day of the said *February* resolved by the said Commons, That the 'Charge and Waste in melting the said Broad Pieces and any Halves and Quarters thereof, and the Den-'ciency which shall be occasioned by receiving the same into the Mint at the Rate of four Pounds and 'one Shilling *per* Ounce Troy, be made good out of the Monies that have arisen or shall arise by the 'Coinage Duty: And his Majesty, by a Warrant under his Royal Sign Manual bearing Date the twenty-'eighth Day of the said *February*, did authorize and command the Officers of his Majesty's Mint to 'receive by Weight from all Persons and Bodies Politick and Corporate, or any of them, all such of the 'said Coins as shall be brought into the Mint within the Space of one Year, and to cause the same to 'be melted down into Ingots, and to be coined into the current Gold Coins of this Kingdom, and also 'to allow to the Importers of such Gold Coins as aforesaid four Pounds one Shilling *per* Ounce Troy for 'every Ounce Troy:' Be it therefore enacted by the Authority aforesaid, and it is hereby enacted, That the Deficiency which will be occasioned by taking the said Gold Coins into the Mint at the Rate of four Pounds one Shilling *per* Ounce Troy, during the Space of one Year, and the Charges of receiving, melting and assaying the same, and of the Waste thereupon, be supplied or made good out of the Monies which have arisen or shall arise by the Duty commonly called *The Coinage Duty*; any former Act or other Matter or Thing to the contrary notwithstanding.

Deficiency occasioned by Receipt, &c. of the Broad Pieces to be supplied out of the Coinage Duty.

XX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, to issue and pay, or cause to be issued and paid, out of the Monies reserved for building fifty new Churches within the Cities of *London* and *Westminster* and the Suburbs thereof, and for making Provision for the Ministers of the same, unto the Sub-Dean, Treasurer and Steward of the Collegiate Church of Saint *Peter Westminster* for the Time being, the Sum of four thousand Pounds for the Repair of the said Collegiate Church, to be imployed and laid out thereupon in such Manner, as to the Dean and Chapter of the same Church, or the major Part of them, shall seem most necessary; and also to issue and pay to the said Sub-dean, Treasurer and Steward the further Sum of one thousand two hundred Pounds, for finishing the Dormitory belonging to the said Collegiate Church, by and under the Direction of the said Dean and Chapter as aforesaid; any Thing in this or any other Act or Acts of Parliament contained to the contrary thereof in any wise notwithstanding.

Treasury may issue 4,000 l. for repairing Westminster Abby,

and 1,200 l. for finishing the Dormitory.

CAP. XXVI.

An Act to prevent the Coining or Counterfeiting any of the Gold Coins commonly called *Broad Pieces*.

EXP.

'WHEREAS upon an humble Address of the Commons of *Great Britain* in Parliament assembled, 'his Majesty was pleased, with the Advice of his Privy Council, to issue his Royal Proclamation 'bearing Date the twenty-first Day of *February* one thousand seven hundred and thirty-two, prohibiting 'all Persons to receive or utter in Payment, by Tale, any of the Gold Coins of twenty-five Shillings 'or twenty-three Shillings, commonly called *Broad Pieces*, or any Halves or Quarters thereof; and was 'also graciously pleased, in order to give Ease to his People, and to prevent any considerable Loss on ac-'count of the Prohibition of the Currency of the said Gold Coins, by his said Proclamation to charge 'and command all the Collectors and Receivers of the Revenues and Taxes, for and during the Space of 'one Year from the said twenty-first of *February*, to receive such Gold Coins at the Rate of four Pounds 'and one Shilling *per* Ounce Troy in all Payments on account of such Revenues and Taxes, and also to 'authorize, command and require the Officers of the Mint within the said Time to receive all such Gold 'Coins as aforesaid as should be brought into the Mint, and to coin the same into other current Gold 'Coins of this Kingdom, and to allow for such Gold Coins so to be brought in after the said Rate of 'four Pounds and one Shilling *per* Ounce Troy:' Now to the Intent that evil-minded Persons may not, for the Sake of the Advantages allowed for bringing in such Gold Coins, be induced to forge, counterfeit or coin the same, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons whatsoever, on or before the twenty-first of *February* which shall be in the Year of our Lord one thousand seven hundred and thirty-three, shall forge, counterfeit or coin any of the said Gold Coins of twenty-five Shillings or twenty-three Shillings, commonly called *Broad Pieces*, or any Halves or Quarters thereof, or any other Gold Coins commonly called *Broad Pieces*, or any Halves or Quarters thereof, or shall utter or vend any of the said Gold Coins,

Before 21 Feb. 1733. Persons guilty of counterfeiting or coining Broad Pieces shall suffer as in High Treason.

Coins, knowing them to be ſo forged, counterfeited or coined as aforeſaid, then all and every ſuch Offender and Offenders, their Councellors, Procurers, Aiders and Abettors in that Behalf ſhall be and is and are hereby adjudged to be guilty of High Treaſon, and being of the ſaid Offences, or any of them, convicted or attainted, according to the Order and Courſe of the Laws of this Realm, ſhall ſuffer Death as in Caſes of High Treaſon.

40l. Reward on convicting ſuch Offender,

II. And for the better Diſcovery of Offenders in the Premiſſes, Be it enacted by the Authority aforeſaid, That all and every Perſon, who ſhall apprehend and take any Perſon or Perſons who have been or ſhall be guilty of forging, counterfeiting or coining any of the ſaid Gold Coins, or of uttering or vending the ſame, knowing them to be ſo forged, counterfeited or coined as aforeſaid, and ſhall proſecute ſuch Perſon or Perſons, until he, ſhe or they be convicted of ſuch Offences, or any of them, ſhall have and receive from the Sheriff or Sheriffs of the County where ſuch Conviction ſhall be made, for every ſuch Offender ſo convicted, the Sum of forty Pounds, to be paid, diſtributed and defrayed in the ſame Manner, as the Sum of forty Pounds by an Act made in the ſixth and ſeventh Year of the Reign of King WILLIAM the Third, intituled, *An Act to prevent counterfeiting and clipping the Coin of this Kingdom*, is to be defrayed, diſtributed and paid to any Perſon who ſhall diſcover, proſecute and convict any Perſon or Perſons of counterfeiting or any ways diminiſhing the current Coin of this Realm, and ſhall alſo be intitled to all ſuch Gold Coins called *Broad Pieces* ſo forged, counterfeited or coined, or knowingly uttered or vended as aforeſaid, which ſhall be found in the Cuſtody or Poſſeſſion of or ſhall belong to ſuch Forgers, Counterfeiters, Coiners, Utterers or Venders of the ſame.

to be paid as the Reward by the Act 6 & 7 W. 3. c. 3. againſt Clipping.

Offenders on convicting others intitled to his Majeſty's Pardon,

III. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, being out of Priſon, who ſhall have been guilty of forging, counterfeiting or coining any of the ſaid Gold Coins called *Broad Pieces*, or any Halves or Quarters thereof, or of uttering or vending any of the ſame, knowing them to be ſo forged, counterfeited or coined as aforeſaid, ſhall diſcover one or more Perſons, who have been or ſhall be guilty of the ſame Crimes, or of any of them, ſo as one or more of the Perſons ſo diſcovered ſhall be convicted of the ſame, any ſuch Diſcoverer or Diſcoverers ſhall have, and is and are hereby intitled to, the gracious Pardon of his Majeſty, his Heirs and Succeſſors, for all ſuch Crimes againſt this Act, which he, ſhe or they have committed at any Time or Times before ſuch Diſcovery made; and if the Perſon making ſuch Diſcovery be an Apprentice, he ſhall be deemed and taken and is hereby declared a Freeman, and ſhall and may exerciſe any lawful Trade, Profeſſion or Myſtery with all Liberties and Privileges, and in as full and ample Manner, as if the ſaid Perſon had ſerved the full Time of his Apprenticeſhip; any Law, Cuſtom, Statute or Ordinance to the contrary notwithſtanding.

and if Apprentices, declared Freemen,

But not to extend to Corruption of Blood, &c.

IV. And be it further enacted by the Authority aforeſaid, That this Act or any Thing herein contained, or any Attainder or Attainders of any Perſon or Perſons for any Offence or Offences made Treaſon by this Act, ſhall not in any wiſe extend or be judged, interpreted or expounded to make any Corruption of Blood to any the Heir or Heirs of ſuch Offender or Offenders, or to make the Wife of any ſuch Offender to loſe or forfeit her Dower of or in any Lands, Tenements or Hereditaments, or her Title, Action or Intereſt to the ſame.

Offences how to be tried.

V. And that all and every Perſon or Perſons that ſhall or may be accuſed or impeached of any of the Offences made Treaſon by this Act, ſhall and may be indicted, arraigned, tried, convicted and attainted by ſuch like Evidence and in ſuch Manner and Form, as now are or may, by the Laws of this Realm, be had or uſed againſt any Offender or Offenders for counterfeiting the current Coin of this Kingdom.

Proſecutions to be commenced in 6 Months after the Fact.

VI. Provided always, That no Perſon ſhall be proſecuted for any Offence againſt this Act, unleſs the Proſecution againſt him or her ſhall be commenced within ſix Months after ſuch Offence committed.

CAP. XXVII.

An Act to explain and amend an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the better Regulation of Attornies and Solicitors.*

2 Geo. 2. c. 23.

'WHEREAS by an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the better Regulation of Attornies and Solicitors*, it was enacted, That from and after 'the firſt Day of *December* one thouſand ſeven hundred and thirty no Perſon, who ſhould not before 'the ſaid firſt Day of *December* have been ſworn, admitted and inrolled, purſuant to the Directions of 'the ſaid Act, ſhould be permitted to act as an Attorney, or to ſue out any Writ or Proceſs, or to commence, carry on or defend any Action or Actions or any Proceedings, either before or after Judgment 'obtained, in the Name or Names of any other Perſon or Perſons, in any of the Courts of Law in the ſaid 'Act mentioned, unleſs ſuch Perſon ſhould have been bound by Contract in Writing to ſerve as a Clerk, 'for and during the Space of five Years, to an Attorney duly and legally ſworn and admitted, as in the 'ſaid Act is directed, in ſome or one of the Courts therein mentioned, and that ſuch Perſon, for and during 'the ſaid Term of five Years, ſhould have continued in ſuch Service, and alſo unleſs ſuch Perſon, after 'the Expiration of the ſaid Term of five Years, ſhould be examined, ſworn, admitted and inrolled in 'the ſame Manner as the Perſons who ſhould be admitted Attornies of the ſaid Courts are therein required to be examined, ſworn admitted and inrolled:' Now for the Relief of Perſons who have ſerved for and during the Space of five Years, as Clerks to Attornies or Solicitors in any of the Courts of Law or Equity in the ſaid Act mentioned, and have not been bound by Contracts in Writing, and who were by Sickneſs prevented from being ſworn, admitted and inrolled Attornies, purſuant to the Directions of the ſaid Act, and for the Relief of Perſons who have ſerved as Clerks to ſuch Attornies or Solicitors for and during

during the Space of five Years, and have been bound by Contracts in Writing, but have not ſerved for and during the Space of five Years ſince the Dates of ſuch Contracts, or who, being Sons of ſuch Attornies or Solicitors, have ſerved as Clerks to their reſpective Fathers for and during the Space of five Years, but have not been bound by Contracts in Writing; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every ſuch Perſon being firſt examined and approved, as by the ſaid Act is directed, ſhall and may, on or before the laſt Day of *Michaelmas* Term which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-three, be qualified to be ſworn, admitted and inrolled an Attorney in the ſeveral and reſpective Courts in the ſaid Act mentioned; any Thing in the ſaid Act to the contrary notwithſtanding.

Relief for Perſons not inrolled Attornies, &c. purſuant to the ſaid Act.

II. And be it further enacted by the Authority aforeſaid, That any Perſon who hath been by virtue of the ſaid Act admitted an Attorney in any of his Majeſty's Courts of Record at *Weſtminſter*, ſhall and may be capable of being admitted to practiſe as an Attorney in any inferior Court of Record, provided ſuch Perſon be in all other Reſpects capable and qualified to be admitted an Attorney according to the Uſage and Cuſtom of ſuch inferior Court; any Thing in the ſaid Act contained to the contrary in any wiſe notwithſtanding.

Perſons admitted Attornies in any Court at Weſtminſter, may be admitted in inferior Courts, if otherwiſe duly qualified.

Concerning Attornies, ſee farther 12 *Geo.* 2. *c.* 13. 22 *Geo.* 2. *c.* 46. 23 *Geo.* 2. *c.* 26. 33 *Geo.* 2. *c.* 16.

CAP. XXVIII.

An Act for the converting a further Part of the Capital Stock of the *South-Sea* Company into Annuities redeemable by Parliament, and for ſettling the remaining Part of the ſaid Stock in the ſaid Company.

Recital of the Act 9 Geo. 1. c. 6.

'WHEREAS in and by an Act of Parliament of the ninth Year of his late Majeſty King GEORGE the Firſt, intituled, *An Act for reviving and adding two millions to the Capital Stock of the* South-Sea *Company, and for reviving a proportional Part of the yearly Fund payable at the Exchequer, and for dividing their whole Capital (after ſuch Diviſion made) into two equal Parts or Moieties, and for converting one of the ſaid Moieties into certain Annuities for the Benefit of the Members, and for ſettling the remaining Moiety in the ſaid Company, and for continuing for one Year longer the Proviſion formerly made againſt requiring ſpecial Bail in Actions or Suits upon ſuch Contracts as are therein mentioned*, it was amongſt other Things enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-three the whole Capital Stock of the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fiſhery, commonly called *The* South-Sea *Company*, ſhould be divided and ſeparated into two equal Parts or Moieties, and that one Moiety thereof ſhould be converted into a Joint Stock, attended with certain Annuities payable out of the Funds of the ſaid Company, as in the ſaid Act is provided, and ſhould from thenceforth be called *The Joint Stock of* South-Sea *Annuities*; and that the other Moiety ſhould remain in the ſaid Company as their Capital Stock, attended with the Reſidue of the ſaid Annuities or Funds, payable at the Exchequer, and alſo with the ſeveral Sums ſettled and allowed for Charges of Management, and with all other Benefits, Profits of Trade, Privileges and Advantages then belonging to the ſaid Company, as in and by the ſaid Act, Relation being had thereto, may appear: And whereas in purſuance of ſeveral ſubſequent Acts of Parliament the ſaid Capital Stock of the ſaid Company hath by Redemption been reduced to fourteen millions ſix hundred fifty-one thouſand one hundred and three Pounds eight Shillings and one Penny, or thereabouts; and the ſaid Joint Stock of *South-Sea* Annuities hath by Redemption been reduced to fifteen millions ſix hundred fifty-one thouſand ninety-nine Pounds ſeventeen Shillings and five Pence, or thereabouts: And whereas it is judged adviſeable and neceſſary, and alſo conducive to the better eſtabliſhing of publick Credit, to make a further and larger Reduction of the ſaid Capital Stock of the ſaid Company, by dividing the ſame into Annuities and a Trading Stock:' May it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three the whole Capital Stock of the ſaid *South-Sea* Company, which doth by Computation amount to fourteen millions ſix hundred and fifty-one thouſand and one hundred and three Pounds eight Shillings and one Penny as aforeſaid; and the Shares of the reſpective Members and Proprietors of and in the ſame, ſhall be divided and ſeparated into four equal Parts, and the ſame from thenceforth ſhall be deemed and adjudged to be divided and ſeparated accordingly.

After 24 June 1733, the whole Capital Stock of the South-Sea Company to be divided into four equal Parts.

II. And be it further enacted by the Authority aforeſaid, That three of the ſaid four equal Parts, or three fourth Parts of the ſaid Capital Stock ſo divided and ſeparated, which three fourth Parts or three Parts in four will by Computation amount to ten millions nine hundred eighty-eight thouſand three hundred twenty-ſeven Pounds eleven Shillings and three Farthings ſhall, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, be converted into a Joint Stock, attended with certain Annuities payable out of the Funds of the ſaid *South-Sea* Company, in Lieu and full Recompence of all the Dividends, Profits and Advantages which ſuch three fourth Parts or three Parts in four of the ſaid Capital Stock are now intitled to (that is to ſay) with Annuities after the Rate of four Pounds *per Centum per Annum*, until Redemption thereof by Parliament, according to the Purport and true Meaning of this Act, and that the ſame three fourth Parts or three Parts in four ſo converted into ſuch Joint Stock ſhall from thenceforth be called *The new Joint Stock of* South-Sea *Annuities*; and that

Three Parts of which ſhall be converted, into Annuities, at 4 l. per Cent.

The other fourth Part to continue as a Trading Stock.

the other fourth Part or one Part in four of the said whole Capital Stock, amounting by Computation to three millions six hundred sixty-two thousand seven hundred seventy-five Pounds seventeen Shillings and a Farthing, shall remain, continue and be in the said *South-Sea* Company as a trading or Capital Stock in their own Right, attended with the Residue of the said Annuities or Funds, which are payable at the Exchequer to the said Company for their whole Capital, until the Redemption thereof by Parliament, according to the Purport and true Meaning of this Act, and also attended with the several Sums settled and allowed for Charges of Management, and with all Monies, Effects, Benefits, Profits of Trade, Debts, Dependencies, Privileges and Advantages now due, owing or belonging to the said *South-Sea* Company, subject as the same is hereafter made subject.

The said Annuities to be paid quarterly, in full of all Profits, by the Company,

III. And be it further enacted by the Authority aforesaid, That all and every the Member and Members, Proprietor and Proprietors, having any Share or Interest, on the said twenty-fourth Day of *June* one thousand seven hundred and thirty-three, of or in the said three fourth Parts or three Parts in four of the said Capital Stock, amounting to the said Sum of ten millions nine hundred eighty-eight thousand three hundred twenty-seven Pounds eleven Shillings and three Farthings, his, her or their Executors, Administrators, Successors and Assigns respectively, in Lieu and full Recompence of and for such his and their Share and Shares therein, and of the proportional Annuities or Funds, Dividends, Profits and Advantages, which belonged to every such Share or Shares before the making of this Act, shall at the Times hereafter mentioned have, receive and enjoy, and be intitled, by Force and Virtue of this Act, to have, receive and enjoy, free of all Charges, one or more certain Annuity or Annuities, to be computed after the said Rate of four Pounds *per Centum per Annum*, on the said Sum of ten millions nine hundred eighty-eight thousand three hundred twenty-seven Pounds eleven Shillings and three Farthings, from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-three, until Redemption by Parliament, and proportional Annuities for any greater or lesser Sums; and the said *South-Sea* Company shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-three, have and receive, and be intitled by Virtue of this Act to have and receive at the Exchequer, out of the Duties, Revenues and Incomes charged with their whole Annuities or Funds payable there, the Annuity to attend the said three fourth Parts or three Parts in four so as aforesaid converted into the said new Joint Stock of *South-Sea* Annuities, from the said twenty-fourth Day of *June* one thousand seven hundred and thirty-three, until Redemption by Parliament as aforesaid, by weekly or other Payments, as the whole Funds or Annuities of the same Company are now payable to them; nevertheless in Trust and for the Benefit of the Annuitants, or the Members or Proprietors who shall be intitled to the said new Joint Stock of *South-Sea* Annuities, according to their respective Interests therein; and the said *South-Sea* Company shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-three, have and receive, and be intitled by virtue of this Act to have and receive in their own Right at the Exchequer, in the same Manner as their whole Funds or Annuities are now payable, the Residue of the said Annuities or Funds, as the Annuity or Fund to attend the said remaining Trading Stock of the said *South-Sea* Company hereby intended to be continued in the said Company as aforesaid, till Redemption thereof by Parliament; and shall also, until such Redemption, have, receive and enjoy, and be intitled to have, receive and enjoy the said Allowances made and to be made for Charges of Management as aforesaid, and shall also be intitled to all the Monies, Effects, Debts and Dependencies whatsoever due, owing or belonging to the said *South-Sea* Company, and also to hold, exercise and enjoy all the Profits of Trade and other Privileges and Advantages belonging to the said Company before the making of this Act.

who are to receive the same at the Exchequer in Trust for the Annuitants.

The Allowances made to the Company for Charges of Management, &c. continued.

Proprietors of the Trading Stock intitled to all Benefits of Trade.

IV. And be it further enacted by the Authority aforesaid, That all and every the Members or Proprietors having any Share or Shares, on the said twenty-fourth Day of *June* one thousand seven hundred and thirty-three, in the said remaining fourth or one Part in four of the said Capital Stock to be continued in the said *South-Sea* Company, and be their Trading Stock as aforesaid, his, her and their Executors, Administrators, Successors and Assigns respectively shall have and be intitled to proportional Shares of and in the said Annuities or Funds attending the same, and also all the Monies, Effects, Debts and Dependencies aforesaid, and all Benefits of Trade, Advantages and Benefits whatsoever belonging and remaining in the said *South-Sea* Company, and the said Allowances made and to be made for Charges of Management, solely and exclusively from the said new Joint Stock of *South-Sea* Annuities.

Half-yearly Account to be laid before the General Court, who are to appoint the Dividend.

V. And for the better preventing any Exceedings in Dividends to be made by the said *South-Sea* Company for the future, Be it enacted by the Authority aforesaid, That the Accomptant of the said Company shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-three, twice in every Year (that is to say) at *Christmas* and *Midsummer*, or within one Month after, state and prepare an Account of the said Company's Affairs, which shall be laid before the next General Court of the said Company, in order to their declaring a Dividend; and that all Dividends to be declared and made by the said *South-Sea* Company to the several Members and Proprietors thereof shall be declared and made out of the clear Revenue and Profits of the said Company, after the current Payments of Interest and other Outgoings, Charges and Expences of the said Company shall be thereout first allowed and deducted; and that such Dividends shall not, at the respective Times of making thereof, exceed in the whole what the said Company at such respective Times, according to their then Circumstances and Ability (any sudden or unforeseen Losses which may happen to the said Company in their Trade, or otherwise, excepted) can or may reasonably divide, without incurring any farther Debt on their said Trading or Capital Stock, so near as the same can be computed; provided that the said Company shall not at any Time divide more than after the Rate of four Pounds *per Centum per Annum*, until their present Debts and Incumbrances shall be cleared and paid off; and the said *South-*

Dividend not to exceed 4 l. per Cent. till Company's Debts be paid.

Sea

Sea Company in the State and Condition it ſhall be in, from and after the ſaid Separation and Diviſion of their preſent Capital Stock into a new Joint Stock of *South-Sea* Annuities, and a Trading Stock of the ſaid Company as aforeſaid, and alſo their ſaid Trading Stock, and the Fund or Annuities attending the ſame, ſhall, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, remain and be ſolely and excluſively from the ſaid new Joint Stock of *South-Sea* Annuities, liable and ſubject to and chargeable with all the Debts, Demands, Charges and Incumbrances whatſoever, which the ſaid *South-Sea* Company ſhall, on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, or at any Time hereafter, be liable and ſubject to or chargeable with on any Account whatſoever.

The Trading Stock only, chargeable with the Company's Debts contracted after 24 June 1733.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid new Joint Stock of the *South-Sea* Annuities ſhall become due and payable, and be accounted to be due and payable, from the Feaſt-Day of the Nativity of Saint *John the Baptiſt* one thouſand ſeven hundred and thirty-three, and the firſt Payment thereupon ſhall be made for the half Year to end at the Feaſt of the Birth of our Lord Chriſt then next following, and the ſubſequent Payments from thenceforth half yearly (*videlicet*) on the Feaſt of the Nativity of Saint *John the Baptiſt* and the Feaſt of the Birth of our Lord Chriſt in every Year, by even and equal Portions, and at the Rate before-mentioned, until the Redemption thereof by Parliament, according to the Proviſoes and Powers of Redemption hereafter in this Act contained in that Behalf.

Annuities to commence at Midſummer 1733.

VII. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Trading Capital and the Fund attending the ſame ſhall be ſubject and liable and are hereby charged and chargeable with and for the due and regular Payment of the Annuity attending or to attend the ſaid new Joint Stock of *South-Sea* Annuities, as alſo for the like regular and due Payment of the former Joint Stock of *South-Sea* Annuities, at the reſpective Times appointed for Payment of or demanding the ſame.

Trading Stock liable to anſwer the regular Payment of Annuities;

VIII. Provided nevertheleſs, That the ſaid Company ſhall, at the Time of ſuch Demand, have received the Annuity payable to them at the Exchequer; and on Failure of paying the ſame, or any Part thereof, at ſuch Times or within ſixty Days after, if lawfully demanded, then ſuch Trading Stock and Fund ſhall alſo be ſubject and liable and charged and chargeable with the Payment of Intereſt from the Time of ſuch Demand, after the Rate of five Pounds *per Centum per Annum* for all ſuch Parts of ſuch Annuities, as ſhall be ſo demanded and not paid as aforeſaid.

on Failure, to allow after the Rate of 5 l. per Cent.

IX. Provided always, and it is hereby enacted by the Authority aforeſaid, That if at any Time or Times hereafter any Deficiency ſhall happen in the Produce of all or any of the Funds of the ſaid *South-Sea* Company, to be continued to the ſaid Company in their own Right as aforeſaid, then and in every ſuch Caſe ſo happening the ſaid new Joint Stock of *South-Sea* Annuities, in reſpect of their Part of the ſaid Funds, and the ſaid *South-Sea* Company, in reſpect of their Part of the ſaid Funds, ſhall from Time to Time reſpectively bear a proportional Part of every ſuch Deficiency, until the ſame ſhall be provided for and made good by Authority of Parliament, when the ſame ſhall be made good and anſwered to the Perſons reſpectively, their reſpective Executors, Adminiſtrators or Aſſigns, to whom the deficient Sums ſhould have been or ought to be paid, if the Deficiency had not happened.

New Stock of Annuities to bear a proportional Part of Deficiency in Funds, till redeemed by Parliament.

X. And be it further enacted by the Authority aforeſaid, That the ſaid *South-Sea* Company ſhall from Time to Time have and be intitled to the like Remedies, Ways and Means for receiving and recovering the ſaid Monies hereby intended for the Payment of the ſaid new Joint Stock of *South-Sea* Annuities as aforeſaid, during the Continuance thereof, as they might have had or uſed for receiving or recovering their whole Annuities or Funds at the Exchequer, if no ſuch Diviſion or Separation had been made, nevertheleſs in Truſt as aforeſaid; and all and every the Powers, Authorities, Privileges, Freedoms, Immunities, Exemptions and other Advantages, and all Pains of Death, Penalties, Forfeitures and Diſabilities, and all Reſtrictions, Savings, Rules and Directions, and all Clauſes, Matters and Things, which were enacted or provided by any former Act or Acts of Parliament, or Laws which were in Force at or until the Time of making this Act, for better ſecuring the whole Capital Stock and Payment of the Funds of the ſaid *South-Sea* Company, or preventing or puniſhing the Forging or Counterfeiting any Dividend Warrant, or any Transfers or Aſſignments of any Annuities, or any ſuch Offences as are comprehended and deſcribed in one Act of Parliament made in the eighth Year of the Reign of his late Majeſty (of glorious Memory) intituled (amongſt other Things) *An Act to prevent the Miſchiefs by forging Powers to transfer ſuch Stocks, or to receive ſuch Annuities or Dividends as are therein mentioned, or by fraudulently perſonating the true Owners thereof*, or any Powers relating thereto, ſhall be revived, continued, and be practiſed and put in Execution as fully and effectually, to all Intents and Purpoſes whatſoever, as if all and every the ſaid Powers, Authorities, Privileges, Freedoms, Immunities, Exemptions and other Advantages, Pains of Death and other Penalties, Forfeitures and Diſabilities, Reſtrictions, Savings, Rules and Directions were again repeated and particularly re-enacted in the Body of this preſent Act, to be in Force, as to, for and concerning the ſaid new Joint Stock of *South-Sea* Annuities, and all the Matters aforeſaid, in any wiſe relating thereto.

South-Sea Company to enjoy all Privileges, &c. which they had before the Separation.

8 Geo. 1. c. 22.

XI. And it is hereby further enacted by the Authority aforeſaid, That the proportional Share and Shares which all and every Perſon and Perſons, Body and Bodies Politick and Corporate, upon ſuch Diviſion and Separation as aforeſaid, ſhall have and be intitled unto, of or in the ſaid new Joint Stock of *South-Sea* Annuities, ſhall after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three be written off from the preſent Books of the ſaid Company into proper Books for that Purpoſe.

Annuitants Shares to be entred in diſtinct Books,

XII. And

be free from Taxes,

XII. And it is hereby enacted, That the ſaid new Joint Stock of *South-Sea* Annuities created by this Act, and all and every the Principal Sums for which the ſaid ſeveral Annuities are to be payable, and whereupon they ſhall be computed purſuant to this Act, and every of them, ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

be deemed a Perſonal Eſtate,

XIII. And be it further enacted, That the ſaid new Joint Stock of *South-Sea* Annuities ſhall, to all Intents and Purpoſes, be and be deemed a Perſonal Eſtate, and not to be deſcendable to the Heir, nor be liable to any foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute or Cuſtom to the contrary notwithſtanding.

and transferrable.

XIV. And be it further enacted by the Authority aforeſaid, That all the Principal Monies in the ſaid new Joint Stock of *South-Sea* Annuities, for which the ſaid ſeveral and reſpective Annuities ſhall purſuant to this Act be payable as aforeſaid, ſhall be deemed, reputed and taken to be a Joint Stock, on which the ſame Annuities ſhall be attending; and that all and every Perſon and Perſons, Body and Bodies Politick and Corporate, in Proportion to ſuch their reſpective Annuities, ſhall have and be deemed, reputed and taken to have a Share in ſuch Joint Stock, and that the ſame Joint Stock, or any Share or Shares therein, and the proportional Annuity and Annuities attending the ſame, ſhall be aſſignable and transferrable, as this Act directs, and not otherwiſe; and that the ſaid *South-Sea* Company ſhall cauſe to be conſtantly kept, within ſome convenient Place within the City of *London*, an Office and a Book or Books, in which all Aſſignments or Transfers of the ſaid new Joint Stock of *South-Sea* Annuities as aforeſaid, and of the proportional Annuities attending the ſame, or any Part or Parcel thereof, ſhall be fairly entred and regiſtred, which Entry ſhall be conceived in proper Words for that

Method of transferring.

Purpoſe, and ſhall be ſigned by the Party making ſuch Aſſignment or Transfer, or, if the Party be abſent, by his, her or their Attorney, thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes, and that the Perſon or Perſons to whom ſuch Transfers ſhall be made, his, her or their Attorney do underwrite his, her or their Acceptance thereof, and that no other Method of aſſigning or transferring the ſaid Stock and Annuities to attend the ſame, or any Part thereof, or any Intereſt therein, ſhall be good and available in Law.

Annuities may be bequeathed.

XV. Provided always, That any Perſon or Perſons poſſeſſed of ſuch new Joint Stock of *South-Sea* Annuities, or any Intereſt therein, may bequeath the ſame in the ſame Manner as any other perſonal Eſtate may be bequeathed.

No Stamp Duties for Transfer.

XVI. And it is hereby enacted by the Authority aforeſaid, That no Stamp Duties whatſoever ſhall be chargeable upon any the Transfers or Aſſignments of the ſaid new Joint Stock of *South-Sea* Annuities.

The aforeſaid Diviſion not to leſſen the Company's former Powers or Immunities.

XVII. And it is hereby further enacted by the Authority aforeſaid, That as well the ſaid *South-Sea* Company, and their General Courts, their Courts of Directors, and Committees, and all their Officers and Miniſters whatſoever, as alſo all the reſpective Members of the ſaid Company, their Executors, Adminiſtrators, Succeſſors and Aſſigns for the Time being, in Reſpect of the ſaid remaining fourth Part, or one Part in four, of the ſaid Capital Stock, to be continued in and to the ſaid Company as a Trading Stock as aforeſaid, and in Reſpect of the ſaid Reſidue of the ſaid Annuities or Funds attending or to attend the ſaid Trading Stock, and in Reſpect of the ſaid Allowances for Charges of Management, and in Reſpect of all the Shares and Intereſts of the ſaid Members and Proprietors of and in the ſame, and every of them, and in Reſpect of all Monies, Effects, Debts, Dependencies, Demands, Dividends, Profits and Advantages which are to belong and remain to the ſaid *South-Sea* Company in their own Right as aforeſaid, ſhall and may have, exerciſe and execute, and ſhall be intitled, by Force and Virtue of this Act, to have, exerciſe and execute all ſuch and the like Powers, Authorities and Capacities, and to have, receive and enjoy ſuch and the like Freedoms, Immunities, Exemptions from Taxes, and other Exemptions and Privileges, and ſuch and the like Benefits of Trade, and other Benefits, Profits and Advantages (other than in Caſes touching which different or other Proviſions or Directions are made and given in and by this Act) as the ſaid *South-Sea* Company, or their General Courts, Courts of Directors, Committees, Officers or Miniſters, or the Members of the ſaid Company, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively might have had, exerciſed or executed, or might have received or enjoyed, if this Act had not been made; ſubject nevertheleſs to ſuch and the like Reſtrictions, Savings, Rules and Directions as they reſpectively were ſubject to before the making of this Act; and all and every the Powers, Authorities, Privileges, Freedoms, Immunities, Exemptions, Benefits of Trade, and other Benefits, Profits and Advantages, and all Pains of Death, Penalties, Forfeitures and Diſabilities, and all Reſtrictions, Savings, Rules and Directions, and all Clauſes, Conſtitutions, By-laws, Orders, Matters and Things whatſoever, which were enacted or lawfully provided or eſtabliſhed in, by or purſuant to any Act or Acts of Parliament, Laws or Proviſions whatſoever, which were in Force at or until the Time of making of this Act, for better ſecuring the whole Capital Stock of the ſaid *South-Sea* Company, or for ſecuring and paying their whole Annuities or Funds at the Exchequer, by weekly or other Payments, or for, touching or concerning the Aſſigning or Transferring the ſame, or any Shares therein, or for Payment of the ſaid Allowance for Charges of Management, or for preventing or puniſhing the Forging or Counterfeiting any Transfer or Transfers, Aſſignment or Aſſignments, or any Letters of Attorney to transfer or aſſign any of the Stock of the ſaid *South-Sea* Company, or for perſonating any Perſon, or demanding ſuch Stock, by Virtue of any ſuch forged Writing, or for Forging or Counterfeiting any of the ſaid Company's Bonds or Indorſements thereon, or any Dividend Warrants made for the ſame, or for publiſhing any ſuch forged or counterfeit Writings, knowing the ſame to be ſuch, or any Powers relating thereto, or the Bonds or Obligations of the ſaid Company, or for ſecuring the Trade thereof, or any ways relating thereto, are and ſhall, by

Force

Force and Virtue of this preſent Act, be revived and continued, and be practiſed and put in Execution, as fully and effectually, to all Intents and Purpoſes whatſoever, as if all and every the ſaid Powers, Authorities, Privileges, Immunities, Exemptions, Benefits of Trade, and other Benefits, Profits and Advantages, Reſtrictions, Savings, Rules and Directions were again repeated and particularly re-enacted in the Body of this preſent Act; other than and except in ſuch Caſes, touching which different or other Proviſions or Directions are made and given in and by this Act.

Sub-Governor, Deputy-Governor or Directors, not diſqualified to act as ſuch, till 25 Dec. 1733.

XVIII. Provided always, and be it enacted by the Authority aforeſaid, That the ſaid *South-Sea* Company, or any Member thereof, ſhall not incur any Diſability for or by Reaſon of this Act, nor ſhall the preſent Sub-Governor or Deputy-Governor, nor any of the preſent Directors, be deemed to be diſqualified to continue Sub-Governor, Deputy-Governor or Director, after the ſaid Separation or Diviſion of the ſaid Capital Stock, and until the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-three, for or by Reaſon of their not having remaining, in their own reſpective Names and Right, ſo much Capital Stock of the ſaid Company, as they, before the making of this Act, were required to have, for the Qualification of ſuch Sub-Governor, Deputy-Governor or Director reſpectively, ſo as ſuch Sub-Governor, Deputy-Governor or Director reſpectively, ſhall have and continue, in his own Name and Right, ſo much of the ſaid new Joint Stock of the *South-Sea* Annuities, as together with the Trading Stock remaining in his own Name and Right, ſhall make up the Sum in Stock which before the making of this Act was requiſite for ſuch reſpective Qualification.

Proviſo.

How they are to be qualified after the ſaid 25 Dec. 1733.

XIX. And be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-three, no Perſon ſhall be qualified for or be capable of being Governor (his moſt Excellent Majeſty only excepted) unleſs ſuch Governor ſhall have, in his own Name and Right, five thouſand Pounds or more in the ſaid Trading Stock of the ſaid Company; nor ſhall any Perſon be qualified for or capable of being Sub-Governor of the ſaid *South-Sea* Company who ſhall not have, in his own Name and Right, four thouſand Pounds or more in the ſaid Trading Stock of the ſaid Company; nor ſhall any Perſon be qualified to be a Deputy-Governor, unleſs ſuch Deputy-Governor ſhall have, in his own Name and Right, three thouſand Pounds or more in the ſaid Trading Stock of the ſaid Company, and that no Perſon ſhall be qualified for or capable of being a Director of the ſaid Company, who ſhall not have, in his own Name and Right, two thouſand Pounds or more in the ſaid trading Stock.

Members not diſqualified to vote as before till the ſaid Time.

XX. And be it enacted by the Authority aforeſaid, That no Member of the ſaid Company ſhall be deemed to be diſqualified to give any Vote or Votes at the General Courts of the ſaid Company, after Separation or Diviſion of the ſaid Capital as aforeſaid, and until the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-three, for or by Reaſon of his or her not having remaining, in his or her own Name and Right, ſo much Capital Stock of the ſaid Company as, before the making this Act, was required for a Qualification for ſuch Vote or Votes, ſo as ſuch Member ſhall have and continue, in his or her own Name and Right, ſo much of the ſaid new Joint Stock of *South-Sea* Annuities as, together with the Trading Stock remaining in his or her own Name and Right, ſhall make up the Sum in Stock, which before the making of this Act was requiſite for a Qualification for ſuch Vote or Votes.

Qualifications of Voters after 25 Dec. 1733.

XXI. And be it alſo enacted, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-three, in every General Court of the ſaid Company, every Member of the ſaid Company who ſhall be preſent at ſuch General Court, and ſhall have, in his or her own Name and Right, the Sum of five hundred Pounds in the ſaid Trading Stock, ſhall have one Vote; and every ſuch Member who ſhall have, in his or her own Name and Right, the Sum of two thouſand Pounds in the ſaid Trading Stock, ſhall have two Votes; and every ſuch Member who ſhall have, in his or her own Name and Right, three thouſand Pounds in the ſaid Trading Stock, ſhall have three Votes; and every ſuch Member who ſhall have, in his or her own Name and Right, five thouſand Pounds in the ſaid Trading Stock, ſhall have four Votes, and that no Member of the ſaid Company ſhall have more than four Votes.

The Oaths to be taken by the Sub-Governor, &c. after the ſaid 25 Dec. how to be altered.

XXII. Provided always, and be it enacted by the Authority aforeſaid, That the ſeveral and reſpective Oaths which are at preſent by the Charter of the ſaid Company to be adminiſtered to the ſaid Sub-Governor, Deputy-Governor and Directors of the ſaid Company reſpectively, upon their being choſen into the ſaid reſpective Offices, and alſo to the Members of the ſaid Company intitled to vote in the General Courts of the ſaid Company, at or before their giving ſuch Votes, ſhall from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-three, be altered with Reſpect to the ſaid Qualifications of Office and voting reſpectively, in ſuch Manner as to be conſiſtent with the reſpective Regulations herein before enacted concerning the ſaid ſeveral and reſpective Qualifications and not otherwiſe.

Truſt Stocks, after the Separation, liable to the ſame Truſts as before.

XXIII. Provided always, and be it enacted by the Authority aforeſaid, That in all Caſes where, in Purſuance of this Act, any ſuch Diviſion as aforeſaid ſhall be made of any Stock of the ſaid Company, which ſhall at the Time of ſuch Diviſion be veſted in or held by any Perſon or Perſons in Truſt for others, the reſpective Parcels of the ſaid new Joint Stock of *South-Sea* Annuities, and of the ſaid Trading Stock of the ſaid Company, which ſuch Truſtee or Truſtees ſhall be intitled to by Virtue of this Act, in lieu of the ſaid Stock held by him or them in Truſt as aforeſaid, at the Time of making ſuch Diviſion, ſhall be and remain liable to the ſame Truſts for the Benefit of the ſame Perſons, and to the ſame Uſes as the ſaid Truſt Stock was liable to at the Time of making the ſaid Diviſion.

Truſtees may convert Truſt Stock into Annuities,

XXIV. Provided always, and it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any ſuch Truſtee or Truſtees to ſell and diſpoſe of ſuch his or their remaining

ing Truſt Stock, remaining in the ſaid one fourth Part of the Trading Stock, to continue in the ſaid Company, at the current Market Price of ſuch Stock, and within eight Days to inveſt the Money ariſing therefrom in the Purchaſe of ſo much of the ſaid new Joint Stock of *South-Sea* Annuities as at the like current Price the ſame will, as near as may be, extend to purchaſe, which new purchaſed Annuities ſhall be transferred to ſuch Truſtee or Truſtees, and a Receipt or Receipts ſhall be given and ſigned by the Perſon or Perſons transferring the ſame, for the Monies paid for the ſame; and in caſe ſuch Truſtees reſpectively, by Writing indorſed on or annexed to ſuch Receipts, and ſigned or acknowledged before one of the Maſters of the High Court of Chancery, ſhall declare that the Monies in the ſaid Receipts were the Produce of the ſaid remaining Truſt Stock (which Signing or Acknowledgement ſuch Maſters in Chancery are hereby required to accept or take, by ſubſcribing his Name thereto, in Reſpect whereof he ſhall for each Certificate be paid one Shilling, and no more) then and in every ſuch Caſe, the Annuity Stock, mentioned in ſuch Receipts to be transferred, ſhall reſpectively go and be deemed ſubject and liable to the ſame Truſts for the Benefit of the ſame Perſons, and for the ſame Uſes, Intents and Purpoſes as the other three fourth Parts of the ſaid Stock converted into ſuch Annuities as aforeſaid, were or ought to be ſubject to before ſuch Converſion made, and ſuch Truſtees ſhall from thenceforth be indemnified from any Loſs, Charges or Damages on Account of their ſo doing, at the Expence of the ſaid Truſt Eſtates.

ſubject to the ſame Uſes as before.

When the Fund of the Trading Stock may be redeemed. 23 Geo. 2. c. 1.

XXV. Provided always, That from and after the ſaid Diviſion and Separation of the ſaid preſent Capital Stock of the ſaid Company into Annuities and a Trading Stock, the Fund of the ſaid Trading Stock of the ſaid Company or any Part thereof, ſhall not, without the Conſent of the ſaid Company, be liable to be redeemed by Parliament, until the ſaid new Joint Stock of *South-Sea* Annuities ſhall have been reduced, by Redemption by Parliament, to a Capital or Principal Sum not exceeding in the whole the Sum of three millions five hundred thouſand Pounds.

The Company's old Bonds to be regiſtred; and no new ones to be iſſued, but with Conſent of a General Court. 7 Geo. 2. c. 17. *explains this Clauſe.* Exception.

XXVI. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Court of Directors ſhall likewiſe cauſe the Numbers, Dates and Sums of all the Bonds now owing by the Company to be fairly entered and regiſtred in a Book, and that no new Bonds ſhall be iſſued under the Seal of the Company, nor any Bonds paid off or bought up with the Company's Money, except the Proprietors of the ſaid Company ſhall, in a General Court called and held for that Purpoſe, be firſt acquainted with the Uſes for which the ſaid Bonds are intended to be iſſued, and that, within the Space of fourteen Days, and twenty-one Days from the Time of holding the ſaid General Court, one other General Court ſhall likewiſe be aſſembled and held, to take the Reſolutions of the Proprietors, whether any new Bond ſhall be iſſued or not; always provided, That it ſhall and may be lawful to and for the Court of Directors to affix the Seal of the Company to any new Bonds which ſhall be made out in lieu of any of the preſent Bonds now ſtanding out, which ſhall be filled by Indorſements, or which ſhall be worn out or loſt, on due Proof being made thereof; and that no Calls of any Sum or Sums of Money ſhall be made from the Members and Proprietors of the ſaid Company, for the carrying on of Trade or any other Purpoſes whatſoever, except the ſame Notice ſhall be in like Manner firſt given in a General Court, and the Reſolutions of the Proprietors taken in another General Court to be aſſembled and held at the ſame Diſtance of Time before mentioned.

No Calls of Money to be made without a General Court.

Part of the Act 9 Geo. 1. c. 3. repealed.

XXVII. And it is hereby enacted by the Authority aforeſaid, That ſo much of the ſaid in Part recited Act of the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, as relates to the bequeathing any *South Sea* Annuities by Writing atteſted by two or more credible Witneſſes, be and is hereby repealed.

The Annuities may be bequeathed as a perſonal Eſtate.

XXVIII. And it is hereby declared, That the ſaid Annuities might have been and may be bequeathed in ſuch Manner as any other perſonal Eſtate might have been, or may, by the Laws of this Realm, be bequeathed.

Publick Act.

XXIX. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act, of which Notice ſhall be judicially taken by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame.

Farther Proviſions concerning this Company, 7 *Geo.* 2. *c.* 17. 9 *Geo.* 2. *c.* 34. 10 *Geo.* 2. *c.* 17. 20 *Geo.* 2. *c.* 3. §. 60. 24 *Geo.* 2. *c.* 2 & 11.

CAP. XXIX.

An Act for the better Regulation of Laſtage and Ballaſtage in the River *Thames*.

'WHEREAS the Maſter, Wardens and Aſſiſtants of the Trinity Houſe of *Deptford Strond* in the County of *Kent*, have, by Grants from the Crown, the Laſtage and Ballaſtage, and the ſole Right of ſupplying all Ships and Veſſels with Ballaſt that ſail, paſs and re-paſs in the River of *Thames*, between *London Bridge* and the Main Sea, at the Rates and Prices accuſtomed; and are alſo intitled to and have a Right to dig, raiſe and take up the Gravel, Sand and Soil of the ſaid River of *Thames* for the ballaſting ſuch Ships and Veſſels as aforeſaid: And whereas the ſaid Maſter, Wardens and Aſſiſtants have for ſeveral Years laſt paſt conſtantly employed ſixty Ballaſt Lighters, and one hundred and twenty Men to dig and raiſe Ballaſt from the Shelves and Sand Banks of the ſaid River, and to carry and convey ſuch Ballaſt to Ships and Veſſels having Occaſion for the ſame, and thereby the Channel of the ſaid River hath been conſiderably deepened, and ſeveral Obſtructions to the Navigation therein removed: And the ſaid Maſter, Wardens and Aſſiſtants have conſtantly paid for the raiſing and delivering every Tun of ſuch Ballaſt the Sum of ſix Pence, whereof four Pence hath been paid to the two Ballaſt Men for their Labour in raiſing the ſame, and two Pence for the Uſe of the Ballaſt Lighters employed in that Service: And the ſaid Maſter, Wardens and Aſſiſtants have received of the Maſters

'Maſters and Owners of Ships and Veſſels uſing ſuch Ballaſting, the uſual Rates and Prices following, 'videlicet, Nine Pence for every Tun of Ballaſt furniſhed to Ships employed in the Coal Trade, and 'twelve Pence a Tun from all other *Britiſh* Ships and Veſſels, and ſixteen Pence a Tun from all foreign 'Ships and Veſſels; and the Net Profits ariſing and produced from the ſaid Rates and Duties are appli-'ed and diſpoſed of towards the Maintenance and Relief of many Hundreds of decayed Seamen, their 'Widows and Orphans: And whereas of late Years great Frauds have been committed by the Ballaſt 'Men, in not delivering due Tunnage of Ballaſt to Maſters and Commanders of Ships: And whereas 'the Ballaſt Men and Owners of Lighters have repreſented and complained, that the Price of Proviſions 'and Labour in general is greatly advanced, and the River is much deeper than formerly, and the 'Ballaſt more difficult to be raiſed, and farther to be fetched, and the Lighters obliged to be ſtronger 'built, and fitted with Maſts, Sails and other Rigging; and that unleſs the Wages and Hire of the 'Ballaſt Men and Lighters be raiſed, the ſaid Lighters cannot be made ſerviceable for the Purpoſes in-'tended, nor the Ballaſt Men maintain themſelves and Families: And the ſaid Ballaſt Men have entred 'into a Combination, refuſing to work and ſupply Ships with Ballaſt at the uſual and accuſtomed Rates 'and Prices, and have demanded and received, of ſeveral Maſters of Ships and Veſſels, an advanced 'Price of three Pence *per* Tun for Ballaſt delivered to them reſpectively: And whereas the ſaid Maſter, 'Wardens and Aſſiſtants are deſirous that all Frauds and Abuſes in Ballaſtage may be effectually reme-'died and prevented; and although ſeveral Merchants and Owners of Ships are willing and deſirous 'to advance the Rates and Duties of Ballaſtage, yet as the ſaid Maſter, Wardens and Aſſiſtants are not 'warranted or authorized to take more than the Rates and Prices accuſtomed, the ſame cannot be eſta-'bliſhed without the Authority of Parliament:' Wherefore for the remedying and preventing ſuch Frauds and Abuſes as aforeſaid, and preſerving the Navigation of the River *Thames*, and promoting and encouraging the Trade of this Kingdom, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-three, all Maſters and Owners of Ships and Veſſels lying in the River of *Thames*, having Occaſion for any Ballaſt on Board any ſuch Ship or Veſſel, ſhall pay to the ſaid Corporation of Trinity Houſe, for all ſuch Ballaſt demanded and entered at the Ballaſt Office of the ſaid Corporation, the Rates and Prices following, (that is to ſay) For every Tun of Ballaſt conſiſting of twenty hundred Weight, carried to any Ship or Veſſel employed in the Coal Trade, the Sum of twelve Pence, and no more, and for every ſuch Tun of Ballaſt carried to any other *Britiſh* Ship or Veſſel the Sum of fifteen Pence, and no more, and for every ſuch Tun of Ballaſt carried to any foreign Ship or Veſſel, the Sum of nineteen Pence, and no more; and that from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, the ſaid Corporation of Trinity Houſe ſhall pay for the raiſing and carrying every Tun of Ballaſt conſiſting of twenty hundred Weight, ſo to be carried to any ſuch Ship or Ships, Veſſel or Veſſels reſpectively, the Sum of nine Pence, whereof the Sum of ſix Pence ſhall be paid to the two Ballaſt Men for their Labour, and the Sum of three Pence for the Uſe of the Ballaſt Lighters employed in that Service; and no greater or higher Rates or Prices ſhall be paid to or demanded by the ſaid Corporation for the Ballaſt to be ſo raiſed and carried to any ſuch Ship or Veſſel, nor any greater or higher Wages paid to or demanded by the Ballaſt Men or Owners of Lighters for the raiſing and carrying the ſame, than the reſpective Rates, Prices, Wages and Hire above mentioned.

Prices to be paid for Ballaſt after 1 June 1733. to Ballaſt Men.

II. Provided always, That nothing in this Act contained ſhall extend to alter the Price of waſhed Ballaſt uſed by or delivered to any Ship or Veſſel reſpectively.

The Price of waſhed Ballaſt not to be altered.

III. And it is hereby further enacted by the Authority aforeſaid, That if any working Ballaſt Man ſhall, from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, deliver or cauſe to be delivered to any Ship or Veſſel any Ballaſt which ſhall fall ſhort of the Quantity or Tunnage at and for which the ſame ſhall be delivered, or ſhall neglect or refuſe to deliver to any Ship or Veſſel ſuch Quantity of Ballaſt as the Rulers of the Ballaſt Office of the ſaid Corporation ſhall, by their uſual Notes or Tickets for the Purpoſe, order or direct; or ſhall deliver to any Ship or Veſſel any more or other Ballaſt than ſhall be ordered or directed by the ſaid Rulers to be delivered to any ſuch Ship or Veſſel reſpectively; then and in ſuch Caſe, every Ballaſt Man ſo offending, and Oath being made of the Fact within ten Days after the Offence committed, or within Ten Days after the next Return of ſuch Ship or Veſſel into the River of *Thames*, by the Maſter, Mate or other Officer of any ſuch Ship or Veſſel, before any Surveyor of the Ballaſt Office of the ſaid Corporation, being an Elder Brother (and which Oath any ſuch Surveyor is hereby authorized and required to adminiſter without Fee or Reward) ſhall, for every Tun which the Ballaſt ſo delivered ſhall appear, upon Oath as aforeſaid, to fall ſhort of the Tunnage or Quantity the ſame was delivered for, and alſo for every Tun of Ballaſt ſo ordered and directed by the Ballaſt Rulers on board any Ship or Veſſel, which ſuch Ballaſt Man ſhall neglect or refuſe to deliver as aforeſaid, and for every Tun of Ballaſt ſo delivered without or contrary to the Orders and Directions of the ſaid Rulers as aforeſaid, forfeit and pay the Sum of two Shillings and ſix Pence.

Penalty on Ballaſt Men delivering ſhort Quantities, or not obſerving Orders, &c.

IV. And it is hereby further declared and enacted, That the ſaid Maſter, Wardens and Aſſiſtants ſhall, from Time to Time, pay, ſatisfy and make good to the Maſter or Owner of ſuch Ship or Veſſel, the Quantity or Value of the Ballaſt which upon ſuch Proof as aforeſaid ſhall be found deficient, and not delivered as aforeſaid, either by delivering the like Quantity of Ballaſt or paying the Value thereof in Money, at the reſpective Rates and Prices aforeſaid, at the Option of the Party aggrieved: And in caſe ſuch Recompenſe, Payment and Satisfaction be refuſed to be made, or ſhall not be made within ten Days after the ſame ſhall be demanded, then the ſaid Corporation in every ſuch Caſe ſhall forfeit and

Maſter and Wardens to make good Deficiencies in Ballaſt delivered,

on Penalty of 50l.

pay the Sum of fifty Pounds to be recovered againſt the ſaid Corporation by Bill, Plaint or Information in any of his Majeſty's Courts at *Weſtminſter*, wherein no Eſſoign, Protection or Wager of Law, and no more than one Imparlance ſhall be allowed; one Moiety of which Penalty ſhall be applied to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, the other Moiety to the Perſon who ſhall ſue for the ſame, which Recompenſe, Payment and Satisfaction the ſaid Corporation are hereby impowered and authorized to ſtop and retain out of the Wages due to ſuch Ballaſt Men as ſhall offend in delivering ſhort Tunnage of Ballaſt as aforeſaid, over and above the Penalties inflicted hereby for every ſuch Offence.

Owners of Ships, &c. not to compel Ballaſt Men to deliver Ballaſt contrary to Order.

Penalty on colluſively receiving more Ballaſt than entred at the Office.

V. And it is hereby further enacted by the Authority aforeſaid, That after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, no Maſter, Owner or Officer of any Ship or Veſſel, or any other Perſon whatſoever, ſhall oblige or compel any Ballaſt Man to carry and deliver to any Ship or Veſſel any Quantity of Ballaſt which ſhall be ordered and directed by the Rulers of the Ballaſt Office of the ſaid Corporation to be carried to any other Ship or Veſſel: And if any Maſter, Mate or other Officer of any Ship or Veſſel, or any other Perſon ſhall, after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, fraudulently, or by Colluſion with any of the Ballaſt Men, take or receive on board any ſuch Ship or Veſſel, any greater or other Quantity of Ballaſt than they reſpectively ſhall enter and pay for at the ſaid Ballaſt Office, every Perſon ſo offending, and being thereof lawfully convicted upon the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the City of *London*, or the Counties of *Middleſex*, *Eſſex*, *Kent* or *Surrey*, or any of them, within their reſpective Juriſdictions, in Manner herein after mentioned, ſhall, for every Tun of Ballaſt ſo fraudulently taken and received above the Quantity ſo entred and paid for, forfeit and pay the Sum of two ſhillings and ſix Pence.

Penalty on Ballaſt Men refuſing to work at the Wages appointed, &c.

VI. And it is hereby further enacted by the Authority aforeſaid, That if any Ballaſt Man ſhall, from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, refuſe to work at and for the Hire and Wages herein before mentioned, or, having contracted to ſerve the ſaid Corporation for any Term or Time, ſhall quit or depart from ſuch Service, in breach of and contrary to ſuch Contract, or ſhall otherwiſe, at any Time, quit or depart from the Service of the ſaid Corporation without giving three Months Notice in Writing to the Superviſors of the Ballaſt Office, or one of them, or ſhall refuſe to work, or ſhall not work in ſuch Places or Stations in the River of *Thames* as the ſaid Corporation ſhall in that Behalf aſſign and appoint, or ſhall work in any Place or Station contrary to the Orders or Direction of the Rulers of the Ballaſt Office, or any one of them, given in Writing for that Purpoſe, or ſhall begin, promote, cauſe or join in any Combination, in order to raiſe the Wages of the Ballaſt Men, or otherwiſe to obſtruct the Service of the ſaid Corporation, or the Navigation of the River *Thames*; every Perſon ſo offending, and being thereof lawfully convicted as aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of five Pounds.

The Burthen of Ballaſt Lighters to be new marked on the Stern by 10 July 1733.

'VII. And whereas the Ballaſt Lighters belonging to and employed by the ſaid Corporation are 'marked at the Stem and Stern with Numbers denoting every five Tuns of their Tunnage and Burthen 'reſpectively: And whereas it would tend more to the Satisfaction of the Maſters and Owners of Ships 'and Veſſels having Occaſion for Ballaſt, and would prevent Frauds in delivering the ſame, that the 'Weight and Tunnage of every ſuch Lighter ſhould be diſtinguiſhed by Marks denoting and expreſſing 'every two Tuns and a Half of the Tunnage or Burthen thereof reſpectively:' It is therefore enacted by the Authority aforeſaid, That the ſaid Corporation of *Trinity Houſe* ſhall, before the tenth Day of *July* one thouſand ſeven hundred and thirty-three, cauſe viſible Marks to be made and ſet on the Stem and Stern of every ſuch Lighter between every two Gauge Marks now placed on the Stem and Stern of every ſuch Lighter reſpectively, in order that the Tunnage and Burthen of every ſuch Lighter may be computed and diſtinguiſhed by a gradual Progreſſion of two Tuns and an Half.

Maſters of Ships taking Ballaſt, may appoint Perſons to inſpect the Marks of Ballaſt Lighters.

VIII. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Maſters of all Ships and Veſſels taking Ballaſt of the ſaid Corporation, and they are hereby authorized and impowered to meet in the Square at *Billingſgate* on the twentieth Day of *June* one thouſand ſeven hundred and thirty-three, and on the third *Monday* in *June* in every ſucceeding Year, and to adjourn to ſuch Place as the Majority of them ſhall think fit, and then and there, by Writing under their Hands and Seals, or under the Hands and Seals of the major Part of them, to appoint one or more Perſon or Perſons, being or having been Maſters or Mates of Ships or Veſſels, to inſpect and ſurvey all the Ballaſt Lighters belonging to the ſaid Corporation, and which ſaid Perſon or Perſons, ſo to be appointed, ſhall be, and is and are hereby authorized and impowered, from Time to Time, to view and examine the Marks of every ſuch Lighter reſpectively; and in caſe ſuch Perſon or Perſons ſhall ſuſpect that any of the Marks denoting the Tunnage of any ſuch Lighter have been altered or diſplaced, and ſhall, at the Ballaſt Office of the ſaid Corporation, require the ſame Lighter to be re-weighed, then and in every ſuch Caſe the ſaid Corporation ſhall, within ten working Days after ſuch Requeſt made (Weather permitting) cauſe ſuch Lighter to be re-weighed by Weights provided by the ſaid Corporation; and in caſe, upon ſuch re-weighing of any ſuch Lighter, the ſame ſhall be found to be of as great Tunnage as by the Marks thereof ſhall be ſignified and denoted, then and in ſuch Caſe the Charge of ſuch re-weighing ſhall be paid by the Perſon or Perſons requiring the ſame; and in caſe ſuch Perſon or Perſons ſhall not pay the Charge of re-weighing of ſuch Lighter, within ten Days after ſuch re-weighing, then and in every ſuch Caſe the Perſon or Perſons ſo offending ſhall forfeit and pay the Sum of five Pounds; but if ſuch Lighter ſhall, upon re-weighing thereof, be found to be of leſs Tunnage than the Marks thereof denote or import, then the Charge of ſuch re-weighing ſhall be born and paid by the ſaid Corporation, who ſhall immediately, upon ſuch re-weighing, cauſe the Marks on the Stem and Stern

Lighters, on Suſpicion, to be re-weighed.

Stern of ſuch Lighter to be placed and made in ſuch Manner as to ſignify and denote the true Tunnage thereof; and in caſe the ſaid Corporation ſhall refuſe or neglect, upon ſuch Requeſt made, to have any ſuch Lighter re-weighed, or to mark the ſame according to the Directions and true Meaning of this Act, then and in every ſuch Caſe the ſaid Corporation ſhall forfeit and pay the Sum of fifty Pounds, to be recovered by Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Protection or Wager of Law, and no more than one Imparlance ſhall be allowed; one Moiety of which Penalty ſhall be applied to the Uſe of the Poor of the Pariſh where the Offence ſhall be committed, the other Moiety to the Perſon who ſhall ſue for the ſame.

Penalty on Corporation for Neglect.

IX. Provided nevertheleſs, That no more than two Lighters ſhall be required to be re-weighed within the Space of any one Week.

Two Lighters only to be re-weighed in one Week.

X. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for every or any Maſter or Commander of any Ship or Veſſel to appoint any two Perſons belonging to ſuch Ship or Veſſel (whereof the Mate to be always one) to go on board any Lighter bringing Ballaſt to ſuch Ship or Veſſel, to examine, view and inſpect the Marks at which ſuch Lighter ſwims, both before and after the Delivery of ſuch Ballaſt; and that all and every Ballaſt Man and Ballaſt Men ſhall immediately, before the Delivery of any Ballaſt to any Ship or Veſſel, trim every ſuch Ballaſt Lighter, ſo as to make the ſame ſwim at equal Marks at the Stem and Stern thereof, and pump all the Water out of the ſame; and if any Ballaſt Man or other Perſon working on board any ſuch Lighter, ſhall, from and after the tenth Day of *July* one thouſand ſeven hundred and thirty-three, obſtruct, hinder or interrupt any Perſon ſo to be appointed as aforeſaid, from going on board any ſuch Lighter, in order to examine, view and inſpect the ſame, for the Purpoſes aforeſaid, or ſhall begin to deliver the Ballaſt on board any Ship or Veſſel, before ſuch Lighter ſhall be ſo trimmed to ſwim at equal Marks as aforeſaid, and the Water pumped out of the ſame, every Perſon ſo offending, and being thereof lawfully convicted as aforeſaid, ſhall for every ſuch Offence forfeit the Sum of five Pounds.

Maſters of Ships may appoint Perſons to inſpect the Lighters Depth in Water:

Penalty on obſtructing them.

XI. And it is hereby further enacted by the Authority aforeſaid, That if any Ballaſt Man ſhall, from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, work or deliver Ballaſt in any Lighter not weighed, marked, numbred and allowed by the ſaid Corporation, or if any Ballaſt Man or other Perſon ſhall remove, alter, deface or counterfeit any of the Gauge Marks, denoting the Tunnage of any Ballaſt Lighter, or the Number of any ſuch Lighter in the Service of the ſaid Corporation, every Perſon ſo offending, and being thereof lawfully convicted as aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of ten Pounds.

Penalty on working Lighters not weighed and marked, or defacing the Gauge Marks.

XII. And it is hereby further enacted by the Authority aforeſaid, That if any Ballaſt Man ſhall, after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, demand and receive of and from any Maſter or Officer of any Ship or Veſſel, any Sum of Money, Fee or Reward, for or on Account of any Ballaſt, or the Delivery of the ſame, to or for the Uſe or Service of any ſuch Ship or Veſſel as aforeſaid, then and in ſuch Caſe, every Ballaſt Man ſo offending, and being thereof lawfully convicted in Manner laſt above mentioned, ſhall for every ſuch Offence forfeit and pay the Sum of forty Shillings.

Penalty on Ballaſt Men demanding Money of Maſters of Ships.

XIII. And it is hereby further enacted by the Authority aforeſaid, That all and every the Ballaſt Men employed or hereafter to be employed in the Service of the ſaid Corporation, ſhall, from Time to Time and at all Times hereafter, be ſubject to the Regulation and Government of the ſame Corporation; provided ſuch Regulations do not extend to the lowering the Wages of the ſaid Ballaſt Men hereby directed and appointed to be paid to them for their Labour and Work as aforeſaid.

Ballaſt Men to be ſubject to the Regulation of the Corporation, but their Wages not to be leſſened.

XIV. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *June* one thouſand ſeven hundred and thirty-three, it ſhall and may be lawful to and for any Maſter of any Ship or Veſſel, from Time to Time, to ſhip, tranſport and carry in his, their or any of their Ships or Veſſels, as Ballaſt from *London* or any Part of the River *Thames*, any Dung or Compoſt, or any Chalk, Chalk Rubbiſh, Soap-Aſhes, Soap-Waſte, Flints, Tobacco-Pipe Clay or other Clay, or any other Goods or Commodities now claimed to be furniſhed as Ballaſt by the ſaid Corporation of the *Trinity Houſe*, ſubject nevertheleſs to the Rates and Duties, Proviſoes and Reſtrictions herein after mentioned, expreſſed and contained.

Maſters of Ships, after 1 June 1733, may carry Dung, Chalk, &c. as Ballaſt,

XV. Provided always, That the Maſter or Owner of every ſuch Ship or Veſſel ſhall firſt make a due Entry at the Ballaſt Office of the *Trinity Houſe* in *London*, or with the Officer of the ſaid Corporation at *Graveſend*, of the ſaid Goods, Commodities and Things ſo licenſed and authorized to be ſhipped and tranſported, and the Name of ſuch Ship or Veſſel, and of the Maſter or Commander of the ſame.

on Entry at the Ballaſt Office, and Licence.

XVI. And it is hereby further enacted, That at the Time of ſuch Entry the Maſter or Owner of every ſuch Ship or Veſſel ſhall pay for ſuch Licence or Authority, to the ſaid Corporation, one Penny for every Tun of the ſaid Goods, Commodities and Things ſo to be entred as aforeſaid.

Allowance for Licence.

XVII. And it is hereby further enacted, That if any Maſter, Owner or Officer of any Ship or Veſſel ſhall ſhip or put on Board any Ship or Veſſel any of the ſaid Goods, Commodities and Things herein before mentioned, ſpecified and enumerated, before ſuch Entry and Payment ſhall be made as aforeſaid, or ſhall ſhip and take on board any greater Quantity thereof than what ſhall be ſo entred and paid for as aforeſaid, then and in every ſuch Caſe every Perſon or Perſons ſo offending, and being thereof lawfully convicted, upon the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the City of *London*, or the Counties of *Middleſex*, *Eſſex*, *Kent* and *Surrey*, or any of them, within their reſpective Juriſdictions, ſhall for every ſuch Offence forfeit and pay the Sum of five Pounds, whereof one Moiety ſhall go and be applied to and for the Uſe of

Penalty on carrying Goods as Ballaſt without Licence.

the Poor of the ſaid Corporation, and the other Moiety to the Perſon who ſhall inform or ſue for the ſame.

Quantity of Dung, &c. to be yearly ſhipped as Ballaſt.

XVIII. Provided alſo, That the whole Quantity of Dung and Compoſt herein before licenſed and authorized to be ſhipped and tranſported for Ballaſt as aforeſaid, for the Uſe of the Coaſters and Colliers, do not exceed the Quantity of three thouſand Tuns in any one Year, to commence and be computed from the firſt Day of *June* inclusive in every Year; and that the whole Quantity of Chalk and Chalk Rubbiſh herein before licenſed and authorized to be ſhipped and tranſported as Ballaſt as aforeſaid, for the Uſe of the Coaſters and Colliers, do not exceed the Quantity of three thouſand Tuns in any one Year, to commence and be computed as aforeſaid; and that the Quantity of Soap-Aſhes and all other Sorts of Commodities herein before licenſed and authorized to be alſo ſhipped and tranſported as Ballaſt as aforeſaid, for the Uſe of the Coaſters and Colliers, do not exceed the Quantity of two thouſand Tuns in any one Year, to commence and be computed as aforeſaid.

Entries thereof when to be made at London.

XIX. Provided alſo, That all the Entries of any of the Goods, Commodities and Things ſo licenſed, which ſhall be ſhipped and put on board any Ship or Veſſel in the laſt ſeven Days of the Month of *May* in any one Year, ſhall be made at the *Trinity-Houſe* in *London*, and not at *Graveſend* or any other Place.

After 10 July 1733, Owners of Ships may ſhip as Ballaſt, Bricks, Tiles, &c. without paying for it.

XX. Provided always, That from and after the tenth Day of *July* one thouſand ſeven hundred and thirty-three, it ſhall and may be lawful to and for any Maſter or Owner of any Ship or Veſſel, from Time to Time, to ſhip, tranſport and carry in any ſuch Ship or Veſſel, as Ballaſt from *London*, or any Part of the River of *Thames*, any Quantity of Bricks, Tiles or Lime, or any other merchandizeable Commodity, without paying any Thing to the ſaid Corporation for the ſame.

Forfeitures how to be diſpoſed of.

XXI. And it is hereby further enacted by the Authority aforeſaid, That all the pecuniary Forfeitures and Penalties ariſing and impoſed by this Act (except ſuch as are herein appointed to be applied otherwiſe) ſhall be paid, applied and diſpoſed of in the Manner and for the Purpoſes following; *videlicet*, in the firſt Place for the paying, ſatisfying and defraying the Loſſes and Damages that the ſaid Corporation of the *Trinity Houſe* ſhall ſuſtain by Reaſon or on Account of ſhort or fraudulent Tunnage being delivered to any Ships or Veſſels, or by Reaſon or on Account of any ſuch Ships or Veſſels being not ſupplied or furniſhed with the Quantity of Ballaſt directed by the Ballaſt Rulers to be delivered to ſuch Ships or Veſſels as aforeſaid, and afterwards, and ſubject thereto, for the Benefit of the Poor of the ſaid Corporation.

Two or more Juſtices to determine Offences ſubject to pecuniary Penalties.

XXII. Provided always, and it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for two or more Juſtices of the Peace for the City of *London*, or any of the four Counties above mentioned, within their reſpective Juriſdictions (not being Members of the ſaid Corporation) to hear and determine any of the Offences which are made ſubject to and puniſhable by any pecuniary Penalties directed to be levied by this Act, except ſuch Matters and Offences as are particularly directed by this Act to be otherwiſe determined; and ſuch Juſtices of the Peace are hereby authorized and required, upon any Information exhibited or Complaint made in that Behalf within ten Days after ſuch Offence committed, to ſummon the Party or Parties accuſed, and alſo the Witneſſes on either Side, and, after Oath made of the Commiſſion of any of the Facts above mentioned by one or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party offending in the ſaid City of *London*, or any of the four Counties aforeſaid, within their reſpective Juriſdictions, or upon the River of *Thames*, and upon the Appearance or Contempt of the Party accuſed in not appearing (upon the Proof of Notice given) to proceed to the Examination of the Witneſs or Witneſſes on Oath (which Oath they are hereby authorized, impowered and required to adminiſter) and to give Judgment or Sentence accordingly; and where the Party accuſed ſhall be convicted of ſuch Offence, either by the View of the ſaid Juſtices, or any of them, or upon ſuch Information as aforeſaid, or on Confeſſion of the Party accuſed, to award and iſſue Warrants for the levying the pecuniary Penalties and Forfeitures ſo adjudged on the Goods of the Offender, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in five Days, rendring to the Party the Overplus (if any there be) and where Goods of ſuch Offenders cannot be found, to commit ſuch Offender to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding the Space of three Months, or until ſuch pecuniary Penalty or Penalties ſhall be paid.

Diſtreſs on Non-payment of Forfeitures.

Juſtices may mitigate Penalties.

XXIII. Provided nevertheleſs, That it ſhall and may be lawful to and for ſuch Juſtices of the Peace from Time to Time, where they ſee Cauſe, to mitigate, compound or leſſen any of the ſaid Forfeitures or Penalties, as they in their Diſcretion ſhall think fit; ſo as ſuch Mitigation do not extend to remit above one Moiety of the Penalties inflicted and directed to be levied by this Act; and every ſuch Mitigation ſhall be a ſufficient Diſcharge to the Perſons offending reſpectively for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo leſſened, mitigated or remitted.

Appeal may be made to the Quarter-Seſſions.

XXIV. Provided alſo, That if any Perſon or Perſons ſhall find himſelf or themſelves aggrieved, or remain unſatisfied in the Judgment of the ſaid Juſtices, then ſuch Perſon or Perſons ſhall or may, by virtue of this Act, complain or appeal to the Juſtices of the Peace at the next General Quarter-Seſſions for the County, City or Place wherein ſuch Offence ſhall be committed, who are hereby impowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the ſame, and in caſe of Conviction to iſſue Warrants for levying or compelling, by ſuch Means as aforeſaid, the Payment of the ſaid Penalties and Forfeitures.

Publick Act.

XXV. And it is hereby further enacted and declared, That this Act ſhall be deemed and taken to be a publick Act, of which all Judges, Juſtices and other Perſons are to take Notice; and if any Suit or Action ſhall be brought or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act, in every ſuch Caſe the Action or Suit ſhall be commenced within three Months

after the Fact committed, and not afterwards, and ſhall be laid or brought in the County, City or Place where the Cauſe of Action ariſes, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, Not Guilty, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in Purſuance and by Authority of this Act; and if it ſhall appear ſo to be done, or if any ſuch Action or Suit ſhall be brought after the Time limited for bringing the ſame, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law. General Iſſue. Treble Coſts.

XXVI. And be it further enacted, That this Act ſhall continue and be in Force from the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-three, for and during the Space of five Years and from thence to the End of the then next Seſſion of Parliament, and no longer. Duration of this Act. Continued by 18 Geo. 2. c. 21. *And farther continued, amended and explained by* 32 *Geo.* 2. *c.* 16.

CAP. XXX.

An Act to recover and preſerve the Navigation of the River *Dee*, in the County Palatine of *Cheſter*. PR.

'WHEREAS by an Act of Parliament made in the eleventh and twelfth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act to enable the Mayor and Citizens of* Cheſter *to recover and preſerve the Navigation of the River* Dee, reciting, That the ſaid River *Dee* was thentofore navigable for Ships and Veſſels of a conſiderable Burthen from the Sea to the City of *Cheſter*, but by Neglect of the ſaid River, and for want of ſufficient Banks, Works and Fences on the Sides thereof, againſt the Flux and Reflux of the Sea, the Chanel of the ſaid River was become ſo various and uncertain, that by Sands and otherwiſe the Navigation to the ſaid City was almoſt loſt and deſtroyed, the Mayor and Citizens of the ſaid City of *Cheſter*, and their Succeſſors, were impowered to make the ſaid River navigable from the Sea to the ſaid City of *Cheſter* for Ships of one hundred Tuns or upwards; and to enable them ſo to do certain Duties in the ſaid Act mentioned were laid upon Coals, Lime and Lime Stone brought to and unloaded within the Liberties of the ſaid City, for the Term of twenty-one Years, and the Property of the Sands, Soil and Ground therein mentioned was immediately, from and after ſuch Time as the ſaid River and Chanel ſhould be made navigable and paſſable with and for ſuch Ships and Veſſels to and from the ſaid City of *Cheſter*, to be veſted in the ſaid Mayor and Citizens, and their Succeſſors for ever; and they were at Liberty to defend, incloſe and improve the ſame, and receive the Rents and Profits thereof, and apply the ſame for maintaining and repairing the intended Works and Fences, and for making, erecting and doing ſuch further and other Works, Fences and Things from Time to Time, as Occaſion ſhould require, for making and keeping the ſaid River navigable: And whereas ſeveral conſiderable Sums of Money have been laid out and expended purſuant to the ſaid Act, but the ſaid River is not made navigable, the Proviſions for making the ſame navigable by the ſaid recited Act being inſufficient, and the Time thereby granted for making the ſame navigable is now expired: And whereas the Sand, Soil and Ground not bearing Graſs, commonly called *The White Sands*, from the City of *Cheſter* to the Sea, and lying between the County of *Cheſter* on the North Side and the County of *Flint* on the South Side, are of great Breadth in moſt Places, and the ſaid River not being navigable is chiefly owing to the Breadth of the ſaid Sands and to the ſhifting of the Chanel from one Side thereof to the other, as the Winds and Tide vary: And whereas the ſaid Sand, Soil and Ground, commonly called *The White Sands*, are not nor are likely to be of any Advantage or Benefit to any Perſon whatſoever, unleſs the ſaid River be bounded in and made navigable by Sea Walls, Banks and Fences as aforeſaid, which will require a very great Expence, as well to erect as to maintain and repair from Time to Time, as Occaſion ſhall require; yet nevertheleſs, if the ſaid Sands, Soil or Ground, commonly called *The White Sands*, were recovered from the Sea by Sea Walls, Banks and Fences as aforeſaid, and the Chanel thereby confined to one certain Courſe, it would not only effectually make the ſaid River navigable, but veſting the ſaid *White Sands* in the Undertakers would be a conſiderable Encouragement to the Undertaking thereof: And whereas the making the ſaid River navigable will be a Means to advance the Trade of the ſaid City, and great Benefit will accrue thereby to the Inhabitants thereof and to the Towns and Countries adjacent or near the ſaid River, as alſo be a Means to increaſe the Number of Seamen and Watermen, and promote the publick Good of this Kingdom:' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.* 11 & 12 W. 3. c. 24.

" *N. Kinderley* and his Aſſigns impowered to make and keep navigable the River *Dee* at their own Charge. " The Names of the Undertakers appointed by *N. Kinderley* to be inrolled within 12 Months, and no " Ground cut till ſuch Inrolment. After the River ſhall be made navigable, the following Duties are to " be paid. For every Tun of Goods in every Ship coming from or going to any Place between *St. David's Head* and *Carliſle*, 6*d.* Paving Stones, Slates and Oyſters excepted. And for every Tun of " Goods in every Ship coming from or going to any Place beyond *St. David's Head* and *Carliſle*, and " not beyond the Land's End and the *Shetland Iſles*, 9*d.* And for every Tun of Goods in every Ship " coming from or going to any other Place within *Great Britain*, *Ireland*, and the *Iſle of Man*, 1*s.* 6*d.* " And for every Tun of Goods in every Ship coming from or going to any foreign Place (Pitch,

" Tar

" Tar and Timber excepted) 2*s.* And for every Tun of Pitch, Tar or Timber in every Ship coming from or going to any foreign Parts, 1*s.* And for every Tun of Goods to be carried from or brought to *Cheſter* in or from any Ship at *Park-Gate*, *Flint* or other Place within the Port of *Cheſter* and below the new Cut, 6*d.* 6*d. per* Tun only to be paid by Veſſels imployed by *London* Cheeſemongers not lading at *Cheſter*. Duties on Skins or Wool to be paid by Weight. If Veſſels laden with Cheeſe, and drawing 14 Foot Water, cannot ſafely paſs down the ſaid River, the Commiſſioners, on 14 Days Notice, are to inquire thereinto, and may order *N. Kinderley*, &c. to make a Wet Dock capable of holding 20 Ships at leaſt. Commiſſioners for adjuſting Differences. Commiſſioners Determination to be final, unleſs Application be made for a Jury within a Month. If the Juſtices of Great Seſſion certify, in 10 Days after Aſſeſſment, that the Damages aſſeſſed are too great or too little, either Party, on Payment of 50 *l.* for Charges, may have the Damage re-aſſeſſed. *N. Kinderley* to depoſit 10,000 *l.* as a Fund for anſwering Damages. No Works prejudicial to Lands, *&c.* to be begun till the Depoſit be made. After three Years the Duties liable to anſwer Damages. 20 *l.* Penalty on emptying Ballaſt to prejudice the River. Royalties and Liberties of fiſhing not to be prejudiced. If the River be not fordable on Horſeback, Commiſſioners may order two free ferry-boats. Perſons damaging the Banks or Works guilty of Felony. The Navigation not ſubject to a Commiſſion of Sewers. [Amended, and other Duties granted, by 17 Geo. 2. c. 28.] *And ſee* 26 *Geo.* 2. *c.* 35.

By 14 *Geo.* 2. *c.* 8. *the Undertakers are incorporated.*

CAP. XXXI.

An Act for the Relief of Pariſhes and other Places from ſuch Charges as may ariſe from Baſtard Children born within the ſame.

Former Proviſions concerning Baſtards 18 *Eliz.* c. 3. 7 *Jac.* 1. *c.* 4. 3 *Car.* 1. *c.* 4.

' WHEREAS the Laws now in Being are not ſufficient to provide for the ſecuring and indemnifying Pariſhes and other Places from the great Charges frequently ariſing from Children begotten and born out of lawful Matrimony:' For Remedy thereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-three, if any ſingle Woman ſhall be delivered of a Baſtard Child, which ſhall be chargeable or likely to become chargeable to any Pariſh or extraparochial Place, or ſhall declare herſelf to be with Child, and that ſuch Child is likely to be born a Baſtard and to be chargeable to any Pariſh or extraparochial Place, and ſhall in either of ſuch Caſes, in an Examination to be taken in Writing, upon Oath, before any one or more Juſtice or Juſtices of the Peace of any County, Riding, Diviſion, City, Liberty or Town Corporate, wherein ſuch Pariſh or Place ſhall lie, charge any Perſon with having gotten her with Child, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices, upon Application made to him or them by the Overſeers of the Poor of ſuch Pariſh, or by any one of them, or by any ſubſtantial Houſeholder of ſuch extraparochial Place, to iſſue out his or their Warrant or Warrants for the immediate apprehending ſuch Perſon ſo charged as aforeſaid, and for bringing him before ſuch Juſtice or Juſtices, or before any other of his Majeſty's Juſtices of the Peace of ſuch County, Riding, Diviſion, City, Liberty or Town Corporate, and the Juſtice or Juſtices before whom ſuch Perſon ſhall be brought, is and are hereby authorized and required to commit the Perſon ſo charged as aforeſaid to the common Gaol or Houſe of Correction of ſuch County, Riding, Diviſion, City, Liberty or Town Corporate, unleſs he ſhall give Security to indemnify ſuch Pariſh or Place, or ſhall enter into a Recognizance with ſufficient Surety, upon Condition to appear at the next General Quarter-Seſſions or General Seſſions of the Peace to be holden for ſuch County, Riding, Diviſion, City, Liberty or Town Corporate, and to abide and perform ſuch Order or Orders as ſhall be made in purſuance of an Act paſſed in the eighteenth Year of the Reign of her late Majeſty Queen ELIZABETH, concerning Baſtards begotten and born out of lawful Matrimony.

After 24 June 1733, the Perſon charged on Oath of being the Father of a Baſtard Child,

may be immediately apprehended,

and committed to Priſon, unleſs he give Security.

18 Eliz. c. 3.

II. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That if the Woman ſo charging any Perſon as aforeſaid ſhall happen to die, or be married before ſhe ſhall be delivered, or if ſhe ſhall miſcarry of ſuch Child, or ſhall appear not to have been with Child at the Time of her Examination, then and in any of the ſaid Caſes ſuch Perſon ſhall be diſcharged from his Recognizance at the next General Quarter-Seſſions or General Seſſions of the Peace to be holden for ſuch County, Riding, Diviſion, City, Liberty, or Town Corporate, or immediately releaſed out of Cuſtody, by Warrant under the Hand and Seal or Hands and Seals of any one or more Juſtice or Juſtices of the Peace reſiding in or near the Limits where ſuch Pariſh or Place ſhall lie.

Such Perſon on the Woman's Miſcarriage, &c. ſhall be diſcharged.

III. Provided alſo, and be it enacted by the Authority aforeſaid, That upon Application made by any Perſon who ſhall be committed to any Gaol or Houſe of Correction by virtue of this Act, or by any Perſon on his Behalf, to any Juſtice or Juſtices reſiding in or near the Limits where ſuch Pariſh or Place ſhall lie, ſuch Juſtice or Juſtices is and are hereby authorized and required to ſummon the Overſeer or Overſeers of the Poor of ſuch Pariſh, or one or more of the ſubſtantial Houſeholders of ſuch extraparochial Place, to appear before him or them at a Time and Place to be mentioned in ſuch Summons, to ſhew Cauſe why ſuch Perſon ſhould not be diſcharged; and if no Order ſhall appear to have been made in purſuance of the ſaid Act of the eighteenth Year of the Reign of her late Majeſty Queen ELIZABETH, within ſix Weeks after ſuch Woman ſhall have been delivered, ſuch Juſtice or Juſtices ſhall and may diſcharge him from his Impriſonment in ſuch Goal or Houſe of Correction to which he ſhall have been committed.

The Juſtices, on Priſoner's Requeſt, may ſummon the Overſeers, &c.

and if no Order be made within ſix Weeks after the Woman's Delivery, Priſoner to be ſet at Liberty.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Juſtice or Juſtices of the Peace to ſend for any Woman whatſoever before ſhe ſhall be delivered, and one Month after, in order to her being examined concerning her Pregnancy, or ſuppoſed Pregnancy, or to compel any Woman before ſhe ſhall be delivered to anſwer to any Queſtions relating to her Pregnancy; any Law, Uſage or Cuſtom to the contrary notwithſtanding. The Woman not to be examined relating to her Pregnancy, till one Month after her Delivery.

CAP. XXXII.

An Act to enable certain Perſons to propound the Papers importing to be the laſt Will, Codicils and teſtamentary Schedules of *Richard Norton*, late of *Southwick* in the County of *Southampton*, Eſquire, deceaſed, in the Prerogative Court of *Canterbury*, and to ſue for Adminiſtration with the ſame annexed. P R.

'WHEREAS *Richard Norton*, late of *Southwick* in the County of *Southampton*, Eſquire, departed this Life on or about the ſeventh Day of *December* in the Year of our Lord one thouſand ſeven hundred thirty and two, and ſince the Death of the ſaid *Richard Norton* there have been produced and depoſited in the Prerogative Court of *Canterbury* a certain Paper or Writing, bearing Date the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and fourteen, importing to be the laſt Will and Teſtament of the ſaid *Richard Norton*, and certain other Papers or Writings, ſeverally importing to be Codicils or teſtamentary Schedules of the ſaid *Richard Norton*: And whereas in the ſaid Paper or Writing importing to be the laſt Will and Teſtament of the ſaid *Richard Norton* there are certain Clauſes contained in the Words or to the Effect following, that is to ſay, "And after my Funeral Expences, my Legacies and Debts ſhall be fully, punctually diſcharged and "paid, I do deviſe, will and give all my Real and Perſonal Eſtates whatſoever (except as aboveſaid) in "the County of *Southampton*, with every Thing that I hold, poſſeſs or enjoy, or in any Manner, what-"ſoever it be, belonging to the ſame Real and Perſonal Eſtates, to the Poor, that is to ſay, to the "Poor, Hungry and Thirſty, Naked and Strangers, Sick and Wounded and Priſoners, and to and for "no other Uſe or Uſes whatſoever; and I do hereby make, conſtitute and appoint the Poor aboveſaid to "be my general and abſolute Heir and Heirs to the End of the World. I do preſume to make, con-"ſtitute and appoint all and every Perſon and Perſons that do, ſhall or may make or compoſe, or are "to be the ſupream Legiſlature of *Great Britain* in Parliament aſſembled, to be my Executor or Exe-"cutors of this my laſt Will and Teſtament; and if I have preſumed too high, and it be refuſed, then "and in that Caſe only I will and beſeech the moſt Reverend the Archbiſhops, together with the Right "Reverend the Biſhops of *Great Britain* or of *England* for the Time being, and all and every of "their Succeſſors, Archbiſhops and Biſhops as aforeſaid; and I do hereby conſtitute and appoint all and "every of them, all and every of their Succeſſors as aforeſaid, to be my Executor and Executors of this "my ſaid laſt Will and Teſtament; and I do will, that any five of them, whereof the Archbiſhop of "*Canterbury* to be one, ſhall and may, by any Order in Writing under their Hands and Seals, act, "order, do and fully perform and execute my true Meaning and Intent, herein declared and mentioned "to be performed, to the End of the World; and I do moſt humbly beg of them all to be zealous Ad-"vocates for the Poor as aforeſaid, to the Legiſlature of *Great Britain*; and if it ſhall happen, that at "the Time of my Deceaſe the ſupream Legiſtature aforeſaid ſhall not be held or ſitting, then I will that "the ſaid moſt Reverend and Right Reverend Fathers in God, they and every of them, their and every "of their Succeſſors as aforeſaid, or any five of them, whereof the Lord Archbiſhop of *Canterbury* to "be one, may immediately be pleaſed to take Care proviſionally of all Matters and Things herein con-"tained, and may and ſhall act, order, do and fully perform, by Order in Writing as aforeſaid, all and "every ſuch Act or Acts as ſhall by them as aforeſaid be adjudged neceſſary to be done, acted or per-"formed, according to this my laſt Will and Teſtament, until ſuch Time as the ſupream Legiſlature "aforeſaid ſhall next meet, ſit or be held:" Now to the End that the Validity of the ſaid Papers or Writings, ſo far as the ſame relate to the Perſonal Eſtate of the ſaid *Richard Norton*, may be examined and determined in the proper Eccleſiaſtical Court or Courts, and that fit Perſons may be appointed to inſtitute, proſecute and defend all Suits concerning the ſame, ſo far as the ſame relate to the Perſonal Eſtate of the ſaid *Richard Norton*, Be it enacted, *&c.* See 10 Geo. 2. c. 37.

"*M. Frecker*, *N. Paxton* and *J. Lawton* impowered to ſue for Adminiſtration. On the Death of all the "ſaid Nominees before full Adminiſtration, Eccleſiaſtical Court to appoint others. This Act not to give "greater Force to the ſaid Will, than it had before.

CAP. XXXIII.

An Act for the further Encouragement of the Whale Fiſhery carried on by his Majeſty's *Britiſh* Subjects.

'WHEREAS by an Act paſſed in the twelfth Year of his late Majeſty King GEORGE the Firſt, and by another Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for the Encouragement of the* Greenland *Fiſhery*, it is declared, That the Whale Fins, Oil and Blubber taken in the *Greenland* Seas or *Davis's Streights*, and the adjacent Seas, in *Britiſh* Ships, and imported by *Britiſh* Subjects, ſhall be free of Cuſtoms on the Conditions therein mentioned: And whereas the ſaid Encouragements have been by many Years Experience found inſufficient for the regaining of this beneficial 12 Geo. 1. c. 26. 5 Geo. 2. c. 28

'beneficial Trade, which is at preſent in great Danger of being intirely loſt, and large Quantities of Oil 'and Whale Fins are at a great Expence bought of Foreigners and annually imported into this King-'dom; it is therefore thought proper, for the further Encouragement of the Whale Fiſhery, That a 'Bounty be paid on the Return of every Ship imployed by his Majeſty's Subjects in the Whale Fiſhery, 'and licenſed as herein after is directed:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That during the Countinuance of the laſt mentioned Act every *Britiſh* Ship or Veſſel of two hundred Tuns and upwards, that ſhall proceed from any Port of *Great Britain* on the Whale Fiſhery to the *Greenland* Seas or *Davis's Streights*, and the adjacent Seas, manned and navigated as by the Laws now in Force is directed, ſhall, before ſhe proceed on ſuch Voyage, or be intitled to the Benefit of this Act, be viſited by the proper Officer or Officers of the Cuſtoms belonging to ſuch Port, who ſhall examine into ſuch Ship or Veſſel, and take an Account of the Tunnage thereof by Admeaſurement, and ſhall certify ſuch his or their Viſitation, Examination and Admeaſurement to the Commiſſioners of his Majeſty's Cuſtoms; and if it appear by the Certificate of ſuch Officer or Officers, that ſhe hath on board ſuch a Number of Men, Proviſions, Boats, Fiſhing Lines and Inſtruments to be uſed in ſuch Fiſhery, as herein aftar are mentioned, that ſhe is ſtrongly built, and otherwiſe a proper Ship for ſuch Voyage and Fiſhery, and hath on board among her Crew a ſufficient Number of Harpooneers, Steerſmen and Line Managers, who have before been imployed in ſuch Voyages (the Names of ſuch Perſons to be contained in ſuch Certificate) and if it further appear by the Oath of one or more Owner or Owners, and of the Maſter or Chief Officer of ſuch Ship, written at the Foot of ſuch Certificate, and made before the Collector and Comptroller of ſuch Port (who are hereby impowered and required to adminiſter the ſame) that it is really and truly their firm Purpoſe and determined Reſolution, that ſuch Ship ſhall, as ſoon as Licence ſhall be granted, forthwith proceed, ſo manned, furniſhed and accoutred, in a Voyage to the *Greenland* Seas or *Davis's Streights*, or the Seas adjacent, and there, in the then approaching Seaſon, to uſe the utmoſt Endeavours of themſelves and their Ship's Company to take Whales or other Creatures living in the Sea, and on no other Deſign or View of Profit in ſuch Voyage, and to import the Whale Fins, Oil and Blubber thereof into the Kingdom of *Great Britain* (naming the Port to which it is their Intention to return) and if the Maſter, after ſuch Certificate had and Oath made, do alſo become bound with two ſufficient Securities unto his Majeſty, his Heirs and Succeſſors, in the Penalty of ſuch Sum as ſhall be equal to treble the Bounty intended by this Act (which Bond the ſaid Collector, with the Approbation of the Comptroller, is hereby required to take, and is to be in Force for the Term of three Years againſt the Maſter and Sureties, for the faithful Dealing of the ſaid Maſter and Ship's Company in regard to the ſaid Ship and Voyage) then and in all ſuch Caſes it ſhall and may be lawful for any three or more of the Commiſſioners of the Cuſtoms in *England* or *Scotland* reſpectively for the Time being, on receiving ſuch Certificates and Oaths made, and it being certified to them by the Collector and Comptroller of ſuch Port, that ſufficient Security hath been given as aforeſaid, to give and grant, and they are hereby required to give and grant, to the Maſter and Owners of ſuch Ship, full Licence and Authority to proceed on ſuch Voyage as aforeſaid.

British Ships of 200 Tuns proceeding to Greenland on the Whale Fiſhery,

on Certificate of a Cuſtom-houſe Officer, as to Number of Men, Proviſions, &c.

and Oath of the Owner and Commander to proceed directly on the Voyage,

and Bond given in treble the Bounty,

to have a Licence from the Commiſſioners of the Cuſtoms for ſuch Voyage.

II. And to prevent any Diſputes that may ariſe, whether a Ship be properly qualified and duly fitted out for the Whale Fiſhery, according to the true Intent and Meaning of this Act, and intitled to a Certificate thereof from the Cuſtom-houſe Officers, It is hereby enacted, That every Ship of the Burthen of two hundred Tuns deſigned for this Fiſhery ſhall and is hereby obliged to have on board forty Fiſhing Lines of one hundred and twenty Fathom each, forty Harpoon Irons, four Boats with ſeven Men (including a Harpooneer, a Steerſman and a Line Manager to each Boat, making in the whole twenty-eight Men, beſides the Maſter and Surgeon) with ſix Months Proviſions at the leaſt for ſuch Number of Men, and every Ship of larger Burthen an Increaſe of ſix Men, one Boat, ten ſuch Lines and ten Harpoon Irons more for every fifty Tuns above the ſaid two hundred Tuns, together with Proviſions in Proportion.

Requiſites for fitting out ſuch Ships.

III. And be it further enacted by the Authority aforeſaid, That on the Return of ſuch Ship to the Port to which the Maſter and Mate declared on Oath their Intention to return, the proper Officers of the Cuſtoms at ſuch Port ſhall immediately repair on board, and view the Condition of ſuch Ship and her Lading, and certify the ſame, together with their Obſervations thereon, as alſo the real Tunnage of the ſaid Ship; and the ſaid Officers are alſo to take an Account or Schedule of the Names of the Maſter, Mate and other Perſons on board, diſtinguiſhing therein the Harpooners and Perſons more immediately imployed in the ſaid Fiſhery, and to certify the ſame, and the Maſter and Mate ſhall make Oath before the Collector and Comptroller (who are hereby impowered and required to adminiſter the ſame) on the Back of or annexed to the Licence granted as aforeſaid, which they are hereby then required to deliver up, that they did in purſuance thereof (mentioning the Day of their Departure) proceed in a Voyage directly to the Places aforeſaid, and have not ſince been on any other Voyage, or purſued any other Deſign or View of Profit, and that they did there (mentioning the Time of their Stay in thoſe Seas) uſe their utmoſt Endeavours of themſelves and their Ship's Company to take Whales and other Creatures living in thoſe Seas; and that all the Whale Fins Oil and Blubber imported (if any) in ſuch Ship was really and *bona fide* caught and taken in the ſaid Seas by the Crew of ſuch Ship only; all which Schedule, Certificate, Licence and Oath ſhall be tranſmitted by the Collector and Comptroller of ſuch Port to the reſpective Commiſſioners for that Part of *Great Britain* from whence the Ship departed with her Licence; and ſuch Commiſſioners being fully ſatisfied of the faithful Dealings of the Maſter and other Perſons imployed in ſuch Ships, with reſpect to ſuch Voyage and Fiſhery, ſhall on Demand cauſe Payment to be made to the Maſter or Owners, or to his or their Aſſigns, by the Receiver General of

The Ship on her Return to be viſited by the Officers, &c.

a Schedule made of the Perſons on board.

The Licence to be deliver'd back,

and Oath made of Whales, &c. bona fide taken,

on which Commiſſioners are to allow 20 s. per Tun.

of the Cuſtoms for that Part of *Great Britain* from whence the Ship departed, the Sum of Twenty Shillings *per* Tun, according to the Admeaſurement of ſuch Ship duly certified as aforeſaid. 13 Geo. 2. c. 28. ſect. 5. 22 Geo. 2. c. 45. ſect. 3.

'IV. And whereas the Diſpatch of Ships to the *Greenland* Seas, *Davis's Streights* and Seas adjacent on 27 *Geo.* 2. *c.* 18. § 7.
'the Whale Fiſhery muſt of Neceſſity be within the Months of *March* or *April*, and ſome *Britiſh* Ships,
'for the Sake of keeping the Men that have been taught the Art of the ſaid Fiſhery in Imploy, and to
'prevent their going into foreign Service, may have been fitted out from the River of *Thames* or other
'Parts of his Majeſty's *Britiſh* Dominions, and proceeded on the ſaid Whale Fiſhery to the *Greenland*
'Seas, or *Davis's Streights* and Seas adjacent, ſince the Commencement of this Seſſion of Parliament,
'and before the Regulations intended by this Act to be obſerved by the reſpective Owners and Maſters
'before the Sailing of any Ship or Ships to be imployed in the ſaid Trade were made, and it will
'therefore be but juſt and reaſonable, that the Bounties intended to be given on the Return of Ships
'hereafter to be fitted out on ſuch Voyage, ſhould be given alſo to the Owners of ſuch Ships already
'ſailed upon ſuch Voyage, and not yet returned;' Be it therefore enacted by the Authority aforeſaid, That if the Owner or Owners of any Ship or Ships already ſailed on the ſaid Voyage and Fiſhery reſpectively ſhall, on or before the thirtieth Day of *June* one thouſand ſeven hundred and thirty-three, make Oath before the Collector and Comptroller from whence ſuch Ship departed (who are hereby impowered and required to adminiſter the ſame) that it was the Deſign, Reſolution and expreſs Direction of the ſaid Owner or Owners reſpectively to proceed on the ſaid Voyage for the Purpoſes afore mentioned, and to import the Whale Fins, Oil and Blubber of the Whales to be caught in the ſaid Voyage into *Great Britain*, and that the ſaid Ships reſpectively were ſo properly qualified and duly fitted out for the Whale Fiſhery as aforeſaid, and ſhall enter into ſuch Bonds of ſuch Penalty, Tenor, Purport and Condition as aforeſaid, and in caſe on the Return of ſuch Ships reſpectively to *Great Britain* the Maſter or Mate, or other Chief Officer of ſuch Ships reſpectively ſhall make Oath before the ſaid Collector and Comptroller, that they did proceed on the ſaid Voyage for the Purpoſes aforeſaid, and behaved themſelves therein purſuant and in conformity to the Directions of this Act, and if the ſaid Maſter and Mate, or other Chief Officer of ſuch Ships, ſhall do and perform on their Parts all Matters and Things required by this Act to be done and performed on the Return of Ships hereafter to be employed in the ſaid Trade, then the ſaid Commiſſioners ſhall, on Demand, cauſe Payment to be made to the Maſter or Owners of ſuch of the ſaid Ships reſpectively ſo qualified and intitled as aforeſaid, or to his or their Aſſigns, by the Receiver General of the Cuſtoms for that Part of *Great Britain* whence the Ship departed, the Sum of twenty Shillings *per* Tun, according to the Admeaſurement of ſuch Ship or Ships reſpectively; any Thing in this Act contained to the contrary notwithſtanding.

Owners of Ships already ſailed making Oath by 30 June 1733, of ſuch Deſign and Qualifications, &c.

to have the ſame Allowance

Continued to 25 *Dec.* 1757, *&c.* by 22 Geo. 2. c. 45. and ſee 27 Geo. 2. c. 18. ſect. 7. *and* 28 *Geo.* 2. *c.* 20. *by which this Act is continued to* 25 *Dec.* 1764. *See farther* 13 *Geo.* 2. *c.* 28. § 5. 22 *Geo.* 2. *c.* 45. 28 *Geo.* 2. *c.* 20.

CAP. XXXIV.

An Act for reviving ſo much of the Act made in the firſt Year of his Majeſty's Reign, intituled, *An Act to oblige Ships coming from Places infected more effectually to perform their Quarentine, and for the better preventing the Plague being brought from foreign Parts into* Great Britain *or* Ireland, *or the Iſles of* Guernſey, Jerſey, Alderney, Sark *or* Man, *and to hinder the ſpreading of Infection*, as relates to the performing of Quarentine, and preventing the ſpreading of Infection, and to enable his Majeſty to prohibit Commerce with any Country or Place infected with the Plague, for a certain Time therein limited. EXP.

'WHEREAS in and by an Act of Parliament made in the firſt Year of his Majeſty's Reign, 1 Geo. 2. c. 13.
'intituled, *An Act to oblige Ships coming from Places infected more effectually to perform their Quarentine, and for the better preventing the Plague being brought from foreign Parts into* Great Britain *or* Ireland, *or the Iſles of* Guernſey, Jerſey, Alderney, Sark *or* Man, *and to hinder the ſpreading of Infection*, it was amongſt other Things enacted, That the ſaid Act, and the ſeveral Clauſes and Proviſions therein contained, ſhould commence and take Effect, from and after the firſt Day of *June* in the Year of our Lord one thouſand ſeven hundred and twenty-eight, and that the ſame, except ſo much thereof as enabled his Majeſty to prohibit or reſtrain Commerce between his Majeſty's Subjects and thoſe of any other Country or Place infected with the Plague, and the ſeveral Powers, Proviſions, Penalties, Matters and Things relating thereto, ſhould continue in Force for the Space of two Years, and from thence to the End of the then next Seſſion of Parliament, and no longer: And whereas the ſaid Act was found to be uſeful and beneficial, but is expired, and certain Places in foreign Parts being at this Time viſited with the Plague, it is become neceſſary that ſome Proviſion ſhould be made by Parliament for obliging Ships and Perſons coming from any Place ſo infected more effectually to perform Quarentine, in ſuch Manner as hath been or ſhall be ordered by his Majeſty, his Heirs or Succeſſors, and for puniſhing Offenders therein in a more expeditious Manner than can be done by the ordinary Methods of Law, and for preventing the bringing in and ſpreading of Infection:' Be it enacted, &c.

"So much of the ſaid Act as relates to the performing Quarentine, *&c.* continued 2 Years longer from "2 *June* 1733. His Majeſty, by Proclamation, before 24 *June* 1734, may forbid any Perſon to go from

" *Great Britain*, &c. to any Place infected, *&c.* or to come from any infected Place to *Great Britain*, &c. " Perſons exporting Goods contrary to Proclamation to forfeit double the Value. 500*l.* Penalty on " going to infected Places after Proclamation. Landing Goods contrary thereto, Felony without Be-
See 26 *Geo.* 2. *c.* 6. " nefit of Clergy, and Ships and Goods forfeited. Perſons procuring Goods to be imported contrary
27 *Geo.* 2. *c.* 18. " to Proclamation, to forfeit treble the Value. Reaſonable Time for Notice to be allowed in the Pro-
29 *Geo.* 2. *c.* 8. " clamation. Attainders by this Act not to extend to Corruption of Blood, *&c.*'
33 *Geo.* 2. *c.* 16.

CAP. XXXV.

An Act for appointing Commiſſioners to examine, ſtate and report who of the Sufferers in the *Charitable Corporation* are Objects of Compaſſion, according to the Deſcriptions therein mentioned; and for giving Relief to ſuch Sufferers; and for enforcing the Laws made againſt foreign Lotteries; and for impowering the ſaid Commiſſioners to hear and determine the Claims of ſuch Creditors and Proprietors of the ſaid Corporation, as have not made their Claims within the Time limited by an Act made in the laſt Seſſion of Parliament, *for taking ſtating and determining all the Claims and Demands of the Creditors of the ſaid Corporation, and of all Perſons claiming any Share or Intereſt in the Stock or Fund of the ſaid Corporation.* PR.

' WHEREAS divers of his Majeſty's Subjects have ſuſtained great Loſſes, and have been reduced ' to great Neceſſity, by the fraudulent and indirect Practices carried on in the Management of ' the Affairs of the *Charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with ſmall Sums* ' *upon Pledges, at legal Intereſt:* And by a Report delivered to both Houſes of Parliament, made by the ' Commiſſioners appointed by an Act of the laſt Seſſion of Parliament, for the taking, ſtating and de- ' termining the Claims and Demands of the Creditors of the ſaid Corporation, and all Perſons claiming ' any Share or Intereſt in the Stock of the ſame, it appears, that the whole Sum for which the Corpo- ' ration was, at the Time of ſigning the ſaid Report, anſwerable to all the Perſons who had any De- ' mands upon or were any ways intereſted in the ſaid Corporation, amounted to four hundred eighty- ' ſeven thouſand eight hundred and ninety-five Pounds fourteen Shillings and ten Pence three Farthings: ' And whereas upon Examination into the State of the Effects of the ſaid Corporation, it appears, that ' to make good the ſaid four hundred eighty-ſeven thouſand eight hundred and ninety-five Pounds ' fourteen Shillings and ten Pence three Farthings, there remains in Money and Effects no more than ' thirty-four thouſand one hundred and fifty Pounds thirteen Shillings and one Penny Half-penny; ſo
Eſtimate of Loſs. ' that the Net Loſs to the ſaid Corporation is four hundred fifty-three thouſand ſeven hundred and ' forty-five Pounds one Shilling and nine Pence Farthing, except what may be recovered from Perſons ' indebted to the ſaid Corporation, of which no Eſtimate can yet be made: And whereas it will be a ' reaſonable Act of Charity, to give ſome Relief or Satisfaction to ſuch of the Sufferers as ſhall appear ' upon Examination to be proper Objects of Compaſſion, according to the true Intent and Meaning of ' this Act:' May it pleaſe your Majeſty that may be enacted, &c.

" Commiſſioners to give in Writing the Names and Qualifications of Perſons ſeeking Relief, to the Par- " liament. The Duration of the Commiſſioners Power for 12 Months. 500,000*l.* to be raiſed by way " of Lottery at 4*l. per* Ticket. Commiſſioners to appoint the Managers of the Lottery. There ſhall " be printed 125,000 Tickets, and 28,169 Tickets ſhall be *The Fortunate Tickets*, one of 10,000*l.* one " of 5,000*l.* three of 3,000*l.* four of 2,000*l.* twenty of 1,000*l.* forty of 500*l.* two hundred of 100*l.* " four hundred of 50*l.* twelve hundred of 20*l.* twenty-ſix thouſand three hundred of 10*l.* which toge- " ther with 500*l.* to the firſt drawn Ticket, and 500*l.* to the laſt drawn, will amount to 400,000*l.* " to be repaid, and the remaining 100,000*l.* is intended to be reſerved for the Relief of the Sufferers. " The Reſidue of the Money, after paying the Fortunate Tickets and incident Charges, to be diſpoſed " of to the Sufferers, by Parliament. Penalty on ſelling Chances or Shares of Tickets, or propoſing " Schemes of the Lottery, *&c.*"

9 Geo. 1. c. 19. ' XXIX. And whereas in an Act which paſſed in the ninth Year of his late Majeſty's Reign, inti- ' tuled, *An Act to continue the Duties for Encouragement of the Coinage of Monies, and for Relief of* Wil- ' liam *late Lord* Widdrington, *and to prevent foreign Lotteries being carried on in this Kingdom, and for* ' *aſcertaining the Duty on bound Books imported, and for iſſuing Certificates and Debentures for Arrears due to* ' *five Regiments, to be ſatisfied by Annuities therein mentioned, and for diſcharging the Duties of Rock Salt loſt* ' *on the Rivers* Wear *and* Mercy, *and for limiting the Times of Continuance of Commiſſioners for forfeited* ' *Eſtates in* England *and* Scotland *reſpectively, and for appropriating the Supplies granted to his Majeſty in* ' *this Seſſion of Parliament, and to rectify Miſnomers and Omiſſions of Commiſſioners for the Land Tax in the* ' *Year one thouſand ſeven hundred and twenty-three*, Proviſion is made againſt ſelling or diſpoſing of any ' Tickets in any foreign Lottery, under the Penalty of forfeiting two hundred Pounds, and ſuffering ' one Year's Impriſonment for every ſuch Offence; yet in Evaſion of the ſaid Law, and to the great ' Prejudice and Damage of many of his Majeſty's good Subjects, ſeveral evil minded Perſons have un- ' dertaken to keep Offices for the iſſuing of Tickets or Receipts for Numbers in ſeveral foreign Lotte- ' ries, or Claſſes of ſuch Lotteries, or have made Duplicates of ſuch Lotteries, contrary to the true In- ' tent and Meaning of the ſaid Act:' For Remedy whereof, be it further enacted by the Authority aforeſaid,

aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, if any Perſon or Perſons ſhall ſell, procure or deliver any Ticket, Receipt, Chance or Number in or belonging to any foreign Lottery or pretended foreign Lottery, or in or belonging to any Claſs, Part or Diviſion of ſuch Lottery or pretended Lottery, or in or belonging to any Undertaking whatſoever in the Nature of a Lottery, or ſhall ſell, procure or deliver any Ticket, Receipt, Chance or Number in or belonging to any Duplicate or pretended Duplicate of any foreign Lottery or pretended foreign Lottery, or ſhall receive or cauſe to be received, any Money whatſoever for any ſuch Ticket, Receipt, Chance or Number, or for or in Conſideration of any Money to be repaid, in Caſe any Ticket or Tickets, Number or Numbers in any foreign Lottery or pretended foreign Lottery, or any Claſs, Part or Diviſion thereof, ſhall prove fortunate, and ſhall be convicted of any of the ſaid Offences, upon Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter* (in which no Eſſoign, Privilege, Protection or Wager of Law, or more than one Imparlance ſhall be allowed) or upon the Oath or Oaths, or Affirmation or Affirmations, of one or more credible Witneſs or Witneſſes, before two or more Juſtices of the Peace of the County, Diviſion or Liberty where ſuch Offence ſhall be committed, or the Offender ſhall be found (which Oath or Affirmation ſuch Juſtices of the Peace are hereby impowered and required to adminiſter or give) the Perſon ſo convicted ſhall, for every ſuch Offence, forfeit the Sum of two hundred Pounds, one third Part thereof to the Uſe of his Majeſty, his Heirs and Succeſſors, one third Part thereof to him, her or them who ſhall ſue for the ſame, or make Information of the Offence, and the remaining third Part thereof to the Poor of the Pariſh where ſuch Offence ſhall be committed; the ſame (in caſe of Conviction before two Juſtices) to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of ſuch Juſtices before whom ſuch Offender ſhall be convicted; and ſhall alſo, for every ſuch Offence, by the Court or by ſuch Juſtices as the Caſe ſhall happen, be committed to the County Gaol, there to remain, without Bail or Mainprize, for the Space of one whole Year, and from thence till the ſaid Sum of two hundred Pounds ſo forfeited as aforeſaid, ſhall be fully paid and ſatisfied.

200l. Penalty on Perſons ſelling or procuring Chances in foreign Lotteries after 24 June 1733. *See farther,* 12 *Geo.* 2. *c.* 28. 13 *Geo.* 2. *c.* 19. 29 *Geo.* 2. *c.* 7.

XXX. Provided nevertheleſs, That any Perſon who ſhall think him or herſelf aggrieved by the Judgment or Determination of ſuch Juſtices in any of the Caſes aforeſaid, ſhall have Liberty to appeal to the next Quarter-Seſſions to be held for the County, City or Place where ſuch Judgment or Determination ſhall be made or given, and that the Judgment to be given by the Juſtices of the next Quarter-Seſſions ſhall be final.

Appeal to the Quarter-Seſſions, whoſe Determination ſhall be final.

'XXXI. And whereas, by Reaſon of the Abſence of ſeveral Perſons, being Creditors and others of 'the ſaid Corporation, and of other Impediments and Diſabilities, their reſpective Claims could not be 'received, heard, adjuſted and determined within the Time limited and preſcribed by the Act herein 'firſt recited:' Be it therefore enacted by the Authority aforeſaid, That the ſaid *Robert Holford*, *John Bennet*, *James Lightboun*, *William Kynaſton* and *Francis Elde*, or any three or more of them, ſhall have full Power and Authority to ſtate and aſcertain the Accounts, and to hear and determine the Claims and Demands of all and every ſuch Perſon and Perſons, being Creditors of the ſaid Corporation, or intitled to any Share or Shares in the Stock or Fund of the ſaid Corporation, or any ways intereſted in any of the Effects of or belonging to the ſame, as have not made and entred their reſpective Claims in the Manner and within the Time limited, directed and preſcribed by the ſaid Act; provided the ſaid Claims be made on or before the twenty-fifth Day of *December* in the Year of our Lord one thouſand ſeven hundred and thirty-three; any Thing contained in the ſaid Act to the contrary notwithſtanding.

Relief for Claims not determined in the Time limited by the former Act.

XXXII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act, of which all Judges and Juſtices are to take Notice, and if any Action or Suit ſhall be brought againſt any Perſon for what he ſhall do in Purſuance of this Act, ſuch Action or Suit ſhall be commenced within ſix Months, and not afterwards; and ſuch Perſons ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence.

Publick Act.

Limitation of Actions.

See 7 *Geo.* 2. *c.* 11.

CAP. XXXVI.

An Act for making effectual ſuch Agreement as ſhall be made between the Charitable Corporation for Relief of induſtrious Poor, by aſſiſting them with ſmall Sums upon Pledges, at legal Intereſt, and their Creditors. P R.

Three Parts in four in Number and Value of the Corporation Creditors may, before 25 *Dec.* 1733, compound with them for Debts, whoſe Agreement ſhall be binding to the reſt of the Creditors. Such Agreement made by Truſtees, *&c.* binding to Infants.

CAP. XXXVII.

An Act for making perpetual the ſeveral Acts therein mentioned, for the better Regulation of Juries, and for impowering the Juſtices of Seſſion or Aſſizes for the Counties Palatine of *Cheſter*, *Lancaſter* and *Durham*, to appoint a Special Jury in Manner therein mentioned, and for continuing the Act for regulating the Manufacture of Cloth in the Weſt Riding of the County of *York* (except a Clauſe therein contained) and for continuing an Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and for other Purpoſes therein mentioned; and to prevent the cutting or breaking down the Bank of any River or any Sea Bank, and to prevent the malicious cutting of Hop-binds; and for continuing an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, for preventing Theft and Rapine upon the Northern Borders of *England*; and for reviving and continuing certain Clauſes in two other Acts made for the ſame Purpoſe.

'WHEREAS the Laws herein after mentioned, which have by Experience been found uſeful and beneficial, are expired or near expiring;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in third Year of the Reign of his preſent Majeſty, intituled, *An Act for the better Regulation of Juries*, and alſo one other Act made in the fourth Year of the Reign of his ſaid preſent Majeſty, intituled, *An Act to explain and amend an Act made in the third Year of his Majeſty's Reign*, intituled, *An Act for the better Regulation of Juries, ſo far as the ſame relates to the County of* Middleſex, which ſaid Acts are temporary and are near expiring, ſhall be and are hereby made perpetual.

The Acts 3 Geo. 2. c. 25. & 4 Geo. 2. c. 7. for regulating Juries, made perpetual.

II. And be it enacted by the Authority aforeſaid, That the Juſtices of the Seſſion or Aſſizes for the Counties Palatine of *Cheſter*, *Lancaſter* and *Durham*, upon Motion made on Behalf of his Majeſty, his Heirs or Succeſſors, or on Motion of any Proſecutor or Defendant in any Indictment or Information for any Miſdemeanor, or on the Motion of any Plaintiff or Plaintiffs, Defendant or Defendants, in any Action, Cauſe or Suit whatſoever, depending or to be brought and carried on in the Courts of Seſſion or Aſſize of the ſaid Counties Palatine of *Cheſter*, *Lancaſter* and *Durham*, or in any of them, ſhall and may, in caſe ſuch Juſtices in their Diſcretion ſhall think fit, order and appoint a Jury to be ſtruck before the proper Officer of each Court reſpectively, for the Trial of any Iſſue joined in any of the ſaid Caſes, in ſuch Manner as Special Juries have been uſually ſtruck in the Courts of Law at *Weſtminſter*, upon Trials at Bar had in the ſaid Courts, which Jury ſo ſtruck as aforeſaid, ſhall be the Jury returned for the Trial of ſuch Iſſue as aforeſaid.

In what Manner Juſtices of Seſſions or Aſſize for Cheſter, Lancaſter and Durham may appoint Special Juries.

See 24 *Geo.* 2. *c.* 18. *what Coſts ſhall be paid for ſpecial Jury. And farther,* 29 *Geo.* 2. *c.* 19.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the eleventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better regulating the Manufacture of Cloth in the Weſt Riding of the County of* York, and every Clauſe, Article and Thing therein contained (other than and except ſuch Part of the ſaid Act as reſtrains any Perſon, not having ſerved ſeven Years as an Apprentice to the Trade of a Broad Clothier, or not having exerciſed and uſed ſuch Trade for the Space of two Years before the Commencement of the ſaid Act, except as therein is excepted, from making or cauſing to be made any Broad Cloth in the ſaid Weſt Riding, under the Penalties therein mentioned) which ſaid Act was to continue in Force for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, and is near expiring, ſhall by Virtue of this Act be continued, and ſhall be in Force from the Expiration thereof until the firſt Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty, and from thence to the End of the then next Seſſion of Parliament and no longer.

The Act 11 Geo. 1. c. 24. relating to Cloth made in Yorkſhire, (Exception)

continued till 1 Sept. 1740. See 7 Geo. 2. c. 25. 11 Geo. 2. c. 28. 14 Geo. 2. c. 35.

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice*, which was to continue in Force for three Years from the firſt Day of *June* one thouſand ſeven hundred and twenty-three, and from thence to the End of the then next Seſſion of Parliament, and which, by an Act made in the twelfth Year of the Reign of his ſaid late Majeſty, was continued from the Expiration thereof for five Years, and from thence to the End of the then next Seſſion of Parliament, and is near expiring, ſhall be and is hereby further continued until the firſt Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, and from thence to the End of the then next Seſſion of Parliament, and no longer.

The Act 9 Geo. 1. c. 22. for preventing Perſons going in Diſguiſe, &c.

12 Geo. 1. c. 30.

further continued to 1 Sept. 1736. *Made perpetual by* 31 *Geo.* 2. *c.* 42.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, from and after the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-three, and during the Continuance of the laſt before mentioned Act, ſhall unlawfully and maliciouſly break down or cut down the Bank or Banks of any River, or any Sea Bank, whereby any Lands ſhall be overflowed or damaged, every Perſon ſo offending, being thereof lawfully convicted, ſhall

Maliciouſly demolishing Banks of Rivers, &c. Felony without Clergy.

ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy. *Made perpetual by* 31 *Geo.* 2. *c.* 42. *See* 10 *Geo.* 2. *c.* 32.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, ſhall (during the Continuance of the before mentioned Act, intituled, *An Act for the more effectual puniſhing wicked and evil diſpoſed Perſons, going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice*) unlawfully and maliciouſly cut any Hop-binds growing on Poles in any Plantation of Hops, every Perſon or Perſons ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy. Maliciouſly cutting Hop-binds Felony without Clergy. 9 Geo. 1. c. 22. 'Farther continued by 24 Geo. 2. c. 57.' *Made perpetual by* 31 *Geo.* 2. *c.* 42.

VII. And be it further enacted by the Authority aforeſaid, That an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of* England, and which by ſeveral Acts hath from Time to Time been continued, and is near expiring, ſhall be and is hereby further continued, and ſhall be and continue in Force until the firſt Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, and until the End of the then next Seſſion of Parliament. The Act 13 & 14 Car. 2. c. 22. for preventing Rapine on the N. Borders, &c. continued to 1 Sept. 1744, 'and further by 24 Geo. 2. c. 57.' *Made perpetual by* 31 *Geo.* 2. *c.* 42.

VIII. And be it further enacted by the Authority aforeſaid, That the laſt mentioned Act ſhall be deemed, adjudged and taken to be a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever. and deemed a publick Act.

'IX. And whereas in and by an Act made in the eighteenth Year of the Reign of King CHARLES 'the Second, intituled, *An Act to continue a former Act to prevent Theft and Rapine upon the Northern 'Borders of* England, the Benefit of Clergy is taken away from great, known and notorious Thieves 'and Spoil-takers in the Counties of *Northumberland* and *Cumberland*, or either of them, during the 'Continuance of the ſaid Act, who ſhould be duly convicted for Theft done or committed within the 'ſaid Counties, or either of them, or otherwiſe that it ſhould and might be lawful for the Juſtices of 'the Aſſize and Commiſſioners of *Oyer* and *Terminer* or Gaol Delivery, before whom ſuch Offenders 'ſhould be convicted within the ſaid Counties, or either of them, to tranſport or cauſe to be tranſported 'the ſaid Offenders, and every of them, into any of his Majeſty's Dominions in *America*, there to remain and not return: And whereas in and by an Act made in the twenty-ninth and thirtieth Years 'of the Reign of the ſaid King CHARLES the Second, intituled, *An Act for continuing of two former Acts* 'for preventing of Theft and Rapine upon the Northern Borders of England, the ſeveral Juſtices of the 'Peace of the ſaid reſpective Counties of *Northumberland* and *Cumberland* are impowered, from Time to 'Time, at the reſpective Quarter-Seſſions, to take good and ſufficient Security of the Perſon or Perſons 'by them employed in the ſaid Service for the Preſervation of the ſaid reſpective Counties from Theft 'and Rapine, to anſwer the Damages ſuſtained by any Perſon or Perſons by his or their Neglect or 'Default therein, and to pay and ſatisfy the ſame within four Months after that Proof thereof ſhould 'have been made by the Oath of one or more credible Witneſs or Witneſſes, before the Juſtices of 'the Peace of the ſaid reſpective Counties, at the next Quarter-Seſſions in the reſpective County (which 'Oath or Oaths the ſaid Juſtice or Juſtices are thereby authorized to adminiſter) ſo as the Goods ſtolen 'were entred in one of the Books to be kept for that Purpoſe, within the Space of forty-eight Hours 'after the ſame ſhould have been ſtolen or gone: And it is thereby enacted, that Books ſhould be 'kept for that End in every Market Town of the ſaid reſpective Counties, and at ſuch other conve-'nient Places therein, and by ſuch Perſon or Perſons as the ſaid Juſtices of the Peace in the ſaid re-'ſpective Counties, at their General Seſſions of the Peace, ſhould order or appoint, and alſo that the 'ſaid ſeveral Juſtices of the Peace of the ſaid reſpective Counties, at the General Quarter-Seſſions of 'the Peace for the ſaid Counties reſpectively, ſhould yearly, or every two Years at the fartheſt, in 'open Court, make choice of and appoint ſuch Perſon or Perſons, as they ſhould reſpectively think 'fit, for the ſaid Counties reſpectively, to be employed in the ſaid Service; which ſaid ſeveral Clauſes, 'Powers and Authorities, have by Experience been found uſeful and beneficial, and are expired:' Be it therefore enacted by the Authority aforeſaid, That all and every the ſeveral herein before mentioned Clauſes, Powers and Authorities in the ſaid ſeveral Acts, for the preventing of Theft and Rapine upon the Northern Borders of *England*, contained, ſhall be and are hereby revived, from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, and ſhall continue in Force until the firſt Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, and from thence to the End of the then next Seſſion of Parliament and no longer. Powers in the Acts 18 Car. 2. c. 3. and 29 & 30 Car. 2. c. 2. concerning ſuch Rapine, continued to 1 Sept. 1744.

X. And be it further enacted by the Authority aforeſaid, That the ſaid ſeveral Acts, as to the ſaid herein before mentioned Clauſes, Powers and Authorities in the ſaid ſeveral Acts, for the preventing of Theft and Rapine upon the Northern Borders of *England*, contained, ſhall be deemed, adjudged and taken to be publick Acts, and be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever. and be deemed publick Acts.

CAP. XXXVIII.

An Act for enlarging the Time for Exportation of Tea. EXP.

'WHEREAS by an Act paſſed in the ſeventh Year of the Reign of his late Majeſty King 'GEORGE, intituled, *An Act for the further preventing his Majeſty's Subjects from trading to the* 'East-Indies *under foreign Commiſſions, and for encouraging and further ſecuring the lawful Trade thereto,* 7 Geo. 1. Stat. 1. c. 21.

'*and*

'*and for further regulating the Pilots of* Dover, Deal *and the Iſle of* Thanet, the reſpective Times then 'limited by Law for the Exportation of all foreign Goods and Merchandizes intitled to Drawbacks, 'were extended and enlarged to the Time of three Years from the Importation of ſuch Goods: And 'whereas the above mentioned Time of three Years hath by Experience been found inconvenient, and 'too ſhort for the Exportation of Tea:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three it ſhall and may be lawful to export to foreign Parts any Tea lawfully imported, and then remaining in the Warehouſe or Warehouſes of the United Company of Merchants of *England* trading to the *Eaſt-Indies*, ſo as the ſame be exported within the Space of three Years, to be computed from the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, and ſo as the ſame do remain in the ſaid Warehouſe or Warehouſes of the ſaid Company, until the ſame ſhall be duly delivered out for the Exportation thereof, and that the ſame Repayments, Allowances and Drawbacks ſhall be made and allowed for and upon the Exportation thereof as are made and allowed upon the Exportation thereof purſuant to the Laws for that Purpoſe now in Force.

After 24 June 1733, Tea lawfully imported, and then remaining in the Ware-houſes of the Eaſt-India Company, may be exported in 3 Years,

II. Provided nevertheleſs, That all and every the Laws now in Force relating to the Exportation of Tea, or to the Repayments, Allowances or Drawbacks upon the Exportation thereof, be, in every Circumſtance and Reſpect not altered by this Act, duly complied with and obſerved.

on due Compliance to all Laws touching ſuch Exportation, not hereby altered.

Anno ſeptimo GEORGII II.

'AT the Parliament begun and holden at *Weſtminſter* the twenty-third Day of *January*, *Anno Domini* one thouſand ſeven hundred and twenty-ſeven, in the firſt Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, 'Defender of the Faith, &c. and from thence continued by ſeveral Prorogations to the ſeventeenth Day 'of *January* one thouſand ſeven hundred and thirty-three, being the ſeventh Year of His ſaid Majeſty's Reign, and the ſeventh Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-four; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders loſt, burnt, or otherwiſe deſtroyed. EXP.

CAP. II.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for exhibiting a Bill in this preſent Parliament, for naturalizing his Highneſs the Prince of *Orange*.

'WHEREAS the King's moſt Excellent Majeſty (whom God long preſerve) hath been pleaſed, 'to the univerſal Joy and Satisfaction of his People, and for the better ſtrengthening of the Proteſtant Intereſt in *Europe*, to give his eldeſt Daughter the Princeſs Royal, poſſeſſing the moſt exalted 'Virtues, and adorned with all poſſible Accompliſhments, in Marriage to his Highneſs the Prince of '*Orange*, deſcended from that illuſtrious Houſe to whom this Nation owes its Deliverance from Popery 'and Slavery, and to whoſe Memory this Kingdom will always expreſs the utmoſt Gratitude for the 'many Bleſſings we enjoy, particularly for the happy Settlement of the Crown upon the preſent Royal 'Family: And whereas a more grateful Proof of the Eſteem and Affection of this Kingdom cannot 'be given to the Heir of that illuſtrious Family, and the Inheritor of their Virtues, than by an Act of 'Naturalization to make him capable of enjoying thoſe Rights and Liberties, which our great Deliverer preſerved to theſe Kingdoms: And whereas, by an Act made in the ſeventh Year of the 'Reign of King JAMES the Firſt, every Perſon is required to receive the Sacrament of the Lord's Supper 'within One Month before any Bill of Naturalization be exhibited, and alſo to take the Oaths of 'Supremacy and Allegiance in the Parliament Houſe before his or her Bill be twice read: And 'whereas, by an Act paſſed in the firſt Year of his late Majeſty King GEORGE, it was enacted, That no 'Perſon ſhall be naturalized, unleſs, in the Bill exhibited for that Purpoſe, a Clauſe or particular 'Words be inſerted to declare, that ſuch Perſon ſhall not thereby be enabled to be of the Privy 'Council, or a Member of either Houſe of Parliament, or to take any Office or Place of Truſt, 'either

7 Jac. 1. c. 2.

1 Geo. 1. ſtat. 2. c. 4.

'either Civil or Military, or to have any Grant of Lands, Tenements, or Hereditaments, from the 'Crown to himſelf, or any other Perſon in Truſt for him; and that no Bill ſhould from thence-'forth be received in either Houſe of Parliament, unleſs ſuch Clauſe or Words be firſt inſerted or 'contained therein;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That a Bill for the Naturalization of his Highneſs the Prince of *Orange*, without the Clauſe or particular Words directed by the ſaid laſt recited Act to be inſerted, and without his receiving the Sacrament, or taking the Oaths by the firſt recited Act required, ſhall and may be exhibited and brought into this Parliament, and twice read; the ſaid recited Acts, or any other Law, Statute, Matter, or Thing whatſoever to the contrary notwithſtanding.

A Bill for naturalizing the Prince of Orange may be exhibited, without his conforming to the ſaid Acts.

CAP. IV.

An Act for naturalizing the moſt Serene Prince *William Charles Henry Friſo*, Prince of *Orange* and *Naſſau*.

'WHEREAS the King's moſt Excellent Majeſty (whom God long preſerve) hath been pleaſed, 'to the univerſal Joy and Satisfaction of his People, and for the better ſtrengthening of the 'Proteſtant Intereſt in *Europe*, to give his eldeſt Daughter the Princeſs Royal, poſſeſſing the moſt ex-'alted Virtues, and adorned with all poſſible Accompliſhments, in Marriage to his moſt Serene High-'neſs *William Charles Henry Friſo*, Prince of *Orange* and *Naſſau*, deſcended from that illuſtrious Houſe, 'to which this Kingdom owes its Preſervation from Popery and Slavery, effected by their Glorious De-'liverer King WILLIAM the Third, to whoſe Memory this Nation will always expreſs the utmoſt Gra-'titude for the many Bleſſings they enjoy, particularly for the happy Settlement of the Crown upon 'the preſent Royal Family: And whereas a more grateful Proof of the Eſteem and Affection of this 'Nation cannot be given to the Heir of that illuſtrious Family, and the Inheritor of its Virtues, than 'by an Act of Naturalization to make him capable of enjoying thoſe Rights and Liberties, which their 'great Deliverer ſo happily reſcued and ſecured:' We therefore your Majeſty's moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Prince, his moſt Serene Highneſs *William Charles Henry Friſo*, Prince of *Orange* and *Naſſau*, be, to all Intents and Purpoſes whatſoever, deemed, taken, and eſteemed a natural-born Subject of this Kingdom, as if the ſaid Prince had been born within this Realm; any Law, Statute, Matter, or Thing whatſoever to the contrary notwithſtanding.

The Prince of Orange ſhall be deemed a natural-born Subject of this Kingdom.

CAP. V.

An Act for enlarging the Term and Powers granted by an Act paſſed in the ſixth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for laying a Duty of two Pennies Scots, or one ſixth Part of a Penny Sterling, upon every Pint of Ale or Beer that ſhall be vended or ſold within the Town of* Montroſe, *and Privileges thereof, for ſupplying the ſaid Town with Freſh Water, and for other Purpoſes therein mentioned.* PR.

The Powers granted by Act 6 Geo. 1. c. 7. further continued for 25 Years.

CAP. VI.

An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſeven Years; and for licenſing the erecting new Refineries of Rock Salt in the Counties of *Eſſex* and *Suffolk*. "The Duties on Salt granted by 5 *Geo.* 2. *c.* 6. further continued for "7 Years. Clauſe of Loan for one million, at 4 *l. per Cent.*" EXP.

5 Geo. 2. c. 6.

XVII. 'AND whereas by an Act made in the firſt Year of the Reign of the late Queen ANNE, it is enacted, That no Rock Salt whatſoever ſhall be refined or made into White Salt 'in any Place or Places whatſoever within the Kingdom of *England*, Dominion of *Wales*, or Town of '*Berwick* upon *Tweed*, except in ſuch Places as are or ſhall be within ten Miles Diſtance of the re-'ſpective Pit or Pits from whence ſuch Rock Salt ſhall be taken, or at any ſuch Places as on or be-'fore the tenth Day of *May*, one thouſand ſeven hundred and two, ſhall have been uſed for the refi-'ning of Rock Salt, under a Penalty therein expreſſed: And whereas there has been anciently and are 'now Houſes or Places in which Rock Salt has been and is refined or made into White Salt, at *Hey-'bridge*, *Colcheſter*, and *Maningtree*, in the County of *Eſſex*, at *Ipſwich*, *Woodbridge*, *Walderſwick*, and '*Southwold*, in the County of *Suffolk*, and thoſe Places, and the Country thereabouts, having no Op-'portunity of being ſupplied with other Salt than Salt refined or made from Rock Salt, and as it may 'happen that the Refiners of Rock Salt at thoſe Houſes or Places may not make ſufficient Quantities of 'White Salt to ſupply the Country thereabouts, or may hold up what they do make to an exorbitant 'Price, knowing no other Perſon whatſoever can, by reaſon of the above recited Act, erect or ſet up 'any new Refinery;' For Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-four, it ſhall and may be lawful to and for the Commiſſioners and Governors for levying and managing his Majeſty's Duties on Salt and Rock Salt for the time being, or the major Part of them, to permit or licenſe any Perſon or Perſons to erect, ſet up, or make uſe of any Houſe, Building, or Place proper for the Refining of Rock

After 24 March, 1734, the Commiſſioners for Salt Duties may grant Licences for one Refinery of Rock Salt at *Heybridge*, *Colcheſter*, &c.

Rock Salt, and making it into White Salt, ſo as the Number to be new erected, ſet up, made uſe of, and licenſed, do not exceed one at each of the ſaid Places; that is to ſay, at *Heybridge*, *Colcheſter*, *Maningtree*, *Ipſwich*, *Woodbridge*, *Walderſwick*, and *Southwold*, at each one; and the ſaid Commiſſioners, or the major Part of them, are hereby required, upon due Requeſt made to them from the Juſtices of the Peace at the General Quarter-Seſſions held for the County, Riding, Diviſion, or Town neareſt to any of the Places afore-named, to permit and licenſe the erecting or ſetting up ſuch new Refineries as before recited; and ſuch Permits or Licences from the Commiſſioners being granted in manner as aforeſaid, it ſhall and may be lawful for Rock Salt to be melted, refined, and made into White Salt in ſuch Houſes or Places as ſhall be ſo licenſed as aforeſaid; any thing in the ſaid Act, or any other Law or Statute to the contrary notwithſtanding; ſo as the ſaid Houſes or Places be duly entred with the proper Officers for collecting His Majeſty's Duties on Salt, and ſo as His Majeſty's Duties for all the Salt ſo refined or made into White Salt be duly charged, anſwered, and paid to His Majeſty's Uſe.

ſo as his Majeſty's Duties be ſecured.

See farther, 8 *Geo.* 2. *c.* 12. 14 *Geo.* 2. *c.* 22. 26 *Geo.* 2. *c.* 3 & 32.

CAP. VII.

An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred thirty and four. EXP. 2s. in the Pound.

CAP. VIII.

An Act to prevent the infamous Practice of Stock-jobbing.

'WHEREAS great Inconveniencies have ariſen and do daily ariſe by the wicked, pernicious 'and deſtructive Practice of Stock jobbing, whereby many of His Majeſty's good Subjects have 'been and are diverted from purſuing and exerciſing their lawful Trades and Vocations, to the ut'ter Ruin of themſelves and Families, to the great Diſcouragement of Induſtry, and to the manifeſt 'Detriment of Trade and Commerce;' For Remedy thereof, may it pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Contracts and Agreements whatſoever, which ſhall, from and after the firſt Day of *June* one thouſand ſeven hundred and thirty-four, be made or entred into, by or between any Perſon or Perſons whatſoever, upon which any Premium or Conſideration in the Nature of a Premium ſhall be given or paid for Liberty to put upon, or to deliver, receive, accept, or refuſe any Publick or Joint Stock, or other Publick Securities whatſoever, or any Part, Share, or Intereſt therein, and alſo all Wagers and Contracts in the Nature of Wagers, and all Contracts in the Nature of Putts and Refuſals, relating to the then preſent or future Price or Value of any ſuch Stock or Securities, as aforeſaid, ſhall be null and void to all Intents and Purpoſes whatſoever, and all Premiums, Sum or Sums of Money whatſoever, which ſhall be given, received, paid, or delivered, upon all ſuch Contracts or Agreements, or upon any ſuch Wagers, or Contracts in the Nature of Wagers, as aforeſaid, ſhall be reſtored and repaid to the Perſon or Perſons who ſhall give, pay, or deliver the ſame, who ſhall be at Liberty, within Six Months from and after the making ſuch Contract or Agreement, or laying any ſuch Wager, to ſue for and recover the ſame from the Perſon or Perſons to whom the ſame is or ſhall be paid or delivered, with Double Coſts of Suit, by Action of Debt founded on this Act, to be proſecuted in any of His Majeſty's Courts of Record, in which Action no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and it ſhall be ſufficient therein for the Plaintiff to alledge that the Defendant is indebted to the Plaintiff, or has received to the Plaintiff's Uſe, the Money or Premium ſo paid or received, whereby the Plaintiff's Action accrued to him, according to the Form of this Statute, without ſetting forth the ſpecial Matter.

All Contracts made after 1 June 1734, for Liberty to put upon, accept, or refuſe any Publick Stocks or Securities, and Wagers relating to the Value of Stocks, ſhall be void,

and the Money paid thereon, reſtored, or may be recovered by Action commenced in 6 Months, with Double Coſts.

II. And for the better Diſcovery of the Monies or Premium which ſhall be given, paid, or delivered, and to be ſued for and recovered, as aforeſaid; it is hereby further enacted by the Authority aforeſaid, That all and every the Perſon or Perſons who, by virtue of this preſent Act, ſhall or may be liable to be ſued for the ſame, ſhall be obliged and compellable to anſwer upon Oath ſuch Bill as ſhall be preferred againſt him or them in any Court of Equity for diſcovering any ſuch Contract or Wager, and the Sum of Money or Premium ſo given, paid, or delivered, as aforeſaid.

Perſons ſued on this Act obliged to anſwer on Oath with Regard to ſuch Contract.

III. Provided always, That the Plaintiffs, Relators, or Informers in ſuch Bill ſhall and do (at the Time of bringing or filing ſuch Bill) give good and ſufficient Security to anſwer and pay the Defendants in ſuch Bill full Coſts of Suit, in caſe ſuch Coſts ſhall be adjudged to the Defendants, and that no Perſon ſhall be obliged to appear or to anſwer ſuch Bill, until ſuch Security is given.

Plaintiffs, on filing a Bill, to give Security for anſwering Coſts; otherwiſe the Defendant may refuſe to appear.

IV. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons whatſoever, who ſhall enter into, make, or execute any ſuch Contract, Bargain, or Agreement, upon which any Premium, or Conſideration in the Nature of a Premium, ſhall be given or paid for Liberty to put upon or to deliver, receive, accept, or refuſe any Publick or Joint Stock, or other Publick Securities whatſoever, or any Part, Share, or Intereſt therein, or any Contract or Bargain in the Nature of Putts and Refuſals, as aforeſaid, or ſhall lay any ſuch Wager, or make any ſuch Contract in the Nature of a Wager, as aforeſaid (except ſuch Perſon or Perſons who ſhall actually and *bona fide*, without Covin or Colluſion, ſue, and with Effect proſecute for the Recovery of the Money or Premium given, delivered, or paid by him, her, or them, as aforeſaid; and alſo except ſuch Perſon or Perſons, who

500l. Penalty on making or executing any ſuch Putts or Bargains.

Exceptions.

ſhall

ſhall voluntarily, before any Action or Suit commenced, actually and *bona fide*, without Covin or Colluſion, repay or tender, before one or more Witneſs or Witneſſes, ſuch Monies or Premium, as he, ſhe, or they ſhall have had, taken, received, or been paid, as aforeſaid; and alſo except ſuch Perſons who ſhall diſcover ſuch Tranſactions in any Court of Equity, ſhall forfeit and pay the Sum of five hundred Pounds; and alſo all and every Brokers, Agents, Scriveners, or other Perſons negotiating, tranſacting, or writing any ſuch Contract, Bargain, or Agreement, as aforeſaid, ſhall likewiſe forfeit and pay the Sum of five hundred Pounds; which ſaid Penalties ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Privilege, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety thereof to the Uſe of His Majeſty, His Heirs, and Succeſſors, and the other Moiety thereof to the Uſe of him, her or them, who ſhall ſue for the ſame.

100 l. Penalty on giving or receiving Money to compound Differences relating to Stock not actually delivered.

V. And for preventing the evil Practice of compounding or making up Differences for Stocks or other Securities bought, ſold, or at any Time hereafter to be agreed ſo to be, Be it further enacted by the Authority aforeſaid, That no Money or other Conſideration whatſoever (except as herein after is provided) ſhall, from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-four, be voluntarily given, paid, had, or received, for the compounding, ſatisfying, or making up any Difference for the not delivering, transferring, having, or receiving any Publick or Joint Stock, or other Publick Securities, or for the not performing of any Contract or Agreement ſo ſtipulated and agreed to be performed; but that all and every ſuch Contract and Agreement ſhall be ſpecifically performed and executed on all Sides, and the Stock or Security thereby agreed to be aſſigned, transferred, or delivered, ſhall be actually ſo done, and the Money, or other Conſideration thereby agreed to be given and paid for the ſame, ſhall alſo be actually and really given and paid; and all and every Perſon and Perſons whatſoever, who ſhall, from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-four, voluntarily compound, make up, pay, ſatisfy, take, or receive, ſuch Difference Money, or other Conſideration whatſoever, for the not delivering, transferring, aſſigning, having, or receiving ſuch Stock, or other Security ſo to be agreed to be delivered, transferred, aſſigned, had, or received, as aforeſaid (except in the Manner herein after provided) ſhall forfeit and pay the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Privilege, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety thereof to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety thereof to the Uſe of him, her or them, who ſhall ſue for the ſame.

Stock ſold, and not paid for at the Time prefixed, may be ſold to any other Perſons, and the Buyer to make good the Damage.

VI. Provided nevertheleſs, That no Perſon or Perſons, who ſhall ſell any Publick or Joint Stock, or other Publick Securities, to be delivered and paid for on a certain Day, and which ſhall be refuſed or neglected to be paid for, according to ſuch Agreement, ſhall be obliged to transfer the ſame; but it ſhall and may be lawful for ſuch Perſon or Perſons to ſell ſuch Stock or other Securities, which ſhall be ſo refuſed or neglected to be paid for, to any other Perſon or Perſons for the beſt Price which can be obtained; and after ſuch Sale to receive (if the Parties can agree) or to recover, as aforeſaid, from the Perſon or Perſons who firſt contracted for the ſame, all the Damage which ſhall be ſuſtained thereby.

Stock bought, and not transferred at the Time prefixed, the Buyer may purchaſe other Stock, and recover his Damage.

VII. And provided alſo, That it ſhall and may be lawful to and for any Perſon or Perſons, who ſhall buy any Publick or Joint Stock, or other Publick Securities, to be accepted and paid for on a future Day, and which ſhall be refuſed or neglected to be transferred, to buy the like Quantity of ſuch Stock, or other Publick Securities, of any other Perſon or Perſons at the current Market Price, and to recover and receive, after ſuch Purchaſe and Acceptance (if the Parties can agree) from the Perſon or Perſons who firſt contracted to ſell or deliver the ſame, the Damage which ſhall be ſuſtained by reaſon of the not delivering or not transferring ſuch Stock or other Securities; any thing in this Act, or any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

500 l. Penalty on buying or ſelling Stock, of which they are not actually poſſeſſed at the Time of the Contract.

'VIII. And whereas it is a frequent and miſchievous Practice for Perſons to ſell and diſpoſe of 'Stocks, or other Securities, of which they are not poſſeſſed:' Be it therefore further enacted by the Authority aforeſaid, That all Contracts and Agreements whatſoever, which ſhall, from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-four, be made or entred into for the buying, ſelling, aſſigning, or transferring of any Publick or Joint Stock or Stocks, or other Publick Securities whatſoever, or of any Part, Share, or Intereſt therein, whereof the Perſon or Perſons contracting or agreeing, or on whoſe Behalf the Contract or Agreement ſhall be made, to ſell, aſſign, and transfer the ſame, ſhall not, at the Time of making ſuch Contract or Agreement, be actually poſſeſſed of, or intitled unto, in his, her, or their own Right, or in his, her, or their own Name or Names, or in the Name or Names of a Truſtee or Truſtees to their Uſe, ſhall be null and void to all Intents and Purpoſes whatſoever; and all and every Perſon and Perſons whatſoever, contracting or agreeing, or on whoſe Behalf, and with whoſe Conſent, any Contract or Agreement ſhall be made, to ſell, aſſign, or transfer any Publick or Joint Stock or Stocks, or other Publick Securities, whereof ſuch Perſon or Perſons ſhall not, at the Time of making ſuch Contract or Agreement, be actually poſſeſſed of, or intitled unto, in his, her, or their own Name or Names, or in the Name or Names of a Truſtee or Truſtees, to their Uſe, or their own Right, as aforeſaid, ſhall forfeit and pay the Sum of five hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Privilege, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety thereof to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to the Uſe of him, her, or them who ſhall

100l. Penalty on Brokers negociating ſuch Contract.

ſue for the ſame; and all and every Broker or Brokers, Agent or Agents, who ſhall negotiate, tranſact, or intermeddle in the making or procuring to be made any ſuch Contract or Agreement, as aforeſaid, and ſhall know that the Perſon or Perſons, by whom or on whoſe Behalf ſuch Contract or Agreement ſhall be made, is or are not poſſeſſed of, or intitled unto, the Stock or Security, concerning which ſuch Contract or Agreement ſhall be made, in his, her, or their own Name or Names, or in the Name or Names of a Truſtee or Truſtees for their Uſe or Right, ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Privilege, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety thereof to the Uſe of his Majeſty, his Heirs, and Succeſſors, and the other Moiety thereof to the Uſe of him, her, or them, who ſhall ſue for the ſame.

After 1 June 1734, all Contracts for Stock to be truly entred in the Brokers Book,

IX. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-four, all and every Broker or Brokers, or other Perſon or Perſons, who ſhall negotiate or act as a Broker receiving Brokerage, in the buying, ſelling, or otherwiſe diſpoſing of any of the ſaid Publick or Joint Stocks, or other Publick Securities, ſhall reſpectively keep a Book or Regiſter, which ſhall be called *The Brokers Book*; in which ſaid Book he and they ſhall fairly, juſtly, and truly enter all Contracts, Agreements and Bargains, that he or they ſhall from time to time make between any Perſon or Perſons whatſoever, on the Day of the making ſuch Contract or Agreement, together with the Names of the principal Parties, as well Buyers as Sellers, and alſo the Day of making ſuch Contract or Agreement, to the Intent and Purpoſe that ſuch Broker or Brokers, and other Perſon or Perſons, acting or negotiating as ſuch, as aforeſaid, ſhall from time to time produce ſuch Book or Regiſter, when thereunto lawfully required: And in caſe ſuch Broker or Brokers, or any other, who ſhall negotiate or act as a Broker, as aforeſaid, in relation to any the ſaid Matters, ſhall not keep ſuch Book or Regiſter, or ſhall wilfully omit to enter therein, fairly, juſtly, and truly, any ſuch Contract, Bargain or Agreement, as aforeſaid, he or they ſhall, for every ſuch Offence or Omiſſion, forfeit and pay the Sum of fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Privilege, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety thereof to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to the Uſe of him, her, or them, who ſhall ſue for the ſame.

50l. Penalty of for each Offence.

Contracts for Stock made with the Privity of the Accountant of the Chancery may be made as before.

X. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Contracts or Agreements for the Purchaſe or Sale of any Stock, Annuities, or other Publick Securities, to be made with the Privity of the Accountant General of the Court of *Chancery*, in purſuance of any Decree or Order of the ſaid Court; but that all ſuch Contracts and Agreements may be made and performed in the ſame Manner as they might have been, if this Act had never been made.

This Act not to hinder Perſons from lending Money on Publick Stocks, or prevent the re-delivering thereof, on Repayment of the Money lent.

XI. Provided alſo, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to hinder or prevent any Perſon or Perſons from lending any Sum or Sums of Money on any Publick or Joint Stock or other Publick Securities whatſoever, or any Part, Share, or Intereſt therein, or to prevent or hinder any Defeazance, Contract, or Agreement, being made and entered into for the re-delivering, aſſigning, or transferring ſuch Publick or Joint Stock, or other Publick Securities, or any Part, Share, or Intereſt therein, upon the Repayment of the Sum or Sums of Money, which ſhall have been lent and borrowed thereupon, with Intereſt for the ſame, ſo as no Premium or other Conſideration whatſoever be paid to, or received by the Perſon or Perſons lending ſuch Money, for or in Conſideration of ſuch Loan, more than legal Intereſt.

This Act to be in Force from 1 June 1734, for 3 Years. ' Made perpetual by 10 Geo. II. c. 8.'

XII. Provided alſo, and be it further enacted by the Authority aforeſaid, That this preſent Act ſhall continue and be in Force from the ſaid firſt Day of *June* one thouſand ſeven hundred and thirty-four, for the Term of Three Years, and from thence to the End of the then next Seſſion of Parliament, and no longer.

CAP. IX.

An Act to explain and make more effectual the Laws in being, to oblige the Poſſeſſors of Lands adjacent to common Highways, to cut and keep low ſuch Hedges as are adjoining to the ſaid Highways.

For former Laws refer to 13 *Ed.* 1. *ſt.* 2. *c.* 5. ' 2 & 3 *P. & M. c.* 8. ' 5 *Eliz. c.* 13. ' 18 *Eliz. c.* 10. ' 29 *Eliz. c.* 5. ' 13 & 14 *Car.* 2. *c.* 6. ' 22 *Car.* 2. *c.* 12. ' 3 *W. & M. c.* 12. ' 8 & 9 *W.* 3. *c.* 16.

After 24 June 1734, Surveyors may make a Preſentment of Hedges annoying the Roads,

WHEREAS the making the common Highways as commodious as may be, tends greatly to the Eaſe and Safety of His Majeſty's Subjects, and to the Advantage of Trade and Commerce: And whereas in many Places the common Highways are greatly damaged by the Hedges adjoining thereto, being of ſuch Height as to hinder thereby the Advantages which would otherwiſe accrue to the ſaid Highways by the Sun and Winds: And whereas ſome Doubts have ariſen, whether in ſuch Caſes the Laws in being have provided a ſufficient Remedy;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if the Surveyor or Surveyors of the Highways, on any View or Views which they are required by Law to make of the Highways within their reſpective Pariſhes, Places, Limits, and Juriſdictions, ſhall, after the twenty-fourth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-four, find

any

any common Highway deep and foundrous, and the Hedge or Hedges adjoining to ſuch Higway to be ſo high, as thereby to prevent the Benefit and Advantage which ſuch Highway would otherwiſe receive from the Sun and Winds, it ſhall and may be lawful for ſuch Surveyor or Surveyors, and he or they are hereby required, to make a Preſentment of ſuch Hedge or Hedges, ſo damaging and annoying ſuch common Highway, to the Juſtices of the Peace who live in or near the Diviſion where the ſaid Highway is, at their ſpecial Seſſions held for ſuch Purpoſes; which Juſtices of the Peace, or any Two of them, are hereby impowered, by Warrant under their Hands and Seals, to ſummon the Occupier or Occupiers of the Lands adjoining to ſuch Highways, whoſe Hedge or Hedges is or are preſented as aforeſaid, to appear at the next monthly or other publick Meeting of the Juſtices of the Peace, in or near the ſaid Diviſion, to ſhew Cauſe why ſuch Hedge or Hedges ſhould not be new made or cut low; and in caſe ſuch Perſon or Perſons, ſo ſummoned as aforeſaid, ſhall refuſe or neglect to appear, or to ſend ſome Perſon duly authorized to appear for them, according to ſuch Summons; or if it ſhall appear upon due Examination and Proof upon Oath before the ſaid Juſtices, that ſuch Way is deep and foundrous, and damaged as aforeſaid, by the Height of ſuch adjoining Hedge or Hedges, the ſaid Juſtices of the Peace, or any Two of them, are hereby required to iſſue out a Precept under their Hands and Seals, to the Surveyor or Surveyors of the Highways of the Pariſh or Place where ſuch Hedge or Hedges ſo preſented is or are ſituated, directing ſuch Surveyor or Surveyors to give or leave Notice in Writing at the Dwelling-houſe or uſual Place of Abode of ſuch Perſon or Perſons, whoſe Hedge or Hedges was or were preſented as aforeſaid, that he, ſhe, or they, is or are thereby required to new make or cut low the ſaid Hedge or Hedges, within thirty Days after ſuch Notice (provided always, That ſuch Notice be given between the laſt Day of *September* and the firſt Day of *February*) and in caſe of his, her, or their Refuſal or Neglect to do the ſame within thirty Days after ſuch Notice as aforeſaid, the ſaid Surveyor or Surveyors are hereby required to cauſe the ſaid Hedge or Hedges to be new made or cut low, as the ſaid Surveyor or Surveyors ſhall in their Diſcretion think moſt reaſonable, ſo as ſuch Hedge or Hedges be left at leaſt three Feet High above the Bank.

to the Juſtices, who are to iſſue their Precept to the Pariſh Surveyor to give Notice to the Owner.

(Such Notice to be given between ult. Sept. and 1 Feb.)

The Surveyor may cut ſuch Hedge, within 3 Feet of the Bank, on Owner's Refuſal after 30 Days Notice.

II. And be it further enacted by the Authority aforeſaid, That ſuch Perſon or Perſons as ſhall refuſe or neglect to new make or cut low ſuch Hedge or Hedges, ſhall repay to the ſaid Surveyor or Surveyors, ſuch reaſonable Expences as he or they ſhall have been put to on that Occaſion; and in caſe of Refuſal or Neglect to repay ſuch Expences within fourteen Days after the ſame ſhall have been demanded, the Juſtices of the Peace, upon Complaint thereof made to them at their monthly or other publick Meeting, in or near the Diviſion where the ſaid Hedge or Hedges, ſo new made or cut low, is or are ſituated, and due Proof upon Oath of ſuch Expences of the ſaid Surveyor or Surveyors, ſhall, and are hereby required to iſſue out a Precept or Warrant under the Hands and Seals of them or any two of them, to the Conſtable and Borſholders, or other proper Officer or Officers of the Hundred, Pariſh, or Place, where ſuch Hedge or Hedges is or are ſituated, requiring them to levy, for the Repayment of ſuch Surveyor or Surveyors, ſuch Sum or Sums of Money as the ſaid Expences ſhall amount unto, upon the Goods and Chattles of ſuch Perſon or Perſons as has or have refuſed or neglected to pay the ſame, as aforeſaid, rendring the Overplus of the Value of the Goods ſo diſtrained to the Owner and Owners thereof; the neceſſary Charges of making and ſelling ſuch Diſtreſs being firſt deducted.

The Charge to be repaid by the Owner,

or levied by Diſtreſs.

III. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, in any wiſe to alter the Laws in being, in relation to Timber Trees which grow in Hedges adjoining to common Highways.

This Act not to alter the Laws with regard to Timber Trees growing in Hedges, nor any Law for amending the Highways.

IV. Provided always, That all former Laws now in being, for amending the Highways of this Kingdom, and the Penalties therein preſcribed, ſhall be and remain in as full Force as if this Act had never been made.

8 *Geo.* 2. *c.* 20. 9 *Geo.* 2. *c.* 18. 14 *Geo.* 2. *c.* 42. 15 *Geo.* 2. *c.* 2. 16 *Geo.* 2. *c.* 29. 18 *Geo.* 2. *c.* 33. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34. *See further*, *c.* 43. 26 *Geo.* 2.

CAP. X.

An Act to indemnify Perſons who have omitted to qualify themſelves for Imployments or Offices, by taking the Oaths, and making and ſubſcribing the Declaration againſt Tranſubſtantiation, and receiving the Sacrament, and to allow them further Time for that Purpoſe; and to enable the Vice-Chancellor of the Univerſity, and Mayor of the Town of *Cambridge*, to act as Juſtices of the Peace for the County of *Cambridge*, notwithſtanding the Act for the further Qualification of Juſtices of the Peace. Perſons in Offices qualifying themſelves by 29 *Sept.* 1734. indemnified, and their Acts valid. Members of Corporations, who have neglected to take the Oaths of Office, qualifying themſelves by 29 *Sept.* 1734. indemnified. EXP.

'III. AND whereas by an Act made and paſſed in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for the further Qualification of Juſtices of the Peace*, it is amongſt other 'Things enacted, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred 'and thirty-three, no Perſon ſhould be capable of being a Juſtice of the Peace, or to act as a Juſtice 'of the Peace, for any County within that Part of *Great Britain* called *England*, or the Principality of '*Wales*, who ſhould not have an Eſtate of Freehold or Copyhold to and for his own Uſe and Benefit, 'in Poſſeſſion, for Life or for ſome greater Eſtate, either in Law or Equity, or an Eſtate for Years de'terminable upon any one or more Life or Lives, or for a certain Term originally created for one 'and twenty Years, or more, in Lands, Tenements, or Hereditaments, lying in that Part of *Great*

5 Geo. 2. c. 18.

'*Britain* called *England*, or Principality of *Wales*, of the clear yearly Value of one hundred Pounds, 'over and above what will ſatisfy and diſcharge all Incumbrances that may affect the ſame; in which 'ſaid Act it is provided, That the ſaid Act or any Thing therein contained ſhould not extend, nor be 'conſtrued to extend, to any City or Town being a County of itſelf, nor to any other City, Town, 'Cinque Port, or Liberty, having Juſtices of the Peace within their reſpective Limits and Precincts, 'by Charter, Commiſſion, or otherwiſe, but that in every ſuch City, Town, Liberty, and Place, 'ſuch Perſons may be capable to be Juſtices of the Peace, and in ſuch Manner only, as they might 'have been if the ſaid Act had never been made: And whereas it hath been cuſtomary for the Vice 'Chancellor of the Univerſity, and Mayor of the Town of *Cambridge*, for the time being, to be Juſ-'tices of the Peace of the County of *Cambridge*, and it may be inconvenient to have the ſaid Qualifi-'cation of one hundred Pounds a Year to extend to them;' Be it enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-four, the ſaid recited Act, or any Thing therein contained, ſhall not extend, or be conſtrued to extend, to deprive the ſaid Vice-Chancellor of the ſaid Univerſity, or the Mayor of the ſaid Town of *Cambridge* for the time being, or either of them, from being a Juſtice or Juſtices of the Peace in the ſaid County, nor to ſubject any Vice Chancellor of the ſaid Univerſity, or Mayor of the ſaid Town, to any Penalties or Forfeitures for acting as a Juſtice or Juſtices of the Peace in the ſaid County; any thing in the ſaid Act contained to the contrary notwithſtanding.

The Vice Chancellor and Mayor of Cambridge may act as Juſtices in the ſaid County, though not qualified according to the recited Act.

Concerning Juſtices ſee farther, 15 *Geo.* 2. *c.* 24. 16 *Geo.* 2. *c.* 18. 18 *Geo.* 2. *c.* 20. 24 *Geo.* 2. *c.* 44 & 55. 26 *Geo.* 2. *c.* 14 & 27. 27 *Geo.* 2. *c.* 16 & 20. 1 *Geo.* 3. *c.* 13.

"Perſons proſecuted before 1 *March* 1733. for not qualifying themſelves, and convicted by 28 *Nov.* "1734. not to be relieved by this Act. Offices already avoided by Law, not to be reſtored." EXP.

CAP. XI.

An Act for the Application and Diſpoſal of the Reſidue of the Money raiſed by way of Lottery, on the Credit of an Act made in the laſt Seſſion of Parliament, for the Relief of ſuch Sufferers in the Charitable Corporation, as are Objects of Compaſſion, according to the Deſcriptions therein mentioned. PR.

6 Geo. 2. c. 35. 'WHEREAS by an Act made and paſſed in the laſt Seſſion of this preſent Parliament, intituled, *An Act for appointing Commiſſioners to examine, ſtate, and report, who of the Sufferers in the Charitable Corporation are Objects of Compaſſion, according to the Deſcriptions therein mentioned; and for giving Relief to ſuch Sufferers; and for enforcing the Laws made againſt Foreign Lotteries; and for impowering the ſaid Commiſſioners to hear and determine the Claims of ſuch Creditors and Proprietors of the ſaid Corporation, as have not made their Claims within the Time limited by an Act made in the laſt Seſſion of Parliament, for taking, ſtating, and determining all the Claims and Demands of the Creditors of the ſaid Corporation*; *Robert Holford*, *John Bennet*, *James Lightboun*, *William Kynaſton*, and *Francis Eld*, Eſquires, five of the Maſters of the high Court of *Chancery*, were appointed Commiſſioners to examine, ſtate, and report, which of the Sufferers in the ſaid Corporation were Objects of Compaſſion within the Deſcription therein after mentioned, and intitled to Relief, according to the true Intent and Meaning of the ſaid Act; and the ſaid Commiſſioners were thereby required to deliver into each Houſe of Parliament, within fourteen Days after the Opening of the then next Seſſion, a particular and diſtinct Account in Writing, of the Names of the ſeveral Perſons who ſhould have applied to them purſuant to the ſaid Act, and of their ſeveral Titles or Qualifications to receive the Relief intended to be given to them reſpectively: And it was thereby further enacted, That ſuch of the Creditors and Proprietors of Stock or Shares, Notes or Bonds, in the ſaid Corporation (except as therein is excepted) as ſhould on or before the firſt Day of *December* one thouſand ſeven hundred and thirty-three, make it appear to the Satisfaction of the ſaid Commiſſioners, or any three or more of them, that they reſpectively were qualified, within the true Intent and Meaning of the ſaid Act, to ſuch Relief as aforeſaid, and in all Things conform themſelves to the Rules and Directions in the ſaid Act appointed and preſcribed, ſhould be deemed and taken to be Objects of Compaſſion, and ſhould be intitled to the Relief thereby intended, in ſuch Shares, Degrees, and Proportions, as by the Wiſdom and Juſtice of Parliament ſhould be determined and appointed: In which ſaid Act is contained a Proviſo, That nothing therein contained ſhould be intended, or be conſtrued to extend, to give any Relief to *John Thomſon*, *George Robinſon*, *Richard Woolley*, and *Thomas Warren*, therein named, or to any other Perſon or Perſons concerned as Committee Men or Aſſiſtants of the ſaid Corporation, at any Time between the twenty-ſixth Day of *October* one thouſand ſeven hundred and twenty-five, and the twenty-ninth Day of *December* one thouſand ſeven hundred and thirty-one, except the Honourable *Walter Moleſworth* and *William Aiſlabie*, Eſquires, and *George Jackſon*; and it was thereby further enacted, That it ſhould and might be lawful for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute or advance the Sum of five hundred thouſand Pounds, by paying, within the Time therein limited, into the Bank of *England*, or to ſuch Caſhier or Caſhiers, as ſhould by the Bank be for that Purpoſe appointed, divers entire Sums of four Pounds, for the Purchaſe of Tickets, to be drawn by way of Lottery, at ſuch Times, and in ſuch Manner, and under ſuch Management, Orders, and Regulations, as are therein and thereby mentioned, provided, and appointed; and the ſaid five Commiſſioners, or the major Part of them, were thereby authorized and impowered, out of the Money to be contributed by the ſaid Act, to make proper Allowances to the Bank of *England*, and to reward the Managers and Directors of the ſaid Lottery, and the Clerks, Officers,

‘ and other Perſons to be imployed for the Purpoſes of the ſaid Act, and to diſcharge all ſuch in-
‘ cident Expences as ſhould neceſſarily attend the Paſſing and Execution of the ſame, in ſuch Manner
‘ as is therein mentioned; and the Caſhier and Caſhiers were thereby required and directed to pay the
‘ ſaid Commiſſioners two hundred Pounds each, in conſideration of their Labour and Trouble in the
‘ Execution of the ſeveral Matters directed by the ſaid Act to be by them done and performed, and
‘ alſo to pay the Money due and payable for the Fortunate Tickets to be drawn in the ſaid Lottery,
‘ and alſo from time to time, when thereunto required by the ſaid Commiſſioners, to exhibit, or cauſe
‘ to be exhibited to them, a true and juſt Account of the Monies raiſed by virtue of the ſaid Act,
‘ and how the ſame had been diſpoſed of to the Time of exhibiting ſuch Account; and it was thereby
‘ further declared and enacted, That the Reſidue of the Money ariſing, and to be contributed by virtue
‘ of and upon the Credit of the ſaid Act, which, after Payment of the Sum of four hundred thouſand
‘ Pounds, thereby directed to be iſſued to the Proprietors of the Fortunate Tickets reſpectively, the
‘ Payments of the Salaries, and Rewards to the ſaid Commiſſioners, and alſo of the ſaid Managers and
‘ Directors, and the Clerks, Agents, and Officers imployed by them, and other the incident Charges
‘ attending the Execution of the Powers of the ſaid Act, ſhould be applied and diſpoſed of for the Be-
‘ nefit and Relief of the Sufferers in the ſaid Corporation, who are Objects of Compaſſion, in ſuch
‘ Shares and Proportions, and in ſuch Manner, as by the Wiſdom and Juſtice of Parliament ſhould be
‘ ordered, directed, and appointed: And whereas the Commiſſioners have, purſuant to the Directions
‘ of the ſaid Act, by a Report under their Hands, delivered to each Houſe of Parliament, certified and
‘ reported the Names, as well of the ſeveral Perſons who have applied to them in purſuance of and
‘ within the Time limited for that Purpoſe in the ſaid Act, as of thoſe who have applied to them after
‘ the Time limited therein, and their ſeveral Qualifications and Titles to receive the Relief intended by
‘ the ſaid Act, and have alſo certified and reported the Names of ſuch of the ſaid Perſons as have made
‘ it appear to the Satisfaction of the ſaid Commiſſioners, that they reſpectively are qualified to ſuch
‘ Relief as aforeſaid, within the true Intent and Meaning of the ſaid Act, and the ſeveral Debts, Sums
‘ of Money, Claims, and Demands, due to and claimed by them from the ſaid Corporation, in reſpect
‘ or on account whereof reſpectively they are intitled to ſuch Relief as aforeſaid, and which ſaid Debts,
‘ Sums of Money, Claims, and Demands of the ſaid Sufferers, who applied within the Time limited
‘ by the ſaid Act, as alſo of thoſe who applied after the Time therein limited, as ſtated and computed
‘ by the ſaid Commiſſioners, amount together to the Sum of one hundred fifty-ſix thouſand and twenty
‘ Pounds one Shilling and three Pence Halfpenny: And whereas a Miſtake was made in the ſaid
‘ Report, of five hundred Pounds, to the Prejudice of *David Avery*: And whereas ſeveral other Pro-
‘ prietors and Creditors of the ſaid Corporation have, through Ignorance or Inadvertence, omitted
‘ to take the Oath directed by the aforeſaid Act, within the Time therein limited and preſcribed for
‘ that Purpoſe; but have, ſince the Commiſſioners delivering their ſaid Report, taken the ſame, and ap-
‘ pear to be Objects of Compaſſion, within the Intent and Meaning of the ſaid Act; and the Claims
‘ and Demands of ſuch Perſons amount to the Sum of four thouſand three hundred and thirty Pounds
‘ ſeventeen Shillings and ſeven Pence Farthing, which together with the Demand of *Jane Blanchard*,
‘ who hath taken the ſaid Oath, and is a Sufferer to the Amount of one hundred Pounds, being added
‘ to the ſaid Sum of one hundred fifty-ſix thouſand and twenty Pounds one Shilling and three Pence
‘ Halfpenny, makes the Demands of the Creditors and Proprietors of the ſaid Corporation, who appear
‘ to be Objects of Compaſſion, to amount in the Whole to the Sum of one hundred and ſixty thou- Sum Total of
‘ ſand nine hundred and fifty Pounds eighteen Shillings and ten Pence three Farthings: And whereas the Claims ad-
‘ the ſaid Sum of five hundred thouſand Pounds hath been contributed and advanced upon the Credit mitted.
‘ of the ſaid Act, and been paid to the Caſhiers appointed by the Bank of *England* in that Behalf:
‘ And whereas it appears that after deducting and retaining the Sum of four hundred thouſand Pounds,
‘ to be iſſued to the Proprietors of the Fortunate Tickets to be drawn in the ſaid Lottery, and the Pay-
‘ ment of the Allowances, Salaries, and Rewards, to the ſaid Commiſſioners, Managers, Officers,
‘ Agents, and other Perſons employed in the managing and drawing the ſaid Lottery, and to be em-
‘ ployed in delivering out Certificates in Exchange for the Fortunate Tickets, and other the incident
‘ Charges attending the Paſſing, and the Execution of the Powers of the ſaid recited, and of this pre-
‘ ſent Act, and other neceſſary Allowances, there will remain in the Hands of the ſaid Caſhiers, to be
‘ diſtributed, applied, and diſpoſed of, for the Benefit and Relief of the Sufferers in the ſaid Corpora- Sum Total of
‘ tion, who are Objects of Compaſſion within the Intent and Meaning of the ſaid Act, the Sum of the Money to
‘ ſeventy-nine thouſand one hundred and twenty Pounds four Shillings and five Pence;’ May it there- be diſtributed to
fore pleaſe your moſt Excellent Majeſty that it may be enacted, &c. the Sufferers.

“ After 1 *May* 1734, the Caſhiers to pay to the Perſons the Sums herein ſpecified. Caſhiers by 25
“ *March* 1735, to pay 100*l.* to each of the Ten Managers. No Perſons claiming Shares as a Security
“ from *J. Thomſon*, *G. Robinſon*, &c. intitled to Relief, till they ſhall have ſurrendered ſuch Securities
“ to the Corporation. Claimants, whoſe Appeals ſhall be adjudged in their Favour by 1 *May* 1734, *See further*
“ intitled to Relief.” *8 Geo. 2. c. 14.*

CAP.

CAP. XII.

An Act for enabling his Majeſty to apply the Sum of one million two hundred thouſand Pounds, out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-four, and for appropriating the Supplies granted in this Seſſion of Parliament.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the Supply granted to your Majeſty in this Seſſion of Parliament, by Ways the leaſt burthenſome to your Majeſty's Subjects, have reſolved to enable your Majeſty to iſſue and apply the Sum of one million two hundred thouſand Pounds, out of the Surpluſſes, Exceſſes, and Overplus Monies commonly called the *Sinking Fund*, towards the Supply granted to your Majeſty for the Service of the Year one thouſand ſeven hundred and thirty-four; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from time to time quarterly be in the Receipt of his Majeſty's Exchequer, of the ſaid Surpluſſes, Exceſſes or Overplus Monies commonly called *The Sinking Fund*, at any Time before the Feaſt of the Annunciation of the Bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-five, after paying, or reſerving ſufficient to pay, all ſuch Sum and Sums of Money, as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, there ſhall and may be iſſued, paid, and applied, a Sum not exceeding the ſaid Sum of one million two hundred thouſand Pounds, for or towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and thirty-four; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

1,200,000 l. to be iſſued out of the Sinking Fund for the Service of the current Year.

II. Provided always, That if on the ſaid Feaſt Day of the *Annunciation* of the Bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-five, the Monies ariſen from the ſaid Surpluſſes, Exceſſes, or Overplus Monies commonly called the *Sinking Fund*, ſhall be more than ſufficient to ſatisfy and pay the ſaid Sum of one million two hundred thouſand Pounds, ſuch Surplus Money ſhall be and remain in the ſaid Receipt of Exchequer for the future Diſpoſition of Parliament, and ſhall not be iſſued but by Authority of Parliament; any thing herein contained to the contrary notwithſtanding.

Surplus Money of the ſaid Fund after Lady-Day, 1735, reſerved to the Diſpoſition of Parliament.

Clauſe of Loan at 4 l. per Cent.

'III. And whereas it may ſo happen that there may be a Want of Money for carrying on the current Service of the ſaid Year one thouſand ſeven hundred and thirty-four, before Monies ſufficient 'may have ariſen into the Exchequer from the ſaid Surpluſſes, to ſatisfy and pay the ſaid Sum of one 'million two hundred thouſand Pounds by this Act granted,' in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the high Treaſurer for the time being, by Warrant under their Hands, to permit and ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance and lend to his Majeſty at the Receipt of his Exchequer, ſo much Money as, together with the Monies then remaining in the ſaid Exchequer, of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, commonly called the *Sinking Fund*, ſhall be wanting to compleat the ſaid Sum of one million two hundred thouſand Pounds, upon Credit of the growing Produce of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, and to be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with an Intereſt for the Forbearance thereof in the mean time, after a Rate not exceeding four Pounds *per Centum per Annum*; any thing herein before contained to the contrary notwithſtanding.

The Appropriation of the Monies granted this Seſſion.

IV. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties on Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty-four, and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders loſt, burnt, or otherwiſe deſtroyed*, and ſo much Money, if any ſuch be, of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and thirty-four*, and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved to diſcharge the ſame; and all the Monies coming into the Exchequer, ei-

ther by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſeven Years, and for licenſing the erecting new Refineries of Rock Salt in the Counties of* Eſſex *and* Suffolk, and ſo much Money, if any ſuch be, of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate, and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved to diſcharge the ſame; and the Sum of one million two hundred thouſand Pounds, by this Act granted out of the Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund*, ariſen or to ariſe into the Receipt of his Majeſty's Exchequer, at or before the Feaſt Day of the Annunciation of the Bleſſed Virgin *Mary*, in the Year of our Lord one thouſand ſeven hundred and thirty-five; and alſo the Sum of twenty thouſand five hundred ſeventy-eight Pounds eleven Shillings and ten Pence Halfpenny, remaining in the Receipt of Exchequer for Arrears of former Land Taxes, ſhall be appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay,

V. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two millions four hundred forty-two thouſand ſix hundred and ſeventy Pounds five Shillings and nine Pence, for or towards the naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards paying off and diſcharging the Debt of the Navy, and for or towards other Services of the Navy, performed and to be performed. 2,442,670 l. 5 s. 9 d. for Naval Services.

VI. And it is hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for or towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country. 10,000 l. for Greenwich Hoſpital.

VII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding eighty-ſix thouſand eight hundred and thirteen Pounds ſeventeen Shillings and nine Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services not provided for by Parliament. 86,813 l. 17 s. 9 d. for the Ordnance.

VIII. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies, provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding nine hundred and eighty thouſand eight hundred eighty-ſix Pounds fourteen Shillings and three Pence Halfpenny, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, any Sum of Money not exceeding ſix hundred forty ſeven thouſand four hundred twenty-nine Pounds eleven Shillings and three Pence Half-penny, for defraying the Charge of ſeventeen thouſand ſeven hundred and four Men, including Commiſſion and Non-commiſſion Officers and Invalids, for Guards, Gariſons, and ſix independent Companies for the Service of the Highlands, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, and other Services relating to the Forces for the Year one thouſand ſeven hundred and thirty-four; and any Sum or Sums of Money, not exceeding two hundred and three thouſand nine hundred ninety-ſix Pounds ſeventeen Shillings and three Pence Half-penny, for maintaining his Majeſty's Forces and Gariſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Gariſons at *Annapolis Royal*, *Canſo*, *Placentia* and *Gibraltar*, for the Year one thouſand ſeven hundred and thirty-four; and any Sum or Sums of Money, not exceeding twenty-five thouſand fifty-ſeven Pounds five Shillings and ten Pence, upon Account for Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty-four; and any Sum or Sums of Money, not exceeding forty-eight thouſand one hundred twenty-ſix Pounds four Shillings and one Half-penny, for defraying ſeveral extraordinary Expences and Services incurred, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding fifty-two thouſand ſix hundred and ninety Pounds fifteen Shillings and ten Pence, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and thirty-four, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money, not exceeding three thouſand five hundred eighty-ſix Pounds, for paying of Penſions to Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and thirty-four; which ſaid Sum of three thouſand five hundred eighty-ſix Pounds, ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts, or other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions, or other Allowances for the ſame, as his Majeſty, by ſuch or the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct or appoint. 980,886 l. 14 s. 3 d. Halfpenny for the Land Forces. 647,429 l. 11 s. 3 d. Halfpenny for Guards, and Gariſons, &c. in Great Britain. 203,996 l. 17 s. 3 d. Halfpenny for the Plantations, &c. 25,057 l. 5 s. 10 d. for Chelſea Hoſpital. 48,126 l. 4 s. & 1 Halfpenny for extraordinary Expences. 52,690 l. 15 s. 10 d. for Half-pay Officers. 3,586 l. for Widows of Half-pay Officers.

IX. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two hundred eighty- 287,343 l. 5 s. 1 d. for Deficiencies in the Year 1733.

eighty-ſeven thouſand three hundred forty-three Pounds five Shillings and one Penny, towards making good the Deficiency of the Grants for the Year one thouſand ſeven hundred and thirty-three.

48,516l. 14s. 6d. Farthing, for the Deficiencies of the General Fund.

X. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding forty-eight thouſand five hundred and ſixteen Pounds fourteen Shillings and ſix Pence Farthing, for making good the Deficiency of the Fund commonly called *The General Fund*, for raiſing ſeven hundred twenty-four thouſand eight hundred forty-nine Pounds ſix Shillings and ten Pence and one fifth Part of a Penny, for the Year ended at *Michaelmas* one thouſand ſeven hundred and thirty-three; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the *Royal African* Company of *England*, on the Coaſt of *Africa*; and any Sum or Sums of Money, not exceeding four thouſand Pounds, towards the Repair of the Collegiate Church of Saint *Peter*, *Weſtminſter*.

10,000l. for the Forts of the African Company.

4,600l. towards the Repair of St. Peter, Weſtminſter.

The aforeſaid Monies limited only to the Uſes directed.

XI. And be it enacted, That the ſaid Aids or Supplies, provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments, directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Clauſe relating to the Augmentation of the Forces.

XII. Provided nevertheleſs, and it is hereby declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the high Treaſurer for the Time being, to iſſue and apply, or cauſe to be iſſued and applied, out of the Aids and Supplies aforeſaid, ſuch Sum and Sums of Money as ſhall be neceſſary to be iſſued and applied, until and before the twenty-fourth Day of *December* one thouſand ſeven hundred and thirty-four, for or towards the Increaſe of ſuch Expences, as ſhall ariſe by ſuch Augmentations of his Majeſty's Forces by Sea or Land, as his Majeſty in his great Wiſdom ſhall judge neceſſary to make; and for concerting ſuch Meaſures as the Exigency of his Affairs may require.

Rules to be obſerved in Application of Half-pay.

XIII. And as to the ſaid Sum of fifty-two thouſand ſix hundred and ninety Pounds fifteen Shillings and ten Pence, by this Act appropriated on Account of Half-pay as aforeſaid; it is enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, that no Perſon ſhall have or receive any Part of the ſame, who was a Minor and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

6 Geo. 2. c. 25.

'XIV. And whereas by an Act of Parliament made in the ſixth Year of his Majeſty's Reign, intuled, *An Act for enabling his Majeſty to apply five hundred thouſand Pounds, out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-three, and for the further Diſpoſition of the ſaid Fund, by paying off one million of* South-Sea *Annuities; and for enabling his Majeſty out of the Monies ariſen by Sale of the Lands in the Iſland of* Saint Chriſtopher *to pay the Sum of eighty thouſand Pounds, for the Marriage Portion of the Princeſs Royal; and ten thouſand Pounds to the Truſtees for eſtabliſhing the Colony of* Georgia *in* America; *and for making good all Deficiencies and Charges by taking of Broad Pieces into the Mint out of the Coinage Duty; and for appropriating the Supplies granted in this Seſſion of Parliament; and for iſſuing to the Sub-dean, Treaſurer, and Steward, of the Collegiate Church of* Saint Peter, Weſtminſter, *out of the Monies reſerved for building fifty new Churches within the Cities of* London *and* Weſtminſter, *and the Suburbs thereof, and for making Proviſions for the Miniſters of the ſame, four thouſand Pounds for the Repair of the ſaid Collegiate Church, and one thouſand two hundred Pounds, for finiſhing the Dormitory belonging thereunto*, ſeveral Supplies, which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which, any Sum or Sums of Money not exceeding fifty-five thouſand ſeven hundred and ſeventeen Pounds five Shillings, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared, That ſo much of the ſaid Sum of fifty-five thouſand ſeven hundred and ſeventeen Pounds five Shillings, as is or ſhall be more than ſufficient to ſatisfy and pay the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall and may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service, or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

The Overplus of the Monies allowed laſt Year to reduced Officers, to be diſpoſed of to maimed Officers, &c.

CAP.

CAP. XIII.

An Act to enable his Majeſty to continue and ſettle an Annuity of five thouſand Pounds on the Princeſs Royal, during the Term of her natural Life, in caſe ſhe ſhall ſurvive his Majeſty.

Moſt Gracious Sovereign,

'WHEREAS by an Act made in the firſt Year of the Reign of her late Majeſty Queen ANNE, for preſerving the Inheritance of ſeveral Revenues of the Crown, intituled, *An Act for the better Support of Her Majeſty's Houſhold, and of the Honour and Dignity of the Crown*, all Grants thereof, other than ſuch as are therein expreſſed, are declared to be void; and by another Act made in the ninth Year of Her ſaid late Majeſty's Reign, intituled, *An Act for eſtabliſhing a General Poſt Office for all Her Majeſty's Dominions, and for ſettling a weekly Sum out of the Revenues thereof for the Service of the War, and other Her Majeſty's Occaſions*, it was enacted, That ſuch Part of the Duties and Revenues ariſing in and by the General Letter Office or Poſt Office, which was thereby veſted in Her ſaid late Majeſty, Her Heirs and Succeſſors, and therein mentioned to be undeterminable, ſhould not be alienable, chargeable, or grantable, for any Eſtate, Term, or Time whatſoever, or endure longer than the Life of the King or Queen that ſhould make ſuch Alienation, Charge, or Grant reſpectively; and that all Gifts, Grants, Alienations, or Aſſurances whatſoever, to be had or made of, or charged upon, the ſame Duties or Revenues, or any Part thereof, contrary to the Proviſion of that Act, ſhould be declared to be null and void: And whereas Your Majeſty has given a Demonſtration of the great Regard You have to the Support of Liberty and the Proteſtant Religion, by Your Wiſdom and Goodneſs in marrying to the Prince of *Orange*, her Royal Highneſs the Princeſs Royal, Your eldeſt Daughter; whoſe high Birth is not more conſpicuous than her many great Virtues and excellent Accompliſhments; and Your Majeſty having been pleaſed to expreſs Your gracious Inclination to grant unto her ſaid Royal Highneſs, for and during the Term of her natural Life, in caſe ſhe ſhall ſurvive Your Majeſty, one Annuity or yearly Rent or Sum of five thouſand Pounds, as a Mark of your Royal Affection and Favour to her ſaid Royal Highneſs, which Grant cannot be made effectual without the Aid of Parliament:' Wherefore Your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by any Letters Patent or Indenture, or by ſeveral Letters Patent or Indentures under the Great Seal of *Great Britain*, hereafter to be made, to give and grant to her ſaid Royal Highneſs the Princeſs Royal, or to ſuch other Perſon or Perſons, as His Majeſty ſhall think fit to be named in ſuch Letters Patent, Indenture or Indentures, and his or their Heirs, to the Uſe and in Truſt for her ſaid Royal Highneſs, one Annuity or yearly Rent or Sum of five thouſand Pounds of lawful Money of *Great Britain*; which ſaid Annuity or yearly Rent or Sum of five thouſand Pounds, and every Part thereof, ſhall commence and take effect from *Lady-Day* one thouſand ſeven hundred and thirty-four, and continue from thenceforth for and during the natural Life of her ſaid Royal Highneſs, in caſe ſhe ſhall ſurvive His Majeſty, and ſhall be paid and payable at the Four moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſt of the Nativity of Saint *John* the Baptiſt, Saint *Michael* the Archangel, the Birth of our Lord Chriſt, and the Annunciation of the Bleſſed Virgin *Mary*, by even and equal Portions; the firſt Payment thereof to be made at the Feaſt of the Nativity of Saint *John* the Baptiſt, one thouſand ſeven hundred and thirty-four; and that the ſaid Annuity, or yearly Sum of five thouſand Pounds, ſhall or may, by ſuch Letters Patent, Indenture or Indentures, be directed to be iſſuing and payable out of, and charged and chargeable upon, all and every the Duties, Revenues, and Payments ſettled and appointed by an Act of the firſt Year of His Majeſty's Reign, *for the better Support of His Majeſty's Houſhold, and the Honour and Dignity of the Crown*, or any of them that ſhall be ſubſiſting after His Majeſty's Demiſe, in ſuch Parts, Shares, or Proportions, as his Majeſty in his great Wiſdom ſhall think fit to direct or appoint the ſame.

1 Annæ, ſtat. 1. c. 7.

9 Annæ, c. 10.

His Majeſty may grant, by Letters Patent, 5,000 l. per Ann. to the Princeſs Royal,

to commence from Lady Day, 1734, and be payable quarterly,

out of ſuch Duties ſettled on his Majeſty, as ſhall ſubſiſt after his Demiſe, 1 Annæ, ſtat. 1. c. 7.

II. And it is hereby further enacted, That the ſaid Annuity, or yearly Sum of five thouſand Pounds, ſhall be paid and payable at the Receipt of the Exchequer, or by and from the immediate Hands of all and every the Commiſſioners, Farmers, Treaſurers or Receivers for the Time being of the ſaid Revenues reſpectively, upon which the ſaid Annuity or yearly Sum of five thouſand Pounds, or any Part or Parts thereof, ſhall be charged, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; and the Acquittance or Acquittances of her Royal Highneſs, notwithſtanding her Coverture, or her Truſtees, ſhall be a good and ſufficient Diſcharge for the Payment thereof, without any further or other Warrant to be ſued for, had or obtained in that Behalf; and that the ſaid Annuity or yearly Sum of five thouſand Pounds, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions and other publick Charges whatſoever; and that if the Officers of the Receipt of his Majeſty's Exchequer, or the ſaid Commiſſioners, Farmers, Treaſurers or Receivers for the Time being of any of the ſaid Duties or Revenues, upon which the ſaid Annuity or yearly Sum of five thouſand Pounds, or any Part or Parts thereof, ſhall be charged as aforeſaid, ſhall refuſe or neglect to pay the ſaid Annuity,

To be paid at the Receipt of the Exchequer, &c.

The Receipts of her Royal Highneſs a ſufficient Diſcharge, notwithſtanding her Coverture.

On Neglect of Payment, her Royal Highneſs may bring an Action againſt the Commiſſioners, &c.

Annuity or yearly Sum, or any Part thereof, to her Royal Highneſs or her Truſtees, then her Royal Highneſs, or ſuch her Truſtees as aforeſaid, may from time to time ſue, proſecute or implead ſuch Officers, Commiſſioners, Farmers, Treaſurers or Receivers, or any of them, or all or any of their Securities, Heirs, Executors and Adminiſtrators, by Bill, Plaint or Action of Debt, and ſhall any may recover Judgments, and ſue out Executions thereupon, againſt ſuch Officers, Commiſſioners, Farmers, Treaſurers or Receivers reſpectively, and their reſpective Securities, Heirs, Executors or Adminiſtrators, for ſuch Sum or Sums of Money then due and owing upon the ſaid Annuity of five thouſand Pounds, or any Part thereof, as ſhall be in the Hands of ſuch Officers, Commiſſioners, Farmers, Treaſurers or Receivers reſpectively, at the Time when Demand ſhall be made of the Payment of the ſaid yearly Sum, or any Part thereof as aforeſaid.

CAP. XIV.

An Act for aſcertaining the Duties upon Arrack, and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts.

6 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 18.

'WHEREAS Arrack, a Spirit of the Product of his Majeſty's Colonies and Territories in the *Eaſt-Indies*, is, on the Importation thereof into *Great Britain*, charged by the Laws of Exciſe with the ſeveral Duties which are paid for Brandy and other foreign Spirits imported into this Kingdom, but by the Officers of the Cuſtoms is rated and charged as a Commodity imported from the *Eaſt-Indies*, according to the Value thereof at the Sale at the Candle, whereby the ſeveral Subſidies, Duties and Exciſe amount to much more than is paid on the Importation of Brandy and other foreign Spirits, to the great Diſcouragement of the Importation thereof:' For Remedy whereof be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May* one thouſand ſeven hundred and thirty-four, the ſame Subſidies, Duties and Exciſe now payable upon Brandy and foreign Spirits imported, and no more, ſhall be paid for Arrack imported from any of his Majeſty's Colonies or Territories in the *Eaſt-Indies*, and that the ſame Allowances ſhall be made on the Exportation thereof, as is made upon foreign Brandy or other Spirits; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

After 1 May 1734, the ſame Duties only ſhall be paid for Arrack imported from the Britiſh Colonies as are payable on Brandy, &c. and the ſame Allowances only on Exportation.

II. And be it enacted by the Authority aforeſaid, That the ſaid ſeveral Subſidies, Duties and Exciſe upon Arrack, ſhall be raiſed, levied, collected, paid and accounted for unto his Majeſty, his Heirs and Succeſſors, in the ſame Manner and Form, and by ſuch Rules, Ways and Means, and under ſuch Penalties, Forfeitures and Diſabilities, and with ſuch Power of Mitigation and other Powers, and with ſuch Allowances, as any the Duties on Brandy or other foreign Spirits are by any Act or Acts of Parliament or Law whatſoever now in Force, enacted, appointed or allowed to be raiſed, levied, collected, managed, recovered and paid; and that the ſaid ſeveral Laws now in Force for the raiſing, levying, collecting, paying and anſwering the ſaid Subſidies, Duties and Exciſe upon Arrack, ſhall be continued, and be practiſed, put in Execution and obſerved, in and for the raiſing, levying, collecting, managing, adjudging and anſwering the ſaid Subſidies, Duties and Exciſe upon Arrack by this Act granted, as fully and effectually as if the ſame were particularly and at large re-enacted in the Body of this preſent Act.

To be paid as the Duties on Brandy.

The Laws in Force relating to the Duties on Arrack continued.

III. And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Commiſſioners of the Cuſtoms, and Commiſſioners of Exciſe, ſhall pay all the Monies that they reſpectively ſhall receive of the ſaid Duties (the neceſſary Charges of receiving, levying, managing and accounting for the ſame excepted) into the Receipt of his Majeſty's Exchequer, diſtinct and apart from all other Branches of the publick Revenues, for the Purpoſes in this Act expreſſed.

The Monies ariſing by the ſaid Duties to be paid diſtinct from all other Branches of the Revenue, and appropriated to the ſame Uſes as before. *By* 9 *Geo.* 2. *c.* 23. *they are added to the Aggregate Fund. And ſee* 16 *Geo.* 2. *c.* 8.

IV. And it is hereby further enacted by the Authority aforeſaid, That the Monies ariſing by the ſaid Duties by this Act impoſed and charged, ſhall be appropriated, iſſued and applied, and the ſame are hereby appropriated and made payable to the ſame Uſes, Intents and Purpoſes as the ſaid Subſidies, Duties and Exciſe as aforeſaid were appropriated and applicable before the making of this preſent Act, and ſhall have the ſame Continuance, and ſhall be alſo ſubject and liable to the ſame Redemption by Parliament, as the ſaid Subſidies, Duties and Exciſe were ſubject and liable unto.

'V. And for the Relief of any Perſon or Perſons who through Neglect or Inadvertency have omitted 'to pay the ſeveral Rates and Duties, or any Part thereof, upon Monies given, paid, contracted or 'agreed for, with or in relation to any Clerk, Apprentice or Servant, which hath been put or placed to 'or with any Maſter or Miſtreſs to learn any Profeſſion, Trade or Employment, and to have ſuch In'dentures or other Writings, which ſhall contain the Covenants, Articles, Contracts or Agreements re'lating to the Service of ſuch Clerk, Apprentice or Servant, ſtamped within the Times by the ſeveral 'Acts of Parliament for thoſe Purpoſes reſpectively limited, or who have alſo in like manner omitted to 'inſert and write in Words at Length, in ſuch Indentures or other Writings as aforeſaid, the full Sum or 'Sums of Money, or any Part thereof, received, or in any wiſe directly or indirectly given, paid, agreed 'or contracted for, with or in relation to every ſuch ſuch Clerk, Apprentice or Servant as aforeſaid;' Be it enacted by the Authority aforeſaid, That upon Payment of the Rates and Duties upon Monies, or ſuch Part of ſuch Monies ſo neglected or omitted to be paid as aforeſaid, on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, to ſuch Perſon or Perſons to whom the ſame ought to be paid, and tendring the ſaid Indentures or other Writings to be ſtamped at the ſame Time, or at any Time on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-four (of which timely Notice is to be given in the *London Gazette*) the ſame Indentures or other Writings

Clauſe of Relief for Money omitted to be paid in due Time for Indentures of Clerks and Apprentices.

Writings ſhall be good and available in Law or Equity, and may be given in Evidence in any Court whatſoever; and the Clerk, Apprentice or Servant therein named ſhall be capable of following and exerciſing their reſpective intended Trades or Imployments, as fully as if the ſaid Rates and Duties ſo omitted had been duly paid, and the full Sum or Sums received or agreed for as aforeſaid had been inſerted; and the Perſons who have incurred any Penalties by the Omiſſions aforeſaid, ſhall be acquitted and diſcharged of and from the ſaid Penalties; any thing in this or the ſaid former Acts to the contrary in any wiſe notwithſtanding.

Concerning Indentures, ſee farther 13 *Geo.* 2. *c.* 22. 20 *Geo.* 2. *c.* 45. 32 *Geo.* 2. *c.* 23.

CAP. XV.

An Act to ſettle how far Owners of Ships ſhall be anſwerable for the Acts of the Maſters or Mariners.

'WHEREAS it is of the greateſt Conſequence and Importance to this Kingdom, to promote the 'Increaſe of the Number of Ships and Veſſels, and to prevent any Diſcouragement to Mer-'chants and others from being intereſted and concerned therein: And whereas it has been held, that 'in many Caſes Owners of Ships or Veſſels are anſwerable for Goods and Merchandize ſhipped or 'put on Board the ſame, although the ſaid Goods and Merchandize, after the ſame have been ſo put on 'Board, ſhould be made away with by the Maſters or Mariners of the ſaid Ships or Veſſels, without the 'Knowledge or Privity of the Owner or Owners, by Means whereof Merchants and others are greatly 'diſcouraged from adventuring their Fortunes, as Owners of Ships or Veſſels, which will neceſſarily tend 'to the Prejudice of the Trade and Navigation of this Kingdom:' Therefore for aſcertaining and ſettling how far Owners of Ships and Veſſels ſhall be anſwerable for any Gold, Silver, Diamonds, Jewels, precious Stones or other Goods or Merchandizes which ſhall be made away with by the Maſters or Mariners, without the Privity of the Owners thereof; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons who is, are or ſhall be Owner or Owners of any Ship or Veſſel ſhall be ſubject or liable to anſwer for or make good to any one or more Perſon or Perſons any Loſs or Damage by reaſon of any Imbezzlement, ſecreting or making away with (by the Maſter or Mariners, or any of them) of any Gold, Silver, Diamonds, Jewels, precious Stones or other Goods or Merchandize, which from and after the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-four, ſhall be ſhipped, taken in or put on board any Ship or Veſſel, or for any Act, Matter or Thing, Damage or Forfeiture done, occaſioned or incurred, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, by the ſaid Maſter or Mariners, or any of them, without the Privity and Knowlege of ſuch Owner or Owners, further than the Value of the Ship or Veſſel, with all her Appurtenances, and the full Amount of the Freight due or to grow due for and during the Voyage, wherein ſuch Imbezzlement, ſecreting or making away with as aforeſaid, or other Maleverſation of the Maſter or Mariners ſhall be made, committed or done; any Law, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Owners of Ships, after 24 June 1734, liable only to forfeit the Value of the Ship and Freight, for Imbezzlements committed without their Knowledge.

II. And it is hereby further enacted by the Authority aforeſaid, That if ſeveral Freighters or Proprietors of any ſuch Gold, Silver, Diamonds, Jewels, precious Stones or other Goods or Merchandize, ſhall ſuffer any Loſs or Damage by any of the Means aforeſaid in the ſame Voyage, and the Value of the Ship or Veſſel with all her Appurtenances, and the Amount of the Freight due or to grow due during ſuch Voyage, ſhall not be ſufficient to make full Compenſation to all and every of them, then ſuch Freighters or Proprietors ſhall receive their Satisfaction thereout in Average, in Proportion to their reſpective Loſſes or Damages: And in every ſuch Caſe it ſhall and may be lawful to and for ſuch Freighters or Proprietors, or any of them, on Behalf of himſelf and all other ſuch Freighters or Proprietors, or to and for the Owners of ſuch Ship or Veſſel, or any of them, on Behalf of himſelf and all the other Part-Owners of ſuch Ship or Veſſel, to exhibit a Bill in any Court of Equity for a Diſcovery of the total Amount of ſuch Loſſes or Damages, and alſo of the Value of ſuch Ship or Veſſel, Appurtenances and Freight, and for an equal Diſtribution and Payment thereof amongſt ſuch Freighters or Proprietors, in Proportion to their reſpective Loſſes or Damages, according to the Rules of Equity.

If ſeveral Proprietors ſuffer by ſuch Imbezzlement, and the Value of the Ship, &c. be not ſufficient to compenſate their Loſs, their Proportions to be determined by Average; and the Freighters or Owners may exhibit a Bill for diſcovering the Amount of ſuch Loſſes, &c.

III. Provided always, That if any ſuch Bill ſhall be exhibited by or on the Behalf of the Part-owners of ſuch Ship, the Plaintiff or Plaintiffs ſhall annex an Affidavit to ſuch Bill or Bills, that he or they do not collude with any of the Defendants thereto, and ſhall thereby offer to pay the Value of ſuch Ship or Veſſel, Appurtenances and Freight, as ſuch Court ſhall direct; and ſuch Court ſhall thereupon take ſuch Method for aſcertaining ſuch Value, as to them ſhall ſeem juſt, and ſhall direct the Payment thereof in like Manner as is now uſed and practiſed in Caſes of Bills of Interpleader.

Part-owners exhibiting ſuch Bill, to annex an Affidavit to the Bill, that they do not collude with the Defendants.

IV. Provided always, and it is hereby declared and enacted, That nothing in this preſent Act contained ſhall extend or be conſtrued to extend to impeach, leſſen or diſcharge any Remedy which any Perſon or Perſons now hath, or ſhall or may hereafter have againſt all, every or any the Maſter and Mariners of ſuch Ship or Veſſel, for or in reſpect of any Imbezzlement, ſecreting or making away with any Gold, Silver, Diamonds, Jewels, precious Stones or Merchandize, ſhipped or loaded on board ſuch Ship or Veſſel, or on account of any Fraud, Abuſe or Maleverſation of and in ſuch Maſter and Mariners reſpectively; but that it ſhall and may be lawful to and for every Perſon or Perſons ſo injured or damaged to purſue and take ſuch Remedy for the ſame, againſt the ſaid Maſter and Mariners reſpectively, as he or they might have done before the making of this Act.

This Act not to leſſen any Remedy which the Perſon aggrieved hath by Law againſt the Maſter or Mariners for Imbezzlements.

CAP. XVI.

An Act for the better regulating the Election of Members to ſerve in the Houſe of Commons for that Part of *Great Britain* called *Scotland*; and for incapacitating the Judges of the Court of Seſſion, Court of Juſticiary, and Barons of the Court of *Exchequer* in *Scotland*, to be elected, or to ſit or vote as Members of the Houſe of Commons.

'WHEREAS Doubts may ariſe, whether the Acts of Parliament made in *England* for preventing 'falſe and undue Returns of Members to ſerve in Parliament, extend to that Part of *Great Bri-* 'tain called *Scotland:* And whereas ſeveral Queſtions have ariſen concerning the Election of Commoners 'to ſerve in Parliament for that Part of *Great Britain:*' Therefore to obviate ſuch Doubts, Diſputes and Queſtions for the future, and for the more effectually preventing Returning Officers in that Part of *Great Britain* called *Scotland*, making falſe and undue Returns; May it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if the Clerk of any Meeting of Freeholders for the Election of a Commiſſioner to ſerve in Parliament for any Shire or Stewartry in *Scotland*, after the firſt Day of *May* one thouſand ſeven hundred and thirty-four, ſhall wilfully return to the Sheriff or Stewart any Perſon other than him who ſhall be duly elected; or if any other Perſon pretending to be Clerk, though not duly elected, ſhall preſume to act as Clerk, and wilfully to return to the Sheriff any Perſon as elected who ſhall not be duly elected by the major Part of ſuch Meeting; the Party ſo offending ſhall for every ſuch Offence forfeit the Sum of five hundred Pounds Sterling, to be recovered by the Candidate ſo elected, to whoſe Prejudice ſuch falſe Return is made, in ſuch Manner as is herein after directed.

After 1 May 1734, 500 l. Penalty on every falſe Return

II. And be it further enacted, That every Freeholder who ſhall claim to vote at any Election of a Member to ſerve in Parliament for any Lands or Eſtate in any County or Stewartry in *Scotland*, or who ſhall have Right to vote in adjuſting the Rolls of Freeholders, inſtead of the Oath appointed to be taken by an Act made in the Twelfth Year of her late Majeſty Queen ANNE, intituled, *An Act for the better regulating Elections of Members to ſerve in Parliament for that Part of* Great Britain *called* Scotland, ſhall upon the Requeſt of any Freeholder formerly inrolled, before he proceed to vote in the Choice of a Member, or on adjuſting the Rolls, take and ſubſcribe upon a Roll of Parchment to be provided and kept by the Sheriff or Stewart Clerk for that Purpoſe, the Oath following, which the *Præſes* or Clerk to the Meeting, either for the Inrollment or Election, is hereby impowered and required to adminiſter; that is to ſay,

Freeholders, on Requeſt, to take the following Oath, inſtead of that appointed by 12 Annæ, c. 6.

I A. B. *do in the Preſence of God declare and ſwear, That the Lands and Eſtate of for which I claim a Right to vote in the Election of a Member to ſerve in Parliament for this County or Stewartry, is actually in my Poſſeſſion, and do realy and trully belong to me, and is my own proper Eſtate, and is not conveyed to me in Truſt, or for or in Behalf of any other Perſon whatſoever; and that neither I, nor any Perſon to my Knowledge, in my Name, or on my Account, or by my Allowance, hath given, or intends to give, any Promiſe, Obligation, Bond, Back-bond or other Security whatſoever, other than appears from the Tenour and Contents of the Title, upon which I now claim a Right to vote, directly or indirectly, for rediſponing or reconveying the ſaid Lands and Eſtate in any Manner of Way whatſoever, or for making the Rents or Profits thereof forthcoming to the Uſe or Benefit of the Perſon from whom I have acquired the ſaid Eſtate, or any other Perſon whatſoever; and that my Title to the ſaid Lands and Eſtate is not nominal or fictitious, created or reſerved in me, in order to enable me to vote for a Member to ſerve in Parliament; but that the ſame is a true and real Eſtate in me, for my own Uſe and Benefit, and for the Uſe of no other Perſon whatſoever; and that is the Truth, as I ſhall anſwer to God.*

See 16 *Geo.* 2. *c.* 11.

In caſe of Refuſal, Vote not to be admitted.

III. And that in caſe he ſhall refuſe if required to take and ſubſcribe the Oath aforeſaid, his Vote ſhall not be admitted or allowed, and his Name ſhall forthwith be eraſed out of the Roll of Freeholders; and in caſe any Perſon ſhall preſume wilfully and falſly to ſwear and ſubſcribe the ſaid Oath, and ſhall be thereof lawfully convicted, he ſhall incur the Pains and Puniſhment of Perjury, and be proſecuted for the ſame according to the Laws and Forms in uſe in *Scotland*.

Penalty on falſe ſwearing.

Judges of Seſſion, Juſticiary or Exchequer, uncapable to be elected.

IV. And be it further enacted, That no Judge of the Court of Seſſion or Juſticiary, or Baron of the Court of Exchequer in *Scotland*, ſhall be capable of being elected, or of ſitting or voting as a Member of the Houſe of Commons in any Parliament which ſhall be hereafter ſummoned and holden.

Sheriffs 4 Days after Receipt of the Writs to iſſue Precepts for chooſing Delegates, and chief Magiſtrate 2 Days after to ſummon the Council of Borough.

V. And be it further enacted by the Authority aforeſaid, That the ſeveral Sheriffs and Stewarts in *Scotland* ſhall within the Space of Four Days after the Writ ſhall come to their Hand, iſſue their Precepts to the ſeveral Boroughs within their Juriſdiction to elect their Delegates, and ſhall cauſe the ſame to be delivered to the chief Magiſtrate of ſuch Borough reſiant in the Borough for the time being; and that ſuch chief Magiſtrate, to whom ſuch Precept ſhall be delivered, ſhall within two Days after his Receipt of the ſame, call and ſummon the Council of the Borough together, by giving Notice perſonally, or leaving Notice at the dwelling Place of every Counſellor then reſiant in ſuch Borough, which Council ſhall then appoint a peremptory Day for the Election of the Delegate; but two free Days ſhall intervene betwixt the Meeting of the Council which appoints the Day of Election of the Delegate, and the Day on which the Election of the Delegate is to be made.

Council to appoint a Day for electing Delegates.

VI. And

VI. And to prevent double Elections of Magiſtrates in Boroughs, which frequently occaſion double Commiſſions to Delegates, Be it enacted by the Authority aforeſaid, That at the annual Election of Magiſtrates and Counſellors for Boroughs, no Magiſtrate or Counſellor, or any Number of Magiſtrates or Counſellors, ſhall for the future, upon any Pretence whatſoever, take upon him or them to ſeparate from the Majority of the Magiſtrates and Counſellors who have been ſuch for the Year preceding, and to appoint or elect ſeparate Magiſtrates or Counſellors, but ſhall ſubmit to the Election made, and to the Magiſtrates and Counſellors elected and appointed by the Majority of the Town Council aſſembled; and if, contrary to the Direction of this Act, any Number of Magiſtrates or Counſellors ſhall, in Oppoſition to the Majority, take upon them to make a diſtinct and ſeparate Election of Magiſtrates or Counſellors, their Act and Election ſhall be *ipſo facto* void, and every Magiſtrate or Counſellor who concurred therein, ſhall forfeit and loſe the Sum of one hundred Pounds Sterling, to be recovered by the Magiſtrates and Counſellors from whom they ſeparated, in Manner herein after directed.

100 l. Penalty on every Counſellor or Magiſtrate ſeparating from the Majority at the annual Election for Boroughs.

VII. Provided always, and it is hereby declared and enacted, That it ſhall and may be lawful to and for any Magiſtrate or Counſellor of the Borough who apprehends any Wrong was done at any annual Election, to bring his Action before the Court of Seſſion in *Scotland*, for rectifying ſuch Abuſe, or for making void the whole Election (if illegal) only within the Space of eight Weeks after ſuch Election is over; and the Lords of Seſſion ſhall, and they are hereby expreſly authorized and required to hear and determine the Cauſe ſummarily, and to allow to the Party that ſhall prevail their Full Coſts of Suit.

Magiſtrates or Counſellors of Boroughs may bring their Action in Eight Weeks after the Election.

VIII. And be it further enacted, That every Sheriff or Stewart in *Scotland*, who ſhall wilfully annex to the Writ any falſe or undue Return, and every common Clerk of any preſiding Borough, who ſhall wilfully return to the Sheriff or Stewart any Perſon other than the Perſon elected, or who ſhall neglect or refuſe to return the Perſon duly elected, ſhall forfeit the Sum of five hundred Pounds Sterling to the Perſon intitled to have been returned, and not returned, to be recovered from the ſaid Sheriff, Stewart or common Clerk, their Heirs, Executors or Adminiſtrators reſpectively, in a ſummary Way, by Action, Petition or ſummary Complaint, before the ſaid Court of Seſſion, upon Service of ſuch Summons, or of a Copy of ſuch Petition or ſummary Complaint, on fifteen Days Notice or Warning, without abiding the Courſe of any Rolls, or further Delay whatſoever; which Action, Petition or Complaint, the Judges of the ſaid Court are hereby required to judge of and determine with all convenient Speed: Provided always, That ſuch Action, Petition or Complaint be commenced, preſented or made within the Space of ſix Months after the Return is made. And in caſe the Perſon duly elected, and not returned, ſhall neglect or omit to ſue for the ſaid Penalty within the Time before mentioned, then any Freeholder within the Shire or Stewartry, or any Magiſtrate or Perſon bearing Office in any of the Boroughs of the Diſtrict for which the Return is unduly made, may ſue for and recover the ſame to his own Uſe, by ſuch Action, Petition or Complaint, and in ſuch Manner as is before mentioned, with double Coſts of Suit; provided always, That ſuch Freeholder, Magiſtrate or Perſon bearing Office, ſhall commence or bring ſuch Action within the Space of twelve Months after the Return is made.

500 l. Penalty on neglecting to return the Perſon duly elected.

To be recovered in a ſummary Way.

Complaints of undue Returns to be commenced in 6 Months after Return.

Who may ſue for ſuch Penalty,

and in what Time.

IX. And be it enacted by the Authority aforeſaid, That every Penalty by this Act impoſed, with reſpect to the Recovery of which no particular Proviſion is herein before made, ſhall and may be ſued for and recovered by way of ſummary Complaint before the Court of Seſſion in *Scotland*, upon fifteen Days Notice to the Perſon complained of, without abiding the Courſe of any Roll; which ſaid Complaint the Court of Seſſion is hereby authorized and required to determine with all convenient Speed.

Penalties how to be recovered.

X. And be it further enacted, That every Freeholder in *Scotland* ſhall, before he be either inrolled or admitted to vote at any future Election, or Meeting for Inrolment, in any Queſtion for the Choice of Clerk or *Præſes*, or other Queſtion whatſoever (if required by any Freeholder preſent) be obliged to take and ſubſcribe the Oaths appointed by Law to be taken by Electors of Members to ſerve in Parliament, when required ſo to do; which Oath the *Præſes* or Clerk of the Meeting is hereby impowered and required to adminiſter.

Freeholders, if required, to take the Oaths at the Election of a Clerk, &c.

' XI. And whereas there have been ſome Miſtakes in the Diſtrict of the Boroughs of *Wigtoun*, *Whithorn*, *New Galloway*, and *Stranraver*, in relation to their preſiding at Elections of Members of Parliament for that Diſtrict, which may occaſion Diſputes at future Elections;' For remedying thereof, be it enacted, That the Boroughs continue to preſide in the Courſe they are now in, and that the Borough of *Wigtoun* ſhall preſide at the Election of a Member to repreſent that Diſtrict in the next Parliament, and that the other Boroughs of the Diſtrict preſide afterwards in the Method preſcribed by the Act of Parliament of *Scotland*, made in the fourth Seſſion of the firſt Parliament of Queen ANNE, intituled, *An Act for ſettling the Manner of electing the ſixteen Peers and forty-five Commoners to repreſent* Scotland *in the Parliament of* Great Britain.

Method of preſiding at Elections.

CAP. XVII.

An Act to explain an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the converting a further Part of the Capital Stock of the* South-Sea *Company into Annuities redeemable by Parliament, and for ſettling the remaining Part of the ſaid Stock in the ſaid Company*, ſo far as the ſaid Act relates to the paying off the Bonds of the ſaid Company.

' WHEREAS in and by an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the converting a further Part of the Capital Stock of the* South-Sea *Company into Annuities redeemable by Parliament, and for ſettling the remaining Part of the ſaid Stock in the ſaid Company*, it is amongſt other Things enacted, That the Court of Directors of the ſaid Company ſhall cauſe the Numbers, Dates and

6 Geo. 2. c. 28.

' Sums

'Sums of all the Bonds then owing by the said Company, to be fairly entred and registred in a Book, 'and that no new Bonds shall be issued under the Seal of the Company, nor any Bonds paid off or bought 'up with the Company's Money, except the Proprietors of the said Company shall, in a General Court 'called and held for that Purpose, be first acquainted with the Uses for which the said Bonds were intended 'to be issued: And whereas some Doubts have arisen about the Intent and Meaning of the said in Part re-'cited Act of Parliament, and whether the said *South-Sea* Company was not restrained thereby from paying 'off their Bonds;' May it please your Majesty that it may be enacted, and be it enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Company to pay off the Whole or any Part of the said Company's Bonds, in such Manner as by Law they might have done in case the said in Part recited Act had not been made; any Thing therein contained to the contrary notwithstanding.

South-Sea Company may pay off their Bonds in the Manner they might have done before the said Act.

II. And be it also declared by the Authority aforesaid, That the Intent and Meaning of the said in Part recited Act of Parliament was and is, that no new Bonds, nor any Bonds paid off or bought up by and with the Company's Money, should be issued but by the Consent and Direction of the General Court of the said Company first had and obtained, as in the said Act is directed.

A further Explication of the said Act.

III. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a publick Act, of which Notice shall be judicially taken by all judges and other Persons whatsoever, without specially pleading the same.

Publick Act. *See further concerning this Company*, 9 *Geo.* 2. *c.* 34. 10 *Geo.* 2. *c.* 17. 20 *Geo.* 2. *c.* 3. 24 *Geo.* 2. *c.* 2 & 11. 26 *Geo.* 2. *c.* 16.

CAP. XVIII.

An Act for the Revival of an Act made in the thirteenth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the free Importation of Cochineal during the Time therein limited*; and also for the free Importation of Indico.

12 Car. 2. c. 18. 'WHEREAS Cochineal and Indico are of principal Use in dying of Cloths, and other Woollen 'Manufactures of this Kingdom, to the great Improvement thereof, by which great Numbers of 'His Majesty's Subjects are employed in finishing and perfecting such Manufactures, and the Importation 'thereof ought therefore to be encouraged in the most extensive Manner, that the Dyers may at all 'Times be supplied with Cochineal and Indico on the cheapest Terms possible: And whereas the said 'Commodities cannot at present be imported into this Kingdom, but according to the Rules prescribed 'and enjoined by an Act of Parliament passed in the Twelfth Year of King CHARLES the Second, inti-'tuled, *An Act for the encouraging and increasing of Shipping and Navigation*, which hath been found incon-'venient, tending to make them dearer in these Kingdoms than they would be, if they could be freely 'imported from any Place where they may be purchased cheapest: And whereas by an Act of Parliament 13 Geo. 1. c. 25. 'passed in the thirteenth Year of his late Majesty King GEORGE, intituled, *An Act for the free Importa-'tion of Cochineal during the Time therein mentioned*; Liberty was therein granted for the free Importation 'of Cochineal, during the Continuance of the said Act, which is now expired:' May it therefore please your most Excellent Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said last mentioned Act of the thirteenth of his late Majesty King GEORGE, shall, from and after the twenty-fourth Day of *June* one thousand seven hundred and thirty-four, be revived, and is hereby revived, and shall remain in full Force and Virtue.

The Act 13 Geo. 1. for the free Importation of Cochineal, revived.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-four, it shall and may be lawful to and for any Person or Persons to import and bring into this Kingdom, in any Ship or Vessel belonging to *Great Britain*, or to any Kingdom or State in Amity with his Majesty, his Heirs and Successors, from any Port or Place whatsoever, Indico of all Sorts; any Act or Acts of Parliament to the contrary in any wise notwithstanding.

After 24 June 1734, Indico of all Sorts may be imported from any Port in British or other Ships in Amity with Britain.

III. And be it further enacted by the Authority aforesaid, That the said Act of the thirteenth Year of his late Majesty King GEORGE, and this present Act, shall continue and be in Force for seven Years, from the said twenty-fourth Day of *June* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament, and no longer.

Continued by 27 Geo. 2. c. 18. *And further by* 33 *Geo.* 2. *c.* 16.

CAP. XIX.

An Act for the more effectual preventing the clandestine Importation of foreign Hops into *Great Britain* and *Ireland*, and to prevent the adulterating or sophisticating of Hops, to alter the Colour or Scent thereof.

9 Annæ, c. 12. 1 *Geo.* 1. *St.* 2. *c.* 12. 6 *Geo.* 1. *c.* 11. & 21. 6 *Geo.* 2. *c.* 37. 'WHEREAS by an Act of Parliament made in the ninth Year of her late Majesty Queen ANNE, 'intituled, *An Act for laying a Duty upon Hops*, it is enacted, That there shall be raised, levied 'and paid unto and for the Use of her Majesty, her Heirs and Successors, for and upon all Hops which, 'at any Time or Times within or during the Term of four Years, to be reckoned from the first Day of '*June* one thousand seven hundred and eleven, shall be imported or brought into the Kingdom of *Great* '*Britain*, over and above all other Customs, Subsidies and Duties imposed upon or payable for the same,

'the

'the Sum of three Pence for every Pound Weight *Averdupois*, and after that Rate for a greater or leſſer 'Quantity, to be paid by the Importer thereof, before the landing of the ſame; which ſaid Act, and 'every Clauſe, Article, Matter and Thing therein contained, is continued and declared to be in Force, 'by an Act made in the firſt Year of his late Majeſty King GEORGE, from the thirty-firſt Day of *May* 1 Geo. 1. ſt. 2. 'in the Year of our Lord one thouſand ſeven hundred and fifteen, until the firſt Day of *Auguſt* one thou- c. 2. ſect. 17. 'ſand ſeven hundred and fifteen, as fully and effectually, to all Intents and Purpoſes, as if the ſame were 'therein particularly and at large repeated and re-enacted; which ſaid Duty of three Pence a Pound by 'the aforeſaid Act of her late Majeſty Queen ANNE, and continued by the aforeſaid Act of his late Ma- 'jeſty King GEORGE, was continued by one other Act made in the firſt Year of his late Majeſty King 1 Geo. 1. ſt. 2. 'King GEORGE, and made payable to his Majeſty, his Heirs and Succeſſors for ever: And whereas the c. 12. ſect. 5. 'Penalty for landing or putting on Shore out of any Ship or Veſſel, any imported Hops, before due En- 'try thereof ſhall have been made, and the Duty by the aforeſaid Acts granted and continued ſhall have 'been paid, has been found too ſmall to prevent the clandeſtine Importation of the ſame: And whereas 'by the low Price that Hops have taken and do ſtill bear in foreign Markets, great Quantities of foreign 'Hops are imported into and vended in *Great Britain*, and brought into and vended in *Ireland*, contrary 'to Law;' For preventing therefore of a Practice ſo prejudicial to the Hop Planters of this Kingdom, and ſo detrimental to the Revenue; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-four, if any foreign Hops ſhall be landed or put on Shore out of any Ship or Veſſel in *Great Britain*, before due Entry thereof ſhall be made at the Cuſtom-houſe in the Port or Place where the ſame ſhall be imported, and before the Duties charged or chargeable thereon ſhall be paid, or without a Warrant for landing or delivering the ſame firſt ſigned by the Commiſſioners, Collector or other proper Officer or Officers of the Cuſtoms reſpectively; or if any foreign Hops, other than of *Britiſh* Growth, ſhall be landed or put on Shore out of any Ship or Veſſel in *Ireland*, all ſuch Hops, of what Kind ſoever, as ſhall be ſo landed or put on Shore, or taken out of any Ship or Veſſel in *Great Britain* or *Ireland*, ſhall be forfeited and burnt within ten Days after the ſame ſhall be lawfully condemned, and alſo the Ship or Veſſel forfeited in which the ſame were imported, and the Perſon or Perſons concerned in importing of the ſame, or that ſhall have been aiding and aſſiſting in the landing or putting the ſame on Shore, ſhall forfeit and pay the Sum of five Shillings for every Pound Weight thereof; and ſo in Proportion for any greater or leſſer Quantity.

After 1 May 1734, foreign Hops landed in Great Britain or Ireland, before Entry and Payment of Duties, or ſigned Warrant, ſhall be burnt, the Ship forfeited, and Importer to pay 5 s. for each Pound of ſuch Hops.

II. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons in *Great Britain* or *Ireland* ſhall, from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and thirty-four, mix with, or put into any Quantity of Hops any Drug or Ingredient, or other Thing whatſoever, to alter the Colour or Scent thereof every Perſon ſo offending, and being thereof lawfully convicted by the Oath of one or more Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace of the County or Place where the Offence ſhall be committed, ſhall for every ſuch Offence forfeit and pay the Sum of five Pounds for every hundred Weight thereof.

5 l. Penalty on every hundred Weight of ſophiſticated Hops.

III. And be it further enacted by the Authority aforeſaid, That the ſeveral Fines, Penalties and Forfeitures, as well ſpecifick as pecuniary, by this Act impoſed (the ſuing for, levying and recovering of which are not hereby before particularly provided for) ſhall and may be ſued for, levied and recovered, or mitigated, in *Great Britain* or *Ireland* reſpectively, by ſuch Ways, Means and Methods, as any Fine, Penalty and Forfeiture may be ſued for, levied, recovered or mitigated, by the Laws now in Force relating to Hops; and that one Moiety of every ſuch Fine, Penalty and Forfeiture ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that will diſcover, inform or ſue for the ſame.

Penalties how to be levied.

CAP. XX.

An Act for the more eaſy Redemption and Foreclоſure of Mortgages.

'WHEREAS Mortgagees frequently bring Actions of Ejectment for the Recovery of Lands and 4 & 5 *W. & M.* 'Eſtates to them mortgaged, and bring Actions on Bonds given by Mortgagors to pay the Money c. 16. 'ſecured by ſuch Mortgages, and for performing the Covenants therein contained, and likewiſe com- 'mence Suits in his Majeſty's Courts of Equity, to foreclоſe their Mortgagors from redeeming their 'Eſtates; and the Courts of Law, where ſuch Ejectments are brought, have not Power to compel ſuch 'Mortgagees to accept the principal Monies and Intereſts due on ſuch Mortgages, and Coſts, or to ſtay 'ſuch Mortgagees from proceeding to Judgment and Execution in ſuch Actions; but ſuch Mortgagors 'muſt have Recourſe to a Court of Equity for that Purpoſe; in which Caſe likewiſe the Courts of 'Equity do not give Relief until the Hearing of the Cauſe: For Remedy thereof, and to obviate all Objections relating to the ſame; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Eaſter* Term one thouſand ſeven hundred and thirty-four, where any Action ſhall be brought on any Bond for Payment of the Money ſecured by ſuch Mortgage, or Performance of the Covenants therein contained, or where any Action of Ejectment ſhall be brought in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Great Seſſions in *Wales*, or in any of the ſuperior Courts in the Counties Palatine of *Cheſter*, *Lancaſter* or *Durham*, by any Mortgagee or Mortgagees, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns, for the Recovery of the Poſſeſſion of any mortgaged Lands, Tenements or Hereditaments,

After the firſt Day of Eaſter Term 1734, in Actions concerning Mortgages or Ejectments.

no Suit being then depending to foreclose ſuch Mortgage.

Hereditaments, and no Suit ſhall be then depending in any of his Majeſty's Courts of Equity, in that Part of *Great Britain* called *England*, for or touching the foreclosing or redeeming of ſuch mortgaged Lands, Tenements or Hereditaments; if the Perſon or Perſons having Right to redeem ſuch mortgaged Lands, Tenements or Hereditaments, and who ſhall appear and become Defendant or Defendants in ſuch Action, ſhall at any Time, pending ſuch Action, pay unto ſuch Mortgagee or Mortgagees, or, in caſe of his, her or their Refuſal, ſhall bring into Court, where ſuch Action ſhall be depending, all the Principal Monies and Intereſt due on ſuch Mortgage, and alſo all ſuch Coſts as have been expended in any Suit or Suits at Law or in Equity upon ſuch Mortgage (ſuch Money for Principal, Intereſt, and Coſts to be aſcertained and computed by the Court where ſuch Action is or ſhall be depending, or by the proper Officer by ſuch Court to be appointed for that Purpoſe) the Monies ſo paid to ſuch Mortgagee or Mortgagees, or brought into ſuch Court, ſhall be deemed and taken to be in full Satisfaction and Diſcharge of ſuch Mortgage, and the Court ſhall and may diſcharge every ſuch Mortgagor, or Defendant, of and from the ſame accordingly; and ſhall and may, by Rule or Rules of the ſame Court, compel ſuch Mortgagee or Mortgagees, at the Coſts and Charges of ſuch Mortgagor or Mortgagors, to aſſign, ſurrender, or re-convey ſuch mortgaged Lands, Tenements, and Hereditaments, and ſuch Eſtate and Intereſt, as ſuch Mortgagee or Mortgagees have or hath therein, and deliver up all Deeds, Evidences, and Writings, in his, her or their Cuſtody, relating to the Title of ſuch mortgaged Lands, Tenements, and Hereditaments, unto ſuch Mortgagor or Mortgagors, who ſhall have paid or brought ſuch Monies into the Court, his, her or their Heirs, Executors, or Adminiſtrators, or to ſuch other Perſon or Perſons, as he, ſhe or they, ſhall for that Purpoſe nominate or appoint.

The Mortgagor's tendering the Principal, Intereſt, and Coſts in Court ſhall be deemed a full Satisfaction,

and the Court may compel the Mortgagee to ſurrender the Premiſſes.

On Bills to foreclose,

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *Eaſter* Term, one thouſand ſeven hundred and thirty-four, where any Bill or Bills, Suit or Suits, ſhall be filed, commenced or brought in any of His Majeſty's Courts of Equity, in that Part of *Great Britain* called *England*, by any Perſon or Perſons having or claiming any Eſtate, Right, or Intereſt, in any Lands, Tenements or Hereditaments, under or by virtue of any Mortgage or Mortgages thereof, to compel the Defendant or Defendants in ſuch Suit or Suits (having or claiming a Right to redeem the ſame) to pay the Plaintiff or Plaintiffs in ſuch Suit or Suits, the Principal Money and Intereſt due on any ſuch Mortgage, or the Principal Money and Intereſt due on ſuch Mortgage, together with any Sum or Sums of Money due on any Incumbrance or Specialty, charged or chargeable on the Equity of Redemption thereof, and in Default of Payment thereof, to foreclose ſuch Defendant or Defendants of his, her or their Right or Equity of redeeming ſuch mortgaged Lands, Tenements, or Hereditaments; ſuch Court and Courts of Equity, where ſuch Suit or Suits ſhall be depending, upon Application made to ſuch Court by the Defendant or Defendants in ſuch Suit, having a Right to redeem ſuch mortgaged Lands, Tenements or Hereditaments, and upon his or their admitting the Right and Title of the Plaintiff or Plaintiffs in ſuch Suit, may and ſhall at any Time or Times, before ſuch Suit or Cauſe ſhall be brought to Hearing, make ſuch Order or Decree therein, as ſuch Court or Courts might or could have made therein, in caſe ſuch Suit or Cauſe had then been regularly brought to Hearing before ſuch Court or Courts; and all Parties to ſuch Suit or Suits ſhall be bound by ſuch Order or Decree ſo made, to all Intents and Purpoſes, as if ſuch Order or Decree had been made by ſuch Court, at or ſubſequent to the Hearing of ſuch Cauſe or Suit; any Uſage to the contrary thereof in any wiſe notwithſtanding.

the Court, on Defendant's Requeſt, may proceed to a Decree, before a regular Hearing,

and all Parties ſhall be bound thereby, as if the Cauſe had been regularly heard.

This Act not to extend to Caſes where the Right of Redemption is controverted, or the Money due not adjuſted,

or to prejudice any ſubſequent Mortgage.

III. Provided always, That this Act, or any Thing herein contained, ſhall not extend to any Caſe where the Perſon or Perſons, againſt whom the Redemption is or ſhall be prayed, ſhall (by Writing under his, her or their Hands, or the Hand of his, her or their Attorney, Agent or Solicitor, to be delivered before the Money ſhall be brought into ſuch Court at Law, to the Attorney or Solicitor for the other Side) inſiſt, either that the Party praying a Redemption has not a Right to redeem, or that the Premiſſes are chargeable with other or different principal Sums, than what appear on the Face of the Mortgage, or ſhall be admitted on the other Side; nor to any Caſe where the Right of Redemption to the mortgage Lands and Premiſſes in Queſtion in any Cauſe or Suit ſhall be controverted or queſtioned by or between different Defendants in the ſame Cauſe or Suit; nor ſhall be any Prejudice to any ſubſequent Mortgagee or Mortgagees, or ſubſequent Incumbrancer; any Thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

CAP. XXI.

An Act for the more effectual Puniſhment of Aſſaults with Intent to commit Robbery.

3 *Ed.* 1. *c.* 9.
13 *Ed.* 1. *ſt.* 2. *c.* 1, 2, 4 & 6.
28 *Ed.* 1. *c.* 17.
5 *Ed.* 3. *c.* 14.
7 *R.* 2. *c.* 6.
27 *El. c.* 13.
39 *El. c.* 25.
4 *W. & M. c.* 8.
4 *Geo.* 1. *c.* 11.
6 *Geo.* 1. *c.* 23.

After 1 May 1734, Perſons convicted of aſſaulting others with offenſive Weapons, and a Deſign to rob, ſhall be tranſported for 7 Years.

'WHEREAS many of his Majeſty's Subjects have of late frequently been put in great Fear and 'Danger of their Lives, by wicked and ill diſpoſed Perſons aſſaulting and attempting to rob 'them: And whereas the Puniſhment of ſuch Offenders is not adequate to the Heinouſneſs of the 'Crime, nor ſufficient to deter wicked Perſons from ſuch Attempts;' To the end therefore that all Perſons may be deterred from committing ſuch Offences, and for the greater Puniſhment of ſuch Offenders, and for the more effectual preventing of the like Miſchiefs for the future; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons from and after the firſt Day of *May* in the Year of our Lord one thouſand ſeven hundred and thirty-four, ſhall, with any offenſive Weapon or Inſtrument, unlawfully and maliciouſly aſſault, or ſhall by Menaces, or in or by any forcible or violent Manner, demand any Money, Goods or Chattles, of or from any other Perſon or Perſons with a felonious Intent to rob or commit Robbery upon ſuch Perſon or Perſons, that then, and in every ſuch Caſe, all and every ſuch Perſon and

Perſons ſo offending, being thereof lawfully convicted, ſhall be, and be adjudged guilty of Felony, and every ſuch Offender and Offenders ſhall be ſubject and liable to be tranſported as in Caſes of Felony; and the Courts by and before whom he, ſhe, or they ſhall be tried and convicted, ſhall have full Power and Authority of tranſporting ſuch Offenders for the Space of Seven Years, upon the like Terms and Conditions, and by the ſame Ways and Means, and in like Manner as other Felons may or are to be tranſported to any of his Majeſty's Colonies or Plantations in *America*, by force or virtue of any Law for that Purpoſe now in being.

Such Convicts breaking Gaol, or unlawfully returning from Tranſportation, ſhall ſuffer Death.

II. And be it further enacted by the Authority aforeſaid, That if any ſuch Offender or Offenders aforeſaid, who ſhall be ordered for Tranſportation by or by virtue of this preſent Act, ſhall break Gaol, or eſcape before ſuch Tranſportation, or ſhall return into any Part of *Great Britain* or *Ireland* before the Expiration of the ſaid Seven Years, for which ſuch Offender or Offenders ſhall be ſo ordered to be tranſported, as aforeſaid, contrary to the Intent and Meaning hereof; all and every ſuch Perſon and Perſons ſo breaking Gaol, eſcaping, or returning into any Part of *Great Britain* or *Ireland*, within the Time aforeſaid, being thereof lawfully convicted, ſhall ſuffer Death as Felons, and have Execution awarded againſt them as Perſons attainted of Felony, without Benefit of Clergy.

See farther 8 *Geo.* 2. *c.* 16. 22 *Geo.* 2. *c.* 24 & 46.

CAP. XXII.

An Act for the more effectual preventing the forging the Acceptance of Bills of Exchange, or the Numbers or principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money, or Warrants or Orders for Payment of Money, or Delivery of Goods.

2 Geo. 2. c. 25.

'WHEREAS in and by an Act of Parliament made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the more effectual preventing and further Puniſhment of Forgery, Perjury, and Subornation of Perjury, and to make it Felony to ſteal Bonds, Notes or other Securities for Payment of Money*, it is amongſt other Things enacted, That if any Perſon from and after the twenty-ninth Day of *June* in the Year of our Lord one thouſand ſeven hundred and twenty-nine, ſhall falſly make, forge, or counterfeit, or cauſe or procure to be falſly made, forged, or counterfeited, or willingly act or aſſiſt in the falſe making, forging or counterfeiting any Deed, Will, Teſtament, Bond, Writing Obligatory, Bill of Exchange, Promiſſory Note for Payment of Money, Indorſement or Aſſignment of any Bill of Exchange, or Promiſſory Note for Payment of Money, or any Acquittance or Receipt, either for Money or Goods, with Intention to defraud any Perſon whatſoever, or ſhall utter or publiſh as true, any falſe, forged, or counterfeited Deed, Will, Teſtament, Bond, Writing Obligatory, Bill of Exchange, Promiſſory Note for Payment of Money, Indorſement or Aſſignment of any Bill of Exchange or Promiſſory Note for Payment of Money, Acquittance or Receipt, either for Money or Goods, with Intention to defraud any Perſon, knowing the ſame to be falſe, forged, or counterfeited; then every ſuch Perſon, being thereof lawfully convicted, according to the due Courſe of Law, ſhall be deemed guilty of Felony, and ſuffer Death as a Felon, without Benefit of Clergy: And whereas no Puniſhment is inflicted by the ſaid Act upon any Perſon who ſhall falſly make, alter, forge or counterfeit, or cauſe or procure to be falſly made, altered, forged or counterfeited, or willingly act or aſſiſt in the falſe making, altering, forging or counterfeiting any Acceptance of any Bill of Exchange, or the Number or principal Sum of any accountable Receipt for any Note, Bill or other Security for Payment of Money, or any Warrant or Order for Payment of Money, or Delivery of Goods, or who ſhall knowingly utter or publiſh the ſame as true;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, ſhall falſly make, alter, forge, or counterfeit, or cauſe or procure to be falſly made, altered, forged or counterfeited, or willingly act or aſſiſt in the falſe making, altering, forging or counterfeiting any Acceptance of any Bill of Exchange, or the Number or Principal Sum of any accountable Receipt for any Note, Bill or other Security for Payment of Money, or any Warrant or Order for Payment of Money, or Delivery of Goods, with Intention to defraud any Perſon whatſoever, or ſhall utter or publiſh as true, any falſe, altered, forged or counterfeited Acceptance of any Bill of Exchange, or accountable Receipt for any Note, Bill or other Security for Payment of Money, or Warrant or Order for Payment of Money, or Delivery of Goods, with Intention to defraud any Perſon, knowing the ſame to be falſe, altered, forged or counterfeited; then every ſuch Perſon, being thereof lawfully convicted according to the due Courſe of Law, ſhall be deemed guilty of Felony, and ſhall ſuffer Death as a Felon, without Benefit of Clergy.

After 24 June 1734, Perſons convicted of forging or altering the Acceptance of Bills of Exchange, or the Sums of accountable Receipts, &c. ſhall ſuffer Death as Felons.

Concerning Forgery ſee farther 31 *Geo.* 2. *c.* 22.

CAP. XXIII.

An Act for raiſing the Militia of that Part of *Great Britain* called *England*, although the Month's Pay formerly advanced be not repaid, and for making the Militia within the ſame more uſeful. His Majeſty may order the Militia to be drawn out into actual Service, at any Time before 24 *June* 1735, notwithſtanding the ſaid Act. The Militia of any City, Town, &c. to march at any Time before 24 *June* 1735, as ordered by the King, and the Expence repaid in 6 Months by Aſſeſſment. EXP.

For former Laws refer to 4 & 5 *P. & M. c.* 3. 13 & 14 *Car.* 2. *c.* 3. 15 *Car.* 2. *c.* 4. 10 & 11 *W.* 3. *c.* 12. 1 *Ann. ſt.* 2. *c.* 23. 1 *Geo.* 1. *ſt.* 2. *c.* 14. 9 *Geo.* 1. *c.* 8. *Concerning Militia ſee farther* 30 *Geo.* 2. *c.* 25. 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. 33 *Geo.* 2. *c.* 2, 22, & 24.

III. PRovided nevertheleſs, That nothing in this Act contained ſhall extend, or be conſtrued to extend to make any Perſon chargeable to the Militia, that is not already chargeable by Law to the ſame, or to enlarge the Power of the Lieutenants, or their Deputies in any Kind, beyond the Authority already given them by the Acts of the thirteenth, fourteenth and fifteenth Years of King CHARLES the Second, relating to the Militia, ſaving only in the particular Caſes expreſly directed and provided for by this preſent Act; and that no Perſon who is by this Act chargeable to the Militia, ſhall be obliged at any Time or Times hereafter, to advance more than one Month's Pay to any Horſe or Foot Soldier, till ſuch Time as the Month's Pay by ſuch County, City, Riding or Place, ſo to be advanced, ſhall have been repaid and made good to ſuch County, City, Riding or Place, by his Majeſty, his Heirs or Succeſſors, out of his or their publick Treaſury or Revenue.

CAP. XXIV.

An Act for granting to *Samuel Buckley*, Citizen and Stationer of *London*, the ſole Liberty of Printing and Reprinting the Hiſtories of *Thuanus*, with Additions and Improvements, during the Time therein limited. P R.

'WHEREAS *Samuel Buckley*, Citizen and Stationer of *London*, hath, at a very great Expence, 'by his own Induſtry, and with the Aſſiſtance of divers learned Perſons, in the Courſe of ſe'ral Years, procured many valuable Supplements to the celebrated Hiſtories of *Thuanus*, with a Deſign 'to publiſh a new Impreſſion thereof, and hath now cauſed to be printed, in the City of *London*, a fair 'and accurate Edition of the ſaid Hiſtories in the *Latin* Language, in Seven Volumes in *Folio*, with 'great Additions and Improvements, upon Paper and with Types provided for that Purpoſe: And 'whereas the ſole Liberty of Printing and Reprinting Books for the Term of Fourteen Years, to com'mence from the Day of the firſt publiſhing the ſame, granted to the Proprietors thereof by an Act 8 Annæ, c. 19. 'made in the eighth Year of Queen ANNE, intituled, *An Act for the Encouragement of Learning, by 'veſting the Copies of printed Books in the Authors or Purchaſers of ſuch Copies, during the Times therein 'mentioned*, extends not to prohibit the Importation, Vending or Selling of any Books in *Greek*, *Latin*, 'or any other foreign Language, printed beyond the Seas, as by a Proviſo contained in the ſaid Act is 'declared: And whereas the Work thus compleated by the Care of the ſaid *Samuel Buckley* may be re'printed beyond the Seas, and, under Colour of the ſaid Proviſo, which was not intended for the Ad'vantage of Foreigners in Prejudice to the Natives of this Kingdom, many Copies of the ſaid Work, 'ſo reprinted, may be imported, vended and ſold, to the great Damage of the ſaid *Samuel Buckley:*" Therefore that he may not loſe the Fruit of his Expence and Labour, by the Avarice of foreign Printers, or ſuffer by an Act made for the Encouragement of Learning, may it pleaſe Your moſt Excellent Majeſty that it may be enacted, *&c.*

" *S. Buckley* and his Aſſigns ſhall have the ſole Liberty of Printing and Vending the Hiſtories of *Thuanus*, " &c. for 14 Years. The Nine Copies to be delivered for the publick Libraries by 24 *June* 1734.

CAP. XXV.

An Act to explain and amend an Act paſſed in the eleventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better regulating the Manufacture of Cloth in the* Weſt Riding *of the County of* York.

'WHEREAS the Act made in the eleventh Year of his late Majeſty King GEORGE the Firſt, 11 Geo. 1. c. 24. 'intituled, *An Act for the better regulating the Manufacture of Cloth in the* Weſt Riding *of the* 4 *Ed* 4. *c.* 1. 'County of York (which, except that Part which reſtrains certain Perſons therein deſcribed from making 1 *R.* 3. *c.* 8. 'Broad Cloth in the ſaid *Weſt Riding*, was, by an Act made in the laſt Seſſion of Parliament, con'tinued till the firſt Day of *September* in the Year one thouſand ſeven hundred and forty, and from 'thence to the End of the then next Seſſion of Parliament) has been found highly beneficial to the 'Cloth Trade in the ſaid *Weſt Riding:* And whereas there are Penalties in the ſaid Act directed to be 'levied upon the Owners, Occupiers, or Mill-men of the Fulling-mills in the ſaid *Weſt Riding*, to 'which they may inadvertently become liable, to their great Loſs, and the Diſcouragement of the 'Manufacture; and ſeveral Doubts have ariſen in Conſtruction of the ſaid Act, and the ſame Act has 'been found defective for ſome of the Purpoſes thereof;" Wherefore for explaining and amending the ſame, and for making the ſaid Law more effectual; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Owner, Maſter, Occupier, or Mill-man, of any Fulling-mills in the ſaid *Weſt Riding*, ſhall, after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-four, neglect or refuſe to ſtamp on a Seal of Lead, by the ſaid Act directed to be affixed to every Broad Cloth made in the ſaid *Weſt Riding*, before ſuch Cloth ſhall be carried from the Mill, in Figures plainly to be ſeen and known, the true Length and Breadth of ſuch Cloth, and alſo his Name or Part thereof upon the Rivet of the Seal, and be thereof lawfully convicted upon the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the ſaid *Weſt Riding*, or of any Corporation within the

After 24 June 1734. Owners of Fulling-mills to ſtamp on a Leaden Seal the true Length and Breadth of every Broad Cloth, before it be carried from the Mill.

the ſame (provided ſuch Juſtice or Juſtices be or are not a Merchant or Trader in the Woollen Manufacture, and which Oath the ſaid Juſtice or Juſtices is and are hereby impowered to adminiſter) ſuch Owner, Maſter, Occupier, or Mill-man, of ſuch Fulling-mill, ſhall forfeit for every ſuch Neglect or Offence the Sum of twenty Shillings, to be recovered and diſtributed as is herein after directed; and that from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, no Maſter, Owner, Occupier, or Mill-man, of any Fulling-mill in the ſaid *Weſt Riding*, ſhall forfeit or incur any greater Penalty than the ſaid Sum of twenty ſhillings for the ſaid Offence of not ſtamping on the ſaid Seals the true Length and Breadth of ſuch Cloth, and alſo his Name, or Part thereof, upon the Rivet of the ſaid Seal; and for the recovering of which ſaid Penalty the Information ſhall be laid within fourteen Days after the Delivery of the ſaid Cloth ſo overſtamped, as aforeſaid.

on Penalty of 20 s. for each Offence.

Informations to be laid within 14 Days after Delivery.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, if any Merchant or Buyer of Broad Cloth ſhall ſuſpect, that ſuch Cloth does not contain the Length and Breadth impreſſed on the Seals affixed to ſuch Cloth by the Fuller or Mill-man, then and in ſuch Caſe it ſhall and may be lawful to and for the Merchant or Buyer of ſuch Cloth, within fourteen Days after the Delivery of ſuch Cloth, to put the ſame into Water, for any time not exceeding four Hours, and then cauſe the ſame to be meaſured by a ſworn Searcher of Woollen Broad Cloth; and if ſuch Searcher ſhall, upon ſuch Meaſurement, find the Cloth ſo by him meaſured, to contain a ſmaller Quantity in the Length or Breadth thereof, than on ſuch Seals is marked and impreſſed by the Fuller or Mill-man, then and in ſuch Caſe the Clothier or Maker of ſuch Cloth ſo offending, being thereof lawfully convicted, upon the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the ſaid Riding, or of any Corporation within the ſame (ſuch Juſtice not being a Merchant or Trader in the Woollen Manufacture, and which Oath the ſaid Juſtice or Juſtices is and are hereby authorized to adminiſter) ſhall for every ſuch Offence forfeit the Sum of twenty Shillings for every ſuch Cloth with ſuch defective Seals by him ſold; and the Searcher, meaſuring ſuch Cloth ſhall, immediately upon ſuch Admeaſurement, take the defective Seals off ſuch Cloth, and affix new Seals thereupon, containing the true Length and Breadth which ſuch Cloth was found to be of upon his Admeaſurement of the ſame; and ſhall regiſter the true Length and Breadth, found upon ſuch Admeaſurement, in a Book to be by him kept for that Purpoſe; and ſuch Searcher ſhall, within Five Days after ſuch Admeaſurement, make Information of the Fact upon Oath, before one or more Juſtice or Juſtices of the Peace for the ſaid *Weſt Riding*: And if any ſuch Searcher ſhall neglect or refuſe to affix to any Cloth, ſo by him meaſured, new Seals of the true Length and Breadth of ſuch Cloth, or to regiſter the ſame, or to make Information of the Fact within the Time aforeſaid, ſuch Searcher ſo offending, being thereof lawfully convicted upon the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices for the ſaid Riding, or any Corporation within the ſame, ſhall, for every ſuch Neglect or Offence forfeit the Sum of twenty Shillings; which ſaid Sums of twenty Shillings and twenty Shillings ſhall go and be diſpoſed of, one Moiety to ſuch Perſon or Perſons as ſhall give Information of the Offence on which the Conviction ſhall be made, and the other Moiety to the Treaſurer of the ſaid *Weſt Riding* for the time being, to be applied towards the Payment of the Searchers Salaries: And if any Clothier or Maker of Cloth, or Searcher, being convicted of any of the Offences aforeſaid, ſhall, by the Space of ten Days next after he or they ſhall be ſo convicted, and have Notice thereof given to him, her or them, or left in Writing at his, her or their Dwelling-houſe, or laſt Place of Abode, refuſe or neglect to pay any Penalties by him, her or them incurred by reaſon of this Act, or ſhall not appeal, as is herein after provided, to the next Quarter-Seſſions; then it ſhall and may be lawful for the Juſtice or Juſtices of the Peace before whom ſuch Conviction ſhall be made, or any other Juſtice or Juſtices of the Peace for ſaid Riding, or any Corporation within the ſame (not being a Dealer in Woollen Cloth) upon Certificate of ſuch Conviction ſent to them from the Juſtice or Juſtices before whom ſuch Conviction was made (who is and are hereby authorized and required to make ſuch Certificate) to iſſue out one or more Warrant or Warrants, under his or their Hands and Seals, to the Conſtable of the Town or Place, or Bailiff or Bailiffs of the Liberties, Wapentakes, or Limits where ſuch Offender or Offenders do or ſhall inhabit, thereby commanding him or them to levy the ſame Penalties by Diſtreſs and Sale of the Offender's Goods and Chattles, returning the Overplus (if any be, after paying likewiſe the Charges of ſuch Diſtreſs and Sale) to the Offender or Offenders demanding the ſame; and where no ſufficient Diſtreſs can be found, to commit the Offender or Offenders to the Houſe of Correction within the ſaid *Weſt Riding*, there to be kept to hard Labour, not exceeding the Space of one Month.

Buyers ſuſpecting the Quantity, may put the Cloth in Water four Hours,

and cauſe the ſame to be meaſured by a ſworn Searcher.

Searcher to make Information on Oath of defective Cloth in Five Days after the Admeaſurement,

on Penalty of 20 s.

Penalties how to be diſpoſed of.

Diſtreſs on Nonpayment of the Penalties in 10 Days.

Offender, for want of Diſtreſs, to be impriſoned, and kept to hard Labour.

III. And be it further enacted, That every Offender or Offenders ſhall and may, and are hereby authorized and impowered, within five Days after ſuch Notice of the Offences ſo upon them charged, to go to the Houſe of the Merchant, Buyer, or Owner of the Cloth, and requeſt to ſee the ſaid Cloth, to examine that the Crimes and Facts ſo charged upon them be juſt, and that no Frauds have been committed by the Merchant, Buyer or Owner of the ſame, or the Searcher meaſuring ſuch Cloth; and that upon the Merchant's, Buyer or Owner of ſuch Cloth, refuſing to permit and ſuffer ſuch Offender or Offenders to ſee and examine ſuch Cloth, as aforeſaid, ſuch Proſecution, ſo intended to have been made againſt ſuch Offender or Offenders, ſhall be at an End, and ceaſe, and any Conviction to be made thereupon ſhall be void, and of none effect.

The Seller, in 5 Days after Notice, may examine the Cloth complained of,

and on the Buyer's Refuſal, Proſecution ſhall ceaſe.

IV. Provided always, and it is further enacted, That no Clothier, or Maker of Woollen Broad Cloth in the *Weſt Riding* of the County of *York*, ſhall, after the ſaid twenty-fourth Day of *June*, forfeit or incur any other or greater Penalty by virtue of this or the former Act, than ten Shillings for the firſt Inch, and fifteen Shillings for the ſecond Inch, wanting in the Breadth thereof, and for every other Inch the

No greater Penalty than 10 s. for the firſt Inch, 15 s. for the ſecond, and 20 s. for the reſt in defective Cloth.

the Sum of twenty Shillings; which ſaid Penalties ſhall be recovered and applied in the ſame Manner as the other Penalties are herein directed.

Proviſo relating to White Cloths.

V. Provided alſo, and it is hereby declared, That no Maſter or Owner of white Woollen Broad Cloth ſhall be ſubject to any Penalties inflicted by this or the former Act, relating to the Breadth of the ſame, after ſuch white Cloth ſhall be put into hot Water, or any Liquors, in order to be dyed.

'VI. And whereas by the ſaid Act it is provided, That there ſhall be paid to the Maſter or Occcupier of every ſuch Fulling-mill, for affixing, or cauſing to be affixed at each End of every Cloth, before it ſhall be carried from the Mill, a Seal of Lead, and riveting the ſame, and ſtamping thereon the Length and Breadth of every ſuch Cloth, in the Manner therein directed, two Pence by the Owner of every ſuch Cloth; one Penny whereof is by the ſaid Act appointed to be paid to the Treaſurer of the ſaid *Weſt Riding* for the time being, to be applied, by Direction of the Juſtices of the Peace at their General Quarter-Seſſions, towards the Salaries of Searchers by them to be appointed by virtue of the ſaid Act; but no Proviſion is in the ſaid Act made to enforce the Payment, either of the ſaid two Pence to the ſaid Maſter or Occupier of the ſaid Mill, or of the ſaid Penny to the ſaid Treaſurer of the ſaid *Weſt Riding*:' It is hereby enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and thirty-four, in caſe any Owner of ſuch Cloth ſhall refuſe or neglect upon Demand to pay to the Mill-man, Maſter or Occupier of ſuch Mill, ſuch two Pence for every whole Cloth, or one Penny for every half Cloth; it ſhall be lawful to and for the ſaid Mill-man, Maſter or Occupier of ſuch Mill, to detain and ſtop ſuch Cloth until ſuch two Pence for every whole Cloth, or ſuch Penny for every half Cloth, ſhall be to him paid: And in caſe any Mill-man, Maſter or Occupier of ſuch Mill, ſhall refuſe, or by the Space of ten Days next after Demand thereof, neglect to pay to the ſaid Treaſurer of the ſaid Weſt Riding one Penny for every ſuch whole Cloth, and one Half-penny for every ſuch half Cloth ſo ſealed and ſtamped at ſuch Fulling-mill, as aforeſaid (Oath being, of ſuch Refuſal or Neglect, made by one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the ſaid *Weſt Riding*, or any Corporation within the ſame, ſuch Juſtice not being a Merchant or Trader in the Woollen Manufacture, and which Oath the ſaid Juſtice or Juſtices is and are hereby authorized to adminiſter) then every ſuch Mill-man, Maſter or Occupier of ſuch Mill ſhall, for every ſuch Refuſal or Neglect, forfeit the Sum of five Pounds, to be paid to the ſaid Treaſurer, and to be applied towards the Salaries of the ſaid Searchers; and then and in every ſuch Caſe it ſhall be lawful to and for ſuch Juſtice or Juſtices, by Warrant under his and their Hand and Seal, or Hands and Seals, to levy by Diſtreſs and Sale of the Goods of the ſaid Mill-man, Maſter or Occupier of ſuch Mill, ſo refuſing or neglecting to pay ſuch Penny for every ſuch whole Cloth, or ſuch Halfpenny for every ſuch half Cloth, as aforeſaid, as well the ſaid Sum of five Pounds, as the ſaid one Penny for every ſuch whole Cloth, or the ſaid Halfpenny for every ſuch half Cloth ſo refuſed or neglected to be paid; and in caſe ſufficient Diſtreſs cannot be found, then and in ſuch Caſe to commit the Offender or Offenders to the Houſe of Correction within the ſaid Weſt Riding, there to be kept to hard Labour for the Space of one Month.

Mill-man may detain the Cloth till Payment of the Duties impoſed by the former Act.

5l. Penalty on Mill-man detaining the Money appointed to be paid to the Treaſurer.

'VII. And whereas ſeveral Sums of Money have been borrowed and taken up at Intereſt by divers Clothiers, which Sums have been expended and diſburſed in and about the obtaining of the ſaid Act of the eleventh Year of his ſaid late Majeſty's Reign, and in endeavouring to procure a Bill, which in the fifth Year of the Reign of his preſent Majeſty was brought into Parliament, for explaining, amending, and making more effectual the ſaid Act, to paſs into a Law, which nevertheleſs did not paſs, and ſeveral Sums of Money have been and will be expended and diſburſed in obtaining this preſent Act:' Now it is hereby enacted by the Authority aforeſaid, That all and every Perſon or Perſons, to or by whom any Money is or ſhall be due, owing, or diſburſed, upon the Account above-mentioned, ſhall and may, at the next Quarter-Seſſions to be holden for the ſaid Weſt Riding, after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, deliver in their reſpective Bills or Accounts of their reſpective Diſburſements, Debts, and Demands then due to them reſpectively, and make Oath (or being a Quaker or Quakers, make a ſolemn Affirmation) of the Truth thereof; and upon ſuch Accounts, ſo delivered and proved as aforeſaid, the ſaid Juſtices are hereby authorized and required to allow ſo much of the ſaid Bill or Bills, as ſhall appear and ſeem to them to be reaſonable, and to order and direct the Money ariſen by the ſealing and ſtamping of Cloth, which ſhall be then remaining in the Hands of the ſaid Treaſurer of the ſaid Weſt Riding (after deducting thereout ſuch Salaries as ſhall be then due to the Searchers, if any ſuch Remainder there ſhall be) to be immediately iſſued and paid unto the ſeveral Perſons, who upon ſuch Proof ſhall be intitled to the ſame, in proportion to the reſpective Sums ſo proved to be due to them reſpectively, with ſuch legal Intereſt for any Sum or Sums of Money expended in and about the obtaining the ſaid former Act, or endeavouring to procure the ſaid Bill to paſs into a Law, as the ſaid Juſtices ſhall think reaſonable, and which the ſaid Treaſurer is hereby required and directed, upon ſuch Order, to iſſue and pay accordingly.

Perſons who advanced Money to procure the Act 11 Geo. 1. c. 24. how to be repaid.

VIII. And it is hereby further enacted, That when and as any Money ariſing by the ſtamping of Cloth or otherwiſe, by virtue of this or the ſaid former Act, ſhall come into the Hands of ſuch Treaſurer for the Time being, the ſame ſhall, from time to time, by ſuch Order of the Juſtices, at their Quarter-Seſſions to be held next after *Eaſter* in every Year, be iſſued and applied to the ſeveral Perſons intitled to the ſame on the account afore-mentioned, in the Proportion aforeſaid, until the whole Debts and Demands of ſuch Perſon and Perſons reſpectively ſhall be fully ſatisfied and diſcharged.

The additional Duties till Repayment of ſuch Monies.

IX. And it is hereby further enacted, That every Clothier or Maker of Broad Cloth within the ſaid Riding ſhall pay, or cauſe to be paid, to the Mill-man, the further Sum of two Pence for every whole Cloth, or one Penny for every half Cloth, which ſhall be made or fulled within the ſaid Riding, to be

by them paid to the Treaſurer of the ſaid Riding, until ſuch Time as the Debts and Demands which ſhall be proved and allowed in Manner before-mentioned, to be due to ſuch ſeveral Perſons, as aforeſaid, for any Sum or Sums of Money expended in and about obtaining the ſaid former Act, or endeavouring to procure the ſaid Bill to paſs into a Law, with Intereſt for the ſame, and the Charges of obtaining this Act, ſhall be raiſed, and that then this Clauſe ſhall entirely ceaſe and determine.

Powers for recovering the additional Duties.

X. And be it further enacted by the Authority aforeſaid, That ſuch Maſters, Mill-men, and Occupiers of the ſaid Fulling-mills, and the ſaid Treaſurer of the ſaid Weſt Riding, ſhall have like Powers for the recovering and obtaining the ſaid further Sum of two Pence for every whole Cloth, and of one Penny for every half Cloth, as is herein before provided for recovering and obtaining the ſaid Sums, for ſealing and ſtamping the ſaid Cloth, and the Moieties thereof payable by virtue of the ſaid former Act; and ſuch Maſters, Mill-men, and Occupiers of the ſaid Mills ſhall be ſubject to like Penalties for not paying the ſaid further Sum of two Pence for every whole Cloth, and one Penny for every half Cloth to the ſaid Treaſurer, to be levied and recovered in like Manner, as the ſaid Mill-men, Maſters, and Occupiers of Mills are herein before made liable unto, for refuſing or neglecting to pay ſuch Sums as by the ſaid former Act are ſo limited to be paid to the ſaid Treaſurer, and as herein before provided for the recovering and levying ſuch Penalties.

When the additional Duties ſhall ceaſe.

XI. And it is hereby further enacted, That after the ſaid Debts and Demands ſhall be totally paid off and diſcharged, no other Rates or Duties ſhall be paid to the Mill-men, Maſters or Occupiers of the ſaid Fulling-mills, for ſealing and ſtamping the ſaid Cloth, than two Pence for a whole Cloth, and one Penny for an End or half Cloth; one Moiety whereof ſhall be paid to the ſaid Treaſurer for the Purpoſes aforeſaid.

20 s. Penalty on ſtretching Cloths more than 1 Yard in Length, &c. above the Quantity marked.

XII. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon whatſoever, after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, ſhall ſtretch or ſtrain, or cauſe or procure to be ſtretched or ſtrained, any whole or long Cloth, or End, or half Cloth, more than one Yard in Length in every twenty Yards of the Length thereof, or more than one Inch in every Quarter of a Yard of the Breadth thereof (and ſo in Proportion for Cloths that are more or leſs in Lengths and Breadths) above or beyond the Length or Breadth of ſuch Cloth, upon ſuch Stamps or Seals marked, ſet down, and expreſſed; then, and in ſuch Caſe, every Perſon ſo offending, and being thereof convicted, by the Oath of one or more credible Witneſs or Witneſſes, before one or more ſuch Juſtice or Juſtices of the Peace, as aforeſaid, ſhall for every half Yard in Length, or every Inch in Breadth, ſuch Cloth ſhall be overſtretched, forfeit and pay the Sum of twenty Shillings, which ſaid Sum ſhall be recovered and applied in the ſame Manner as the other Penalties are herein directed.

Appeals to the Quarter-Seſſions,

whoſe Order ſhall be final.

XIII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall find him or herſelf aggrieved by any Order or Warrant made by any Juſtice or Juſtices, upon any Conviction before him or them in purſuance of this Act, ſuch Perſon or Perſons may appeal to the next General Quarter-Seſſions to be held for the ſaid Weſt Riding of the ſaid County of *York*, giving ten Days Notice of ſuch Appeal to the Perſon or Perſons diſcovering or informing of the Offence on which ſuch Conviction was made; and if the Juſtices at their ſaid Quarter-Seſſions ſhall think fit either to confirm or diſannul the Order or Proceedings of the ſaid Juſtice or Juſtices, they ſhall allow ſuch Coſts and Charges to the Party aggrieved thereby, as they ſhall think reaſonable, to be levied and paid in ſuch Manner as is uſual in Caſes of Appeals from any Order of the Juſtices of the Peace to the Seſſions, whoſe Order herein ſhall be final.

Who ſhall be appointed Searchers.

XIV. And it is hereby further enacted, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, no Perſon for the future ſhall be a Searcher of Woollen Broad Cloth, in the ſaid Riding, other than ſuch as ſhall follow, or ſhall have been brought up in the Trade or Occupation of a Maker or Dreſſer of Woollen Broad Cloth in the ſaid Riding, to be choſen by the Juſtices, not Dealers in Cloth.

To what Cloths this Act ſhall extend.

XV. And be it further enacted, That this Act, and all the Penalties, Directions, and Clauſes therein contained, ſhall extend to all Woollen Broad Cloth, which ſhall be made, milled, dreſſed, or expoſed to Sale in the *Weſt Riding* of the County of *York*.

Informations to be made in 5 Days.

XVI. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That all Informations, on which any Conviction ſhall be made of any Offence by virtue of this Act, ſhall be made within five Days next after Diſcovery of the ſame Offence, and not otherwiſe.

Duration of this Act.

'Made perpetual 14 Geo. 2. c. 25.'

And ſee 11 *Geo.* 2. c. 28.

XVII. And it is hereby further enacted by the Authority aforeſaid, That this preſent Act ſhall continue in Force until the firſt Day of *September* in the Year of our Lord one thouſand ſeven hundred and forty, and from thence to the End of the then next Seſſion of Parliament; and alſo that this Act ſhall be taken and deemed to be a publick Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. XXVI.

'The Powers granted by the former Acts, further continued for 21 Years.'

8 Geo. 2. c. 28.

An Act for continuing, explaining, and making more effectual two Acts of Parliament, one of the third, and the other of the eighth Year of the Reign of his late Majeſty King GEORGE the Firſt, *For repairing the Highways from the ſeveral Places in the ſaid Acts mentioned, to* Highgate *Gatehouſe and* Hampſtead *in the County of* Middleſex; *and for amending the Roads from the South End of the ſaid Town of* Hampſtead, *to the further End of* Burrough Lane *in the Pariſh of* Hendon; *and for repairing other Roads therein mentioned, lying in the Pariſh of* Iſlington *in the ſaid County.* P R.

CAP.

CAP. XXVII.

An Act for making the Church of *Bablack* in the City of *Coventry*, a Pariſh Church, and for appointing a Diſtrict or Pariſh thereto, and for enabling the Maſter and Uſher of the free Grammar School within the ſaid City, to be the Rector and Lecturer of the ſaid Pariſh Church. After 23 *June* 1734. *Bablack* Church ſhall be deemed a Pariſh Church by the Name of *Saint John Baptiſt*. Biſhop of the Dioceſe to aſcertain the Manner and Form of the Lecturer's Aſſiſtance. St. *Michael* and St. *John* to have the ſame Churchwarden. Rector to nominate the Pariſh Clerk. Truſtees may purchaſe another Cemetery, and Lands, *&c.* not exceeding 40 *l. per Ann.* for the Uſe of the new Church. The Biſhop to determine Controverſies about letting Pews. This Act not to prejudice the Owner of the impropriate Tithes of St. *Michael*, or the preſent Rector. The Inhabitants of the new Pariſh may reſort to St. *Michael*'s, and bury their Dead there, till the new Church be fitted for Divine Service, *&c.* P R.

CAP. XXVIII.

An Act to extend the Navigation of the River *Weaver* from *Winsford Bridge* to the Town of *Namptwich* in the County of *Cheſter*. P R.

7 Geo. 1. c. 10.

'WHEREAS by an Act of Parliament made in the ſeventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for making the River* Weaver *navigable from* Frodſham Bridge *to* Winsford Bridge, *in the County of* Cheſter, the Undertakers and the Truſtees therein mentioned, and their Succeſſors, were impowered to make the ſaid River navigable from *Frodſham Bridge* to *Winsford Bridge* aforeſaid, which River hath ſince been made navigable from *Frodſham Bridge* to *Winsford Bridge* accordingly: And whereas the extending or enlarging of the Navigation on the ſaid River for Boats, Lighters, and other Veſſels from *Winsford Bridge* aforeſaid, to *Namptwich* in the ſame County, will not only be very beneficial and convenient, as well for the Carriage of Salt, Cheeſe, and Corn (the great Produce and Manufactures of the ſaid County) as of other Goods and Merchandizes, to and from the ſaid Town of *Namptwich* (the largeſt and moſt conſiderable Town in the ſaid County) and other Towns and Parts adjacent, but will imploy the Poor, and be a Means to preſerve the Highways in that Part of the ſaid County, and will tend very much to the imploying and increaſing the Number of Seamen and Watermen in the ſaid County, and be for the publick Good;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"*W. Maiſterſon* and *T. Williams*, and their Aſſigns, impowered to make the River navigable. The Duties to be paid to the Undertakers not to exceed 3 *s. per* Ton Weight. The Works exempted from the Commiſſion of Sewers. On Death, *&c.* of Commiſſioners, others ſhall be choſen. Undertakers to ſet up and maintain Bridges, *&c.* and may borrow Money on the Undertaking. Any Perſon may uſe Pleaſure Boats on the River."

CAP. XXIX.

'The Powers granted by the ſaid Acts are further continued for 14 Years. Continued by 24 Geo. 2. c. 59.'

An Act for making more effectual an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the more effectual amending the Highways leading from* Royſton *in the County of* Hertford, *to* Wandsford Bridge *in the County of* Huntingdon, ſo far as the ſame relates to the amending that Part of the Road as lies between a Place called the *White Poſt* upon *Alconbury Hill*, and *Wandsford Bridge*, in the ſaid County of *Huntingdon*, called *The North Diviſion*. P R.

Anno octavo GEORGII II.

[a] *Inchoat. et tent.* xiii° *die* Junii *Anno Regni, &c. octavo, et per ſeparal. prorogationes & adjournationes continuat. uſque ad et in* xi^mum *diem* Novembris *Anno Regni, &c. octavo.* In Recordo.

'AT the Parliament begun and holden at *Weſtminſter*, the fourteenth Day of *January*, *Anno Dom.* one thouſand ſeven hundred and thirty-four, [a] in the eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* Being the firſt Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-five. E X P. *See* 15 *Geo.* 2. *c.* 1.

CAP. II.

An Act to puniſh Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. E X P.

C A P.

CAP. III.

An Act for repairing the Roads from the Town of *Manchester*, leading from *Newton*, *Failsworth* and *Oldham*, in the County Palatine of *Lancaster*, to *Austerlands* in the Parish of *Saddleworth*, in the County of *York*.

The Tolls are to continue from 1 *May* 1735, *for* 21 *Years.* PR. *Farther continued by* 21 *Geo.* 2. *c.* 15.

CAP. IV.

An Act to indemnify Persons who have omitted to make and subscribe the Declarations contained in the Act of Uniformity of the thirteenth and fourteenth Years of King CHARLES the Second, within the Time limited by Law; and for allowing further Time for doing thereof. EXP.

CAP. V.

An Act for enlarging the Term and Powers granted by an Act made in twelfth and thirteenth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for repairing and amending the Highways between the Town or Village of* Tittensor *and the most Northern Part of* Talk on the Hill *in* Butt Lane, *in the County of* Stafford. PR.

The former Act is further continued for 21 *Years. Farther continued by* 25 *Geo.* 2. *c.* 16.

CAP. VI.

An Act for the publick registring of all Deeds, Conveyances, Wills, and other Incumbrances, that shall be made of, or that may affect, any Honors, Manors, Lands, Tenements, or Hereditaments, within the *North Riding* of the County of *York*, after the nine and twentieth Day of *September* one thousand seven hundred and thirty-six.

Preamble.

'WHEREAS the Lands in the *North Riding* of the County of *York* are generally Freehold, which 'may be so secretly transferred or conveyed from one Person to another, and incumbred, that such 'Persons as are ill-disposed have it in their Power to commit Frauds, and frequently do so, by Means 'whereof several Persons, who through many Years Industry in their Trades and Employments, and by 'great Frugality, have been enabled to purchase Lands, or lend Money on Land Security, have been 'undone in their Purchases and Mortgages by prior and secret Conveyances and fraudulent Incum-'brances, and not only themselves, but their whole Families thereby utterly ruined:' For Remedy whereof, may it please your most Excellent Majesty (at the humble Request of the Justices of the Peace, Gentlemen, and Freeholders of the said *North Riding*) that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That a Memorial of all Deeds and Conveyances, which from and after the twenty-ninth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and thirty-six, shall be made and executed, and of all Wills and Devises in Writing made or to be made, and published, where the Devisor or Testatrix shall die after the said twenty-ninth Day of *September* one thousand seven hundred and thirty-six, and of all Judgments, Statutes, and Recognizances (other than such as shall be entred in the Name and upon the proper Account of his Majesty, his Heirs and Successors) which shall be obtained or entered into after the said twenty-ninth Day of *September* one thousand seven hundred and thirty-six, of or concerning, or whereby any Honors, Manors, Lands, Tenements, or Hereditaments, in the said *North Riding*, may be any way affected in Law or Equity, may be registred in such Manner as is herein after directed; and that every such Deed or Conveyance, Judgment, Statute, or Recognizance, that shall, at any Time after the said twenty-ninth Day of *September* one thousand seven hundred and thirty-six, be made and executed, obtained, or entred into, shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee, Plaintiff or Cognisee, for or upon valuable Consideration, unless such Memorial thereof be registered, as by this Act is directed, before the registring of the Memorial of the Deed or Conveyance, Judgment, Statute, or Recognizance, under which such subsequent Purchaser or Mortgagee, Plaintiff or Cognisee, shall claim; and that every such Devise by Will shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee, Plaintiff or Cognisee, for or upon valuable Consideration, unless a Memorial of such Will be registered in such Manner as is herein after directed.

For Registers in the West and East Ridings, refer to 2 *Ann. c.* 4. 5 *Ann. c.* 18. 6 *Ann. c.* 35.

After 29 Sept. 1736, a Memorial of all Deeds, Conveyances, Wills, &c. affecting Lands, to be registred,

or shall be adjudged fraudulent.

II. And for the better settling and establishing a certain Method, with proper Rules and Directions, for registering such Memorials as aforesaid; Be it further enacted by the Authority aforesaid, That one publick Office for registring such Memorials of and concerning any Honors, Manors, Lands, Tenements, and Hereditaments, that are situate, lying, and being within the said *North Riding*, shall be erected and established at such Market Town as the Justices of the Peace, or the major Part of them, assembled at their General Quarter-Sessions, in and for the said *North Riding*, which shall be held at *Northallerton*, on the seventeenth Day of *July* one thousand seven hundred and thirty-five, shall agree and adjudge to be the nearest Market Town to the Center or Middle of the said *North Riding*, to be managed and executed by a fit and able Person to be, from time to time, elected and appointed in Manner

How and where the Place of Register Office shall be appointed.

ner herein after directed, or his ſufficient Deputy, and to continue in the ſaid Office for ſo long Time as he ſhall well demean himſelf therein.

The Charges of this Act, and of eſtabliſhing the ſaid Office, how to be paid.

III. Provided, and be it further enacted, That the Coſts and Charges of procuring and paſſing of this Act of Parliament, and in erecting and eſtabliſhing of the ſaid publick Regiſter Office, ſhall be at the publick Charge of the ſaid *North Riding*; which Coſts, Charges, and Expences, ſhall be raiſed by the Juſtices of the Peace of the ſaid *North Riding* at their General Quarter-Seſſions of the Peace, in ſuch Manner as they are impowered to raiſe Money for Repairs of Publick or County Bridges.

The Form of electing the Regiſter.

IV. And be it further enacted by the Authority aforeſaid, That all Elections of a Regiſter to be made or appointed by virtue of this Act, ſhall be performed by ballotting in Manner following; that is to ſay, All the Freeholders of the Age of one and twenty Years, that at the Time of any ſuch Election have an Eſtate of Freehold of or in any Lands, Tenements, or Hereditaments, within the ſaid *North Riding*, of the yearly Value of one hundred Pounds, to be determined by the Oath of the Elector, or ſolemn Affirmation of ſuch Elector being of the Perſuaſion of the People called *Quakers*, before the Scrutators herein after mentioned, if any Doubt ariſe touching the ſame (which Oath and ſolemn Affirmation they are hereby impowered to adminiſter) ſhall be Electors of the ſaid Regiſter; and that the Juſtices of the Peace for the ſaid *North Riding*, in that Behalf aſſembled, or the major Part of them, or any Five of ſuch Juſtices to be appointed by ſuch major Part, ſhall be Scrutators of the Ballot, who ſhall meet on the Day and Place of Election, and there, in the Preſence of the Electors, ſhall place one or more Glaſs Veſſel or Veſſels, to be provided for that Purpoſe, into which each Elector preſent ſhall put one open Paper, containing the Name of ſuch Perſon as he approves of to be Regiſter; which Papers ſhall be taken out again in the Preſence of the ſaid Scrutators, by a Perſon by them in that Behalf appointed; and the Name or Names of every Perſon therein ſhall be once tranſcribed in diſtinct Columns, and under each Name ſhall be ſet down the Number of their Electors, which ſhall be deliberately caſt up by the ſaid Scrutators, and the ſame ſhall be read over in the Hearing, and fixed up in the View of the Electors then preſent; and the Perſon upon whom the Majority ſhall fall ſhall be declared Regiſter.

The Time and Place of chooſing the firſt Regiſter.

V. And be it further enacted, That the Election of the Perſon to be the firſt Regiſter ſhall be made at *Northallerton* aforeſaid, upon the eighteenth Day of *July* one thouſand ſeven hundred and thirty-five, in open Court, between the Hours of eight in the Morning and ſix in the Afternoon.

The Election of future Regiſters.

VI. And be it further enacted by the Authority aforeſaid, That when and as often as the ſaid Office ſhall become vacant by the Death, Forfeiture, or Surrender of any ſuch Regiſter, the Juſtices of the Peace for the ſaid *North Riding*, aſſembled at the General Quarter-Seſſions of the Peace next after ſuch Vacancy ſhall happen, or the major Part of them, ſhall in open Court declare the ſaid Vacancy; and by Order of the ſame Seſſions ſhall appoint and prefix a certain Day and Time within the Space of one Calendar Month, and not leſs than three Weeks, enſuing the End of ſuch General Quarter-Seſſions, for the Electors to aſſemble at ſuch Place where the Office ſhall be erected as aforeſaid, to chooſe a fit and able Perſon in the Manner aforeſaid, to ſupply the ſaid Vacancy; and that all Perſons qualified to be Electors may have due Notice of ſuch Vacancy, and Time of Election of a ſucceeding Regiſter, the Clerk of the Peace for the time being for the ſaid *North Riding* ſhall forthwith cauſe Copies of ſuch Order, for the prefixing the Time of ſuch Election, to be delivered to the reſpective Chief Conſtables of the ſeveral Wapentakes within the ſaid *North Riding*, who ſhall, and are hereby required to publiſh the ſame in full Market, in every Market Town within their reſpective Wapentakes, on the next Market Day after the Receipt thereof, and to affix the ſame in the moſt publick Place of Reſort there.

VII. And be it further enacted, That every ſuch Regiſter, before he enter upon the Execution of the ſaid Office, ſhall be ſworn before the Juſtices of the Peace for the ſaid Riding, or any three or more of them, that ſhall be preſent at his Election, who are hereby impowered and required to adminiſter ſuch Oath in the Words following:

The Regiſter's Oath.

'YOU ſhall truly and faithfully perform and execute the Office and Duty that is directed and required by you to be done by Act of Parliament, intituled, *An Act for the publick regiſtring of all Deeds, Conveyances, Wills, and other Incumbrances, that ſhall be made of, or that may affect, any Honors, Manors, Lands, Tenements, or Hereditaments, within the* North Riding *of the County of* York, *after the nine and twentieth Day of* September *one thouſand ſeven hundred and thirty ſix*; and that you have not given or promiſed, directly or indirectly, nor authorized any Perſon to give or promiſe any Money, Gratuity, or Reward whatſoever, for procuring or obtaining the ſaid Office for you.'

So help you God.

Regiſter's Deputy to take the Oath.

VIII. And that when and as often as the ſaid Regiſter ſhall appoint any Deputy to execute the ſaid Office, ſuch Deputy ſhall, before he enter upon the Execution thereof, take the ſaid Oath appointed to be taken by the ſaid Regiſter, before two or more of the Juſtices of the Peace for the ſaid Riding, who are hereby impowered and required to adminiſter ſuch Oath.

How the Office of Regiſter is to be executed, during a Vacancy.

IX. And be it further enacted, That upon the Death of any ſuch Regiſter, and until another Election of a fit Perſon to execute that Office ſhall be made in the Manner aforeſaid, the Executors and Adminiſtrators of the Regiſter deceaſed, together with the Sureties for the ſaid Regiſter, or their Executors and Adminiſtrators, ſhall appoint a proper Perſon to execute the Office of Regiſter, for whoſe Demeanor

meanor in the Execution of the ſaid Office, the Security given for ſuch Regiſter deceaſed ſhall be anſwerable.

X. And be it further enacted, That the Perſon to be appointed as aforeſaid, upon the Death of any Regiſter, to execute the ſaid Office during the Time the ſame ſhall be vacant as aforeſaid, ſhall, before he enter upon the Execution thereof, take the Oath herein before appointed to be taken by ſuch Regiſter and his Deputy, before two or more Juſtices of the Peace for the ſaid Riding (who are hereby impowered to adminiſter the ſame Oath) and that if ſuch Perſon ſo appointed ſhall be lawfully convicted of any Neglect, Miſdemeanor, or fraudulent Practice, in the Execution of the ſaid Office, during ſuch Vacancy, he ſhall be liable to pay treble Damages, with full Coſts of Suit, to every Perſon that ſhall be injured thereby, to be recovered as is herein after directed. Penalty on Miſdemeanor of the Perſon acting during ſuch Vacancy.

XI. And be it further enacted by the Authority aforeſaid, That all and every Memorial of Deeds, Conveyances, and Wills, ſo to be entred and regiſtred, ſhall be put into Writing in Vellum or Parchment, and brought to the ſaid Office, and, in caſe of Deeds and Conveyances, ſhall be under the Hand and Seal of ſome or one of the Grantors, or ſome or one of the Grantees, his, her or their Heirs, Executors, or Adminiſtrators, Guardians, or Truſtees, atteſted by two Witneſſes to the Execution of ſuch Deed or Conveyance, which Witneſs ſhall upon his Oath, or being a Quaker on his ſolemn Affirmation, before the ſaid Regiſter or his Deputy, prove the ſigning and ſealing of ſuch Memorial, and the Execution of the Deed or Conveyance mentioned in ſuch Memorial (or elſe the Perſon ſo ſigning and ſealing the ſame Memorial as aforeſaid, or one of them, ſhall, before the ſaid Regiſter or his Deputy, acknowledge his or their ſigning and ſealing of the ſaid Memorial, and the Execution of the Deed or Conveyance mentioned in ſuch Memorials) and in caſe of Wills, the Memorial ſhall be under the Hand and Seal of ſome or one of the Deviſees, his or their Heirs, Executors or Adminiſtrators, Guardians or Truſtees, atteſted by two Witneſſes, one whereof ſhall, upon his Oath, or being a Quaker on his ſolemn Affirmation, before the ſaid Regiſter or his Deputy, prove the ſigning and ſealing of ſuch Memorial, or the ſame ſhall be acknowledged in like Manner before the ſaid Regiſter or his Deputy, by the Perſons ſo ſigning and ſealing the ſame Memorial as aforeſaid, or one of them (which reſpective Oaths and Affirmations the ſaid Regiſter or his Deputy is hereby impowered to adminiſter); and the ſaid Regiſter or his Deputy is hereby alſo impowered to take the ſaid reſpective Acknowledgements as aforeſaid, and ſhall enter a Memorandum of the taking the ſame reſpectively upon the ſaid reſpective Memorials, with the Time when the ſame was ſo taken; and the ſaid Memorandum ſhall be ſigned by the ſaid Regiſter or his Deputy, and alſo by the Party ſo acknowledging the ſame reſpectively. The Method of regiſtring. *Sic in records.*]

XII. And be it further enacted, That every Memorial of any Deed, Conveyance or Will, ſhall contain the Day of the Month and the Year when ſuch Deed, Conveyance, or Will bears Date, and the Names and Additions of all the Parties to ſuch Deed or Conveyance, and of the Deviſor or Teſtatrix of ſuch Will, and of all the Witneſſes to ſuch Deed, Conveyance or Will, and the Places of their Abode, and ſhall expreſs or mention the Honors, Manors, Lands, Tenements and Hereditaments, contained in ſuch Deed, Conveyance or Will, and the Names of all the Pariſhes, Townſhips, Hamlets, Precincts or Extraparochial Places within the ſaid *North Riding*, where any ſuch Honors, Manors, Lands, Tenements or Hereditaments are lying or being, that are given, granted, conveyed, deviſed, or any way affected or charged by any ſuch Deed, Conveyance or Will, in ſuch Manner as the ſame are expreſſed or mentioned in ſuch Deed, Conveyance or Will, or to the ſame Effect; and that every ſuch Deed, Conveyance and Will, or Probate of the ſame, of which ſuch Memorial is ſo to be regiſtred as aforeſaid, ſhall be produced to the ſaid Regiſter or his Deputy at the Time of entring ſuch Memorial, who ſhall indorſe a Certificate on every ſuch Deed, Conveyance and Will, or Probate thereof, and therein mention the certain Day, Hour and Time, on which ſuch Memorial is ſo entred or regiſtred, expreſſing alſo in what Book, Page and Number the ſame is entred, and that the ſaid Regiſter or his Deputy ſhall ſign the ſaid Certificate ſo indorſed (which Certificate ſhall be taken and allowed as Evidence of ſuch reſpective Regiſtries in all Courts of Record whatſoever) and that every Page of ſuch Regiſter Books, and that every Memorial that ſhall be entred therein, ſhall be numbred, and the Day of the Month, and the Year, and the Hour or Time of the Day when every Memorial is regiſtred, ſhall be entred in the Margin of the ſaid Regiſter Books, and of the ſaid Memorial; and that every ſuch Regiſter ſhall keep an alphabetical Kalendar of all Pariſhes, Extraparochial Places and Townſhips within the ſaid *North Riding*, with Reference to the Number of every Memorial that concerns the Honors, Manors, Lands, Tenements or Hereditaments in every ſuch Pariſh, Extraparochial Place or Townſhip reſpectively, and of the Names of the Parties mentioned in ſuch Memorials. The Contents of the Memorials to be regiſtred. The Certificate of regiſtring.

XIII. And be it further enacted by the Authority aforeſaid, That a Memorial of ſuch Deeds, Conveyances and Wills, as ſhall be made and executed in any Place not within forty Miles of the ſaid publick Regiſter Office, which do or may concern or affect any Honors, Manors, Lands, Tenements or Hereditaments in the ſaid *North Riding*, ſhall be entred or regiſtred by the aforeſaid Regiſter or his Deputy, in caſe an Affidavit ſworn, or a ſolemn Affirmation of a Perſon of the Perſuaſion of the People called *Quakers* made in Writing, before one of the Judges at *Weſtminſter*, or a Maſter in Chancery, ordinary or extraordinary, be brought with the ſaid Memorial to the ſaid Regiſter or his Deputy, wherein one of the Witneſſes to the Execution of ſuch Deeds and Conveyances ſhall ſwear, or being a *Quaker* ſhall affirm that he or ſhe ſaw the ſame executed, and the Memorial ſigned and ſealed as aforeſaid, or wherein one of the Witneſſes to the Memorial of any Will ſhall ſwear, or being a *Quaker* ſhall affirm that he or ſhe ſaw ſuch Memorial ſigned and ſealed as aforeſaid; and the ſame ſhall be a ſufficient Authority to the ſaid Regiſter or his Deputy, to give the Party that brings ſuch Memorial and Affidavit, or Affirmation, a Certificate of the regiſtring ſuch Memorial, which Certificate ſigned by the ſaid Regiſter or his Deputy, ſhall be taken and allowed as Evidence of the Regiſtries of the ſame Memorials, in On what Condition ſuch Certificate ſhall be granted.

all Courts of Record whatſoever; any thing in this Act to the contrary thereof contained in any wiſe notwithſtanding.

In caſe of ſeveral Writings, the Particulars may be only mentioned once.

XIV. Provided always, and be it enacted, That where there are more Writings than one for making and perfecting any Conveyance or Security, which do name, mention or any Ways affect or concern the ſame Honors, Manors, Lands, Tenements or Hereditaments, it ſhall be a ſufficient Memorial and Regiſter thereof, if all the ſame Manors, Lands, Tenements and Hereditaments, and the Pariſhes, Townſhips, Hamlets or Extraparochial Places wherein the ſame lie, be only once named or mentioned in the Memorial, Regiſter and Certificate of any one of the Deeds or Writings made for the perfecting of ſuch Conveyance or Security; and the Dates of the reſt of the ſaid Deeds or Writings relating to the ſaid Conveyance or Security, with the Names and Additions of the Parties and Witneſſes, and the Places of their Abodes, be only ſet down in the Memorials, Regiſters, and Certificates of the ſame, with a Reference to the Deed or Writing whereof the Memorial is ſo regiſtred, that contains or expreſſes the Parcels mentioned in all the ſaid Deeds, and Directions how to find the regiſtring the ſame.

Memorials of Wills.

XV. Provided alſo, and it is hereby enacted, That all Memorials of Wills that ſhall be regiſtred in Manner as aforeſaid, within the Space of ſix Months after the Death of every reſpective Deviſor or Teſtatrix dying within the Kingdom of *Great Britain*, or within the Space of three Years after the Death of every repſective Deviſor or Teſtatrix, dying upon or in any Parts beyond the Seas, ſhall be as valid and effectual againſt ſubſequent Purchaſers, Judgments, Statutes and Recognizances, as if the ſame had been regiſtred immediately after the Death of ſuch reſpective Deviſor or Teſtatrix; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Wills conteſted.

XVI. Provided always, That in caſe the Deviſee or Perſon or Perſons intereſted in the Honors, Manors, Lands, Tenements or Hereditaments, deviſed by any ſuch Will as aforeſaid, by reaſon of the conteſting ſuch Will or other inevitable Difficulty, without his, her or their wilful Neglect or Default, ſhall be diſabled to exhibit a Memorial for the Regiſtry thereof within the reſpective Times herein before limited, and that a Memorial ſhall be entred in the ſaid Office, of ſuch Conteſt or Impediment, within the Space of ſix Months after the Deceaſe of ſuch Deviſor or Teſtatrix, who ſhall die within the Kingdom of *Great Britain*, or within the Space of three Years next after the Deceaſe of ſuch Perſon who ſhall die upon or beyond the Seas; then, and in ſuch Caſe, the Regiſtry of the Memorial of ſuch Will within the Space of ſix Months next after his, her or their Attainment of ſuch Will, or a Probate thereof, or Removal of the Impediment whereby he, ſhe or they are diſabled or hindred to exhibit ſuch Memorial, ſhall be a ſufficient Regiſtry within the meaning of this Act; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Concealment of Wills.

XVII. Provided nevertheleſs, That in caſe of any Concealment or Suppreſſion of any Will or Deviſe, no Purchaſer or Purchaſers, for valuable Conſideration, ſhall be defeated or diſturbed in his or their Purchaſe, nor any Plaintiff in any Judgment or Cogniſance of any Statute or Recognizance, ſhall be defeated of his or their Debts, by any Title made or deviſed by any ſuch Will, unleſs the Will be actually regiſtred within three Years after the Death of the Deviſor or Teſtatrix.

Memorials of Judgments,

XVIII. And be it further enacted by the Authority aforeſaid, That all and every Memorials of Judgments, Statutes and Recognizances, ſo to be entred and regiſtred at the ſaid Regiſter Office as aforeſaid, ſhall be in Writing, and expreſs and contain, in caſe of ſuch Judgment, the Names of the Plaintiffs, and the Names and Additions therein of the Defendants, the Sums thereby recovered, and the Time of the ſigning thereof; and in caſe of Statutes and Recognizances, the Date of ſuch Statute or Recognizance, the Names and Additions of the Cogniſors and Cogniſees therein, and for what Sums, and before whom the ſame were acknowledged; and that in order to the making an Entry of ſuch Memorials of Judgments, Statutes and Recognizances as aforeſaid, the Party and Parties deſiring the ſame ſhall produce to, and leave with, the ſaid Regiſter or his Deputy, to be filed in the ſaid Publick or Regiſter Office, a Memorial of ſuch Judgment, Statute or Recognizance, ſigned by the proper Officer or his Deputy, who ſhall ſign ſuch Judgment, or his Succeſſor in the ſame Office, or by the proper Officer in whoſe Office ſuch Statute or Recognizance ſhall be inrolled, together with an Affidavit ſworn, or ſolemn Affirmation in Writing of a Perſon of the Perſuaſion of the People called *Quakers*, made before one of the Judges at *Weſtminſter*, or a Maſter in Chancery, that ſuch Memorial was duly ſigned by the Officer whoſe Name ſhall appear to be thereunto ſet; which Memorial ſuch reſpective Officer is hereby required to give ſuch Plaintiff or Plaintiffs, Cogniſee or Cogniſees, or his, her or their Executors or Adminiſtrators, or Attorney, or any of them, he, ſhe or they paying for the ſame one Shilling, and no more.

Statutes and Recognizances.

Fee.

Method of regiſtring,

XIX. And be it further enacted, That the ſaid Regiſter or his Deputy ſhall make an Entry, and likewiſe (if required) ſhall give a Certificate in Writing under his Hand, teſtified by two credible Witneſſes, of every ſuch Memorial of any Judgment, Statute or Recognizance, brought to him to be ſo regiſtred as aforeſaid; and in ſuch Book wherein ſuch Memorial ſhall be entred, and alſo in ſuch Certificate to be ſo given, ſhall mention the certain Day and Hour or Time of that Day, on which ſuch Memorial is ſo regiſtred or entred; and in ſuch Certificate ſhall mention in what Book, Page and Number the ſame Memorial is entred.

and filing.

XX. And be it further enacted, That ſuch Regiſter ſhall duly file every ſuch Memorial of Deeds, Conveyances, Wills, Judgments, Statutes and Recognizances, in order of Time, as the ſame ſhall be brought to the ſaid Regiſter Office, and ſhall enter or regiſter the ſame Memorials in the ſame Order that they ſhall reſpectively come to his Hands.

Recital of the Act 27 H. 8. c. 16.

'XXI. And whereas by an Act of Parliament made in the twenty-ſeventh Year of the Reign of King 'HENRY the Eighth, intituled, *For Inrolments of Bargains and Sales*, it is enacted, That no Manors, 'Lands, Tenements or other Hereditaments, ſhall paſs, alter or change from one to another, whereby

'any

'any Eſtate of Inheritance or Freehold ſhall be made or take Effect, in any Perſon or Perſons, or any 'Uſe thereof to be made, by reaſon only of any Bargain and Sale thereof; except the ſaid Bargain 'and Sale be made by Writing, indented, ſealed and inrolled in one of the King's Courts of Record 'at *Weſtminſter*, or elſe within the ſame County or Counties where the ſame Manors, Lands, Tene- 'ments or Hereditaments ſo bargained and ſold lie, or before the *Cuſtos Rotulorum*, and two Juſtices of 'the Peace, and the Clerk of the Peace of the ſame County or Counties, or two of them at the leaſt, 'whereof the Clerk of the Peace to be one; which Act hath been found by Experience to be of little or 'no Uſe within the ſaid *North Riding*, for that the Clerk of the Peace thereof for the time being, who 'hath the keeping of the ſaid Inrolments within the ſaid *North Riding*, is not by the ſaid Act injoined 'to give any Security for the ſafe keeping, nor under any Penalty for the negligent keeping of the ſaid 'Inrolments, nor is any Place by the ſaid Act appointed for keeping thereof: And whereas by this pre- 'ſent Act a publick Office is intended to be erected and eſtabliſhed as aforeſaid, at the publick Charge of 'the ſaid *North Riding*, for regiſtring and ſafe keeping Memorials of all Deeds and Conveyances as 'aforeſaid, and a publick Regiſter to be choſen, who, according to the Directions herein after-men- 'tioned, is to give ſufficient Security for the due Execution of the ſaid Office;' For rendring therefore the ſaid Act made in the twenty-ſeventh Year of the Reign of King HENRY the Eighth more effectual and beneficial to the Inhabitants of the ſaid *North Riding*, Be it further enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, all Bargains and Sales of any Manors, Lands, Tenements and Hereditaments, ſituate, lying, and being within the ſaid *North Riding*, which ſhall be inrolled by the ſaid Regiſter or his Deputy for the time being, in the ſaid publick Office, ſhall be as good, effectual, and available to all Intents and Purpoſes whatſoever, as if the ſame had been inrolled in one of the King's Courts of Record at *Weſtminſter*, or before the *Cuſtos Rotulorum*, and two Juſtices of the Peace, and the Clerk of the Peace for the ſaid *North Riding*, or two of them, according to the aforeſaid Act made in the twenty-ſeventh Year of the Reign of King HENRY the Eighth, or any other Act now in Force; and one or more Juſtice or Juſtices of the Peace of the ſaid Riding for the time being, ſhall have Power to take and enter the Acknowledgment of the Bargainer, if but one, or of one of the Bargainers, if more, in ſuch Bargains and Sales; and the ſaid Regiſter or his Deputy for the time being, ſhall well and ſufficiently inroll, by ingroſſing in Parchment Books, all ſuch Bargains and Sales as ſhall for that Purpoſe be acknowledged as aforeſaid, and ſhall indorſe a Certificate on ſuch Bargains and Sales of the Times of inrolling thereof and ſign the ſame, and the Books thereof ſhall ſafely keep in the ſaid publick Office, there to remain upon Record amongſt the Memorials of Deeds there regiſtred. And be it further enacted, That all Deeds of Bargain and Sale ſo inrolled in the ſaid publick or Regiſter Office as aforeſaid, which ſhall appear to be ſo inrolled by an Indorſement or Certificate on the ſaid Deeds of Bargain and Sale, ſigned by the ſaid Regiſter or his Deputy, and all Copies of the Inrolments thereof remaining on Record in the ſaid Regiſter Office, ſhall be allowed in all Courts where ſuch Bargains and Sales or Copies ſhall be produced, to be as good and ſufficient Evidence as any Bargains and Sales inrolled in any of the Courts at *Weſtminſter*, and the Copies of the Inrolments thereof.

Bargains and Sales of Lands inrolled by the ſaid Regiſter, as effectual as if inrolled according to the ſaid Act.

The Copies of Deeds ſo inrolled good Evidence.

'XXII. And whereas Deeds have been often deſtroyed by Fire and other Accidents;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, any Perſon or Perſons having or claiming Title to any Honors, Manors, Lands, Tenements or Hereditaments in the ſaid *North Riding*, may regiſter at full Length in the ſaid Regiſter Office, all and every or any the Deeds, Writings, Wills or Conveyances, by or under which ſuch Title ſhall be claimed, and which ſhall be made and executed or ſigned and publiſhed, and in the caſe of Wills where the Deviſor or Teſtatrix ſhall die, after the ſaid twenty-ninth Day of *September* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix; and the ſaid Regiſter or his Deputy is hereby authorized to enter and inroll all ſuch Deeds, Writings, Wills and Conveyances as ſhall be ſo brought to be regiſtred at full Length, by ingroſſing them in Parchment Books; and the ſaid Regiſter or his Deputy ſhall, in the Margin of every ſuch Entry and Inrolment, mention the Time of ſuch Entry and Inrolment, and ſhall indorſe and ſign a Certificate on ſuch Deed, Conveyance or Will, in Manner as is by this Act directed where a Memorial is entred, and ſhall ſafely keep all and every the Books wherein ſuch Entries and Inrolments ſhall be made in the ſaid publick Office, there to remain upon Record, and all Copies of ſuch Entries and Inrolments of ſuch Deeds, Writings, Wills and Conveyances ſo regiſtred at full Length, and which Copies ſhall be ſigned by the ſaid Regiſter or his Deputy, and atteſted by two or more Witneſſes, ſhall be allowed in all Courts of Record to be good and ſufficient Evidence of ſuch Deeds, Writings, Wills or Conveyances ſo regiſtred and deſtroyed by Fire or other Accident.

The regiſtring of Writings at full Length.

XXIII. And be it enacted by the Authority aforeſaid, That at the Time any Deed, Conveyance or Will made and executed or ſigned and publiſhed after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, ſhall be brought to the ſaid Regiſter's Office to be regiſtred or inrolled at full Length, one of the Witneſſes to the Execution of ſuch Deed or Conveyance, or to the ſigning and publiſhing ſuch Will, ſhall make Oath, or being one of the People called *Quakers* take his ſolemn Affirmation, before the ſaid Regiſter or his Deputy, that ſuch Deed or Conveyance was duly executed by the Grantor or Grantors, or that ſuch Will was ſigned and publiſhed by the Deviſor or Teſtatrix, which reſpective Oaths and Affirmations the ſaid Regiſter or his Deputy is required and impowered to adminiſter.

What Teſtimony neceſſary before Inrolment,

XXIV. Provided always, That ſuch Deeds, Conveyances and Wills as ſhall be made and executed in any Place not within forty Miles of the ſaid Office, may be entred and regiſtred at full Length, by the aforeſaid Regiſter or his Deputy, in caſe an Affidavit ſworn, or a ſolemn Affirmation of a Perſon of the

and what, if 40 Miles from the ſaid Office.

Perſuaſion of the People called *Quakers*, made in Writing, before one of the Judges at *Weſtminſter*, or a Maſter in Chancery, Ordinary or Extraordinary, be brought with ſuch Deed Conveyance, or Will, wherein one of the Witneſſes to the Execution of ſuch Deed or Conveyance, or to the ſigning or publiſhing ſuch Will, ſhall ſwear or affirm, That he or ſhe ſaw the ſaid Deeds executed, or, in caſe of Wills, ſuch Will ſigned and publiſhed by the Deviſor or Teſtatrix.

Inrolment at full Length to be deemed the Entry of a Memorial.

XXV. And be it further enacted, That every ſuch Inrolment of every ſuch Deed of Bargain and Sale, and Regiſtry at full Length, of ſuch Deeds, Writings, Conveyances, and Wills in the ſaid Regiſter Office, as aforeſaid, ſhall be deemed and adjudged to be the Entry of a Memorial thereof, purſuant to this Act, and ſhall have the ſame Force and Effect upon the Eſtate therein mentioned, in relation to all ſubſequent Deeds, Conveyances and Wills, and to all other Intents and Purpoſes, as if a Memorial of ſuch inrolled Deed or Deeds, Writing, Conveyance or Will, ſo regiſtred at full Length, had been entred in the ſaid Regiſter Office as aforeſaid, purſuant to the ſaid Act, and the Certificate ſigned and indorſed on ſuch Deeds of Bargain and Sale ſo inrolled, or on ſuch Deeds, Conveyances or Wills regiſtred at full Length, ſhall be taken and allowed as Evidence of ſuch Inrolments or Regiſtries in all Courts of Record whatſoever.

Regiſter's Fees,

XXVI. And be it further enacted, That every ſuch Regiſter ſhall be allowed for the Entry of every ſuch Memorial, as is by this Act directed, the Sum of one ſhilling, and no more, in caſe the ſame do not exceed two hundred Words; but if ſuch Memorial ſhall exceed two hundred Words, then after the Rate and Proportion of four pence an hundred for all the Words contained in ſuch Memorial over and above the firſt two hundred Words; and the like Fees for the like Number of Words contained in every ſuch Bargain and Sale inrolled, and Deeds, Writings, Conveyances and Wills regiſtred at full Length, as aforeſaid, and in every Certificate or Copy given out of the ſaid Offie, and no more; and for every Search in the ſaid Office, one ſhilling, and no more.

and Attendance.

XXVII. And be it further enacted by the Authority aforeſaid, That every ſuch Regiſter, or his ſufficient Deputy, ſhall give due Attendance at his Office every Day in the Week except *Sundays* and Holidays, between the Hours of nine and twelve in the Forenoon, and the Hours of two and five in the Afternoon, for the Diſpatch of all Buſineſs belonging to the ſaid Office, and that every ſuch Regiſter, or his Deputy, as often as required, ſhall make Searches concerning all Memorials that are regiſtred, Deeds of Bargain and Sale inrolled, and Deeds, Writings, Conveyances, and Wills ſo regiſtred at full Length as aforeſaid, and give Certificates concerning the ſame under his Hand, if required by any Perſon, teſtified by two credible Witneſſes.

Regiſter to give ſecool. Security.

XXVIII. And be it further enacted by the Authority aforeſaid, That every Regiſter, at the Time of his being ſworn into the ſaid Office as aforeſaid, ſhall enter into a Recognizance with two or more ſufficient Sureties, to be approved of by five or more of the Juſtices of the Peace of the ſaid Riding, that were preſent at his Election, by Writing under their Hands and Seals, to be regiſtred at the next General Quarter-Seſſions of the Peace for the ſaid Riding, of the Penalty of two thouſand Pounds, unto his Majeſty, his Heirs and Succeſſors, to be taken by the ſame Juſtices of the Peace that approved of his Security, conditioned for his true and faithful Performance of his Duty in the Execution of his ſaid Office, in all Things directed and required by this Act; the ſame to be tranſmitted by the ſame Juſtices of the Peace, within one Month next after the Date thereof, into the Office of his Majeſty's Remembrancer of the Exchequer, there to remain amongſt the Records of the ſaid Court.

Penalty on Regiſter for Neglect of Duty.

XXIX. And be it further enacted, That if any ſuch Regiſter, or his Deputy, ſhall neglect to perform his or their Duty in the Execution of the ſaid Office, according to the Rules and Directions in this Act mentioned, or commit or ſuffer to be committed any undue or fraudulent Practice in the Execution of the ſaid Office, and be thereof lawfully convicted, then ſuch Regiſter ſhall forfeit his ſaid Office, and pay Treble Damages with full Coſts of Suit, to every ſuch Perſon or Perſons as ſhall be injured thereby, to be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Regiſter's Security when to be vacated.

XXX. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That when any Regiſter ſhall die, or ſurrender his Office, and there ſhall within the Space of three Years from and after ſuch Death or Surrender, no Misbehaviour appear to have been committed by ſuch Regiſter in the Execution of his ſaid Office, then and in ſuch Caſe, at the End of the ſaid three Years after his Death or Surrender, the ſaid Recognizance ſo entred into by him, ſhall become void and of none Effect, to all Intents and Purpoſes whatſoever.

Penalty on Forgery,

XXXI. And be it further enacted, That if any Perſon or Perſons ſhall at any Time forge or counterfeit any Entry of the Acknowledgement of any Bargainer in ſuch Bargain and Sale as aforeſaid, or any ſuch Memorial, Certificate, or Indorſement, as is herein mentioned or directed, and be thereof lawfully convicted, ſuch Perſon or Perſons ſhall incur and be liable to ſuch Pains and Penalties as in and by an Act made in fifth Year of Queen ELIZABETH, intituled, *An Act againſt Forgery of falſe Deeds and Writings*, are impoſed upon Perſons for forging and publiſhing falſe Deeds, Charters, or Writings ſealed, Court Rolls or Wills, whereby the Freehold or Inheritance of any Perſon or Perſons, of, in, or to any Lands, Tenements, and Hereditaments, ſhall or may be moleſted, or charged; and that if any Perſon or Perſons ſhall at any Time forſwear himſelf, or, being a *Quaker*, ſhall falſely, maliciouſly, and corruptly affirm, before the ſaid Regiſter, or his Deputy, or before any Judge or Maſter in Chancery, in any of the Caſes herein mentioned, and be thereof lawfully convicted, ſuch Perſon or Perſons ſhall incur and be liable to the ſame Penalties, as if the ſame Oath had been made in any of the Courts of Record at *Weſtminſter*.

and Perjury.

XXXII. And

XXXII. And be it further enacted by the Authority aforesaid, That in case of Mortgages, Judgments, Statutes, and Recognizances, whereof Memorials shall be entred in the said Register Office, or in case of Mortgages, where the Mortgage Deed shall be registred at full Length, pursuant to this Act, if at any Time afterwards a Certificate shall be brought to the said Register, or his Deputy, signed by the Mortgagees in such Mortgage, Plaintiffs in such Judgment, Cognisees in such Statute or Recognizance, their respective Executors, Administrators, or Assigns, and attested by two Witnesses, whereby it shall appear, that all Monies due upon such Mortgage, Judgment, Statute, or Recognizance respectively, have been paid or satisfied in Discharge thereof (which Witnesses shall upon their Oath, before any one of the Judges of his Majesty's Courts of *King's Bench*, or *Common Pleas*, or any one of the Barons of the Court of *Exchequer*, or before any one of the Masters of the Court of *Chancery*, or before the said Register, or his Deputy, who are hereby respectively impowered to administer such Oath, prove such Monies to be satisfied or paid accordingly, and that they saw such Certificate signed by the said Mortgagees, Plaintiffs, or Cognisees, their respective Executors, Administrators, or Assigns); that then, and in every such Case the said Register, or his Deputy, shall make an Entry in the Margin of the said Register Books against the Registry of the Memorial of such Mortgage, Judgment, Statute or Recognizance, or against such Deed registred at full Length respectively, that such Mortgage, Judgment, Statute or Recognizance respectively, was satisfied and discharged according to such Certificate, to which the same Entry shall refer, and shall after file such Certificate to remain upon Record, in the said Register Office. Certificates of Mortgages discharged how to be registred.

XXXIII. Provided nevertheless, and be it enacted, That if any Judgment, Statute or Recognizance be registered in the said Register Office, within twenty Days after the Acknowledgment or Signing thereof, all the Lands that the Defendants or Cognisees had, at the Time of such Acknowledgment or Signing, shall be bound thereby; and the Registry of a Memorial of such Judgment, Statute or Recognizance, within the Time aforesaid, shall be as available to all Intents and Purposes, as if such Memorial thereof had been entred in the said Register Office on the Day of the Signing or Acknowledgment of such Judgment, Statute or Recognizance. Judgments, &c. registred in 20 Days after signing, good.

XXXIV. Provided always, and be it further enacted, That this Act shall not extend to any Copyhold Estates, or to any Leases at a Rack Rent, or to any Lease not exceeding one and twenty Years, where the actual Possession and Occupation goeth along with the Lease; any thing in this Act contained to the contrary thereof in any wise notwithstanding. This Act not to extend to Copyhold Estates, &c.

XXXV. And be it further enacted by the Authority aforesaid, That in all Deeds of Bargain and Sale hereafter inrolled in pursuance of this Act, whereby an Estate of Inheritance in Fee-simple is limited to the Bargainee and his Heirs, the Words *grant*, *bargain*, and *sell* shall amount to, and be construed and adjudged in all Courts of Judicature to be, express Covenants to the Bargainee, his Heirs and Assigns, from the Bargainor, for himself, his Heirs, Executors and Administrators, that the Bargainor, notwithstanding any Act done by him, was at the Time of the Execution of such Deed seized of the Hereditaments and Premisses thereby granted, bargained and sold, of an indefeazable Estate in Fee-simple, free from all Incumbrances (Rents and Services due to the Lord of the Fee only excepted) and for quiet Enjoyment thereof against the Bargainor, his Heirs and Assigns, and all claiming under him, and also for further Assurance thereof to be made by the Bargainor, his Heirs and Assigns, and all claiming under him; unless the same shall be restrained and limited by express particular Words contained in such Deed; and that the Bargainee, his Heirs, Executors, Administrators and Assigns respectively, shall and may, in any Action to be brought, assign a Breach or Breaches, thereupon, as they might do in case such Covenants were expressly inserted in such Bargain and Sale. Deeds of Bargain and Sale of Estates of Fee-simple shall imply Covenants.

XXXVI. And be it further enacted, That every Leaf of the aforesaid Register Books, and Inrolment Books, shall be signed by two Justices of the Peace of the said Riding (to be from time to time appointed by the Justices of the Peace thereof, or the major Part of them, at their General Quarter-Sessions of the Peace assembled) who are hereby required to sign the same accordingly; and that an Entry thereof shall be made from time to time, by the Clerk of the Peace of the said Riding for the time being, in the Order Book of the same Sessions, and signed by the same Justices of the Peace that shall from time to time sign the said Register Books, and Inrolment Books, to remain upon Record amongst the Records of the said Sessions; and that a like Entry shall be made upon Record, and signed as aforesaid, of the Number of the same Books, and how called or marked, and how many Pages each of them contains, that are at any Time, and from time to time used in the said Register Office. Every Leaf of the Register to be signed by Two Justices, and entred by the Clerk of the Peace.

XXXVII. And be it enacted by the Authority aforesaid, That no Member of Parliament for the time being, shall be capable of being chose Register, or of executing by himself, or any other Person or Persons, the said Office, or to have, take or receive any Fee or other Profit whatsoever issuing out of the said Office, or for or in respect thereof; nor shall any such Register, or his Deputy, or any Person or Persons receiving Profit out of such Office, be capable of being a Member to serve in Parliament. The Register excluded from being a Member of Parliament.

XXXVIII. And be it further enacted, That this Act shall be taken and allowed in all Courts in this Kingdom as a publick Act, and all Judges, Justices, and other Persons therein concerned, are hereby required to take Notice thereof as such, without specially pleading the same. Publick Act.

CAP.

CAP. VII.

An Act for repairing and widening the Road from the Town of *Rochdale* in the County Palatine of *Lancaſter*, leading over a certain Craggy Mountain called *Blackſtone Edge*, in the ſame County, and from thence to the Towns of *Halifax* and *Ealand* in the County of *York*. P R. *Certain Tolls are granted from* 1 June 1735, *for* 21 *Years*.

CAP. VIII.

7 Geo. 1. c. 26. An Act for enlarging the Term and Powers granted by an Act paſſed in the Seventh Year of the Reign of his late Majeſty King GEORGE the Firſt, *for repairing the Road from Saint* Giles's *Pound to* Kilbourn Bridge *in the County of* Middleſex, and for paving that Part of the Road, called *Oxford Street*. P R. *The former Act is farther continued for* 21 *Years, and to the End of the next Seſſion.*

CAP. IX.

An Act for continuing and making more effectual an Act paſſed in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing the Highways through the ſeveral Pariſhes of Saint* Michael, *Saint* Albain, *Saint* Peter, Shenley Ridge, *and* South Mims, *in the Counties of* Hertford *and* Middleſex; and for continuing the Commiſſioners authorized to put the ſaid Act in Execution. P R. *The former Act is continued for* 21 *Years, and to the End of the next Seſſion. Amended by* 10 Geo. II. c. 24. *and continued by* 24 Geo. II. c. 10.

CAP. X.

An Act for lengthening the Weſt Pier of the Harbour of *Whitby*, in the County of *York*, and for improving the ſaid Harbour. P R.

Preamble reciting the Acts 1 Annæ, c. 19.

'WHEREAS by an Act of Parliament, made and paſſed in the firſt Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for building and repairing the Piers of the Town and Port of* Whitby *in the County of* York, reciting, that the ancient Town of *Whitby*, in the North Riding of the ſaid County, Time out of Mind, had had Piers which were then much ruined and decayed, for want of an Income for the Maintenance and Reparation thereof, to the great Prejudice of the Trade of the ſaid Town and County, and of the Trade and Navigation of this Kingdom in general; and alſo reciting, that the Charge of rebuilding and keeping in repair the ſaid Piers was greater than the ſaid Town of *Whitby* of itſelf was able to bear; therefore, by the ſaid Act, ſeveral Duties and Sums of Money were granted and laid upon all Ships and Veſſels, and upon certain Goods and Merchandizes, therein particularly mentioned, landed within the Haven or Piers of the ſaid Port of *Whitby*, and ſhipped off from *Whitby* aforeſaid; and alſo a Duty of one Farthing *per* Chalder, on all Coals loaded at *Newcaſtle*, *Sunderland*, *Blyth*, *Scaton Sluice*, *Culler Coates* (as therein is alſo mentioned) for the Term of nine Years, to commence from the firſt Day of *May* one thouſand ſeven hundred and two, with ſuch Proviſions for the due accounting for, and applying of the ſaid Duties, and ſeveral other Powers, Matters and Things relating thereto, and for keeping clear the ſaid Harbour, in the ſaid Act particularly mentioned and contained: And whereas by another Act of Parliament, made and paſſed in the ſeventh Year of her ſaid Majeſty's Reign, the ſaid recited Act, and all the Powers, Matters and Clauſes contained therein, and all the Duties and Sums of Money thereby granted and made payable, were continued and made payable, and to be in full Force and Virtue until the firſt Day of *May*, which ſhould be in the Year of our Lord one thouſand ſeven hundred and twenty-three: And whereas by another Act of Parliament, made in the ſeventh Year of the Reign of his late Majeſty King GEORGE, intituled, *An Act for the better preſerving and keeping in repair the Piers of the Town and Port of* Whitby, *in the County of* York; *and for explaining and making more effectual the ſeveral Acts paſſed for lengthening and repairing the Piers of* Bridlington *alias* Burlington *in the ſaid County*, reciting amongſt other Things, that by the ſaid ſeveral Duties and Sums of Monies already collected, and to be collected and received, by virtue of the ſaid ſeveral Acts of Parliament, the ſaid Piers would probably be rebuilt, finiſhed and compleated by the ſaid firſt Day of *May* one thouſand ſeven hundred and twenty three: To the end that the ſame, and alſo the ſaid Harbour, from after the Expiration of the Term granted by the ſaid laſt-mentioned Act, ſhould be preſerved, kept and continued in good Repair, by the ſaid laſt in part-receited Act of the ſeventh Year of the Reign of his ſaid late Majeſty King GEORGE, all and every the ſaid Duties and Sums of Money granted and impoſed by the ſaid Act of the firſt Year of her ſaid late Majeſty, and continued by the ſaid Act of the ſeventh Year of her Reign, as aforeſaid (ſave and except the ſaid Duty of one Farthing *per* Chalder) were made perpetual, and enacted to be paid to the Truſtees therein named, and their Succeſſors for ever, and ſeveral Powers, Clauſes and Penalties are, by the ſaid Act of the ſeventh Year of his ſaid late Majeſty, enacted and provided touching the Collection, accounting for, and Application of the ſeveral Duties thereby perpetuated: And whereas by and with the ſaid ſeveral Duties and Sums of Money collected and received by virtue of the ſaid ſeveral Acts of Parliament, the ſaid Piers have been rebuilt, finiſhed, and compleated, and have been preſerved, kept and continued in good Repair; but that nevertheleſs, for ſome Years paſt, the Entrance into the ſaid Port of *Whitby* has been rendered very narrow and difficult, by reaſon of a Bank of Sand, which is now, and for ſome time paſt has been, gathering about the Head of the Weſt Pier of the ſaid Harbour of *Whitby*, and will in Time, if not prevented, intirely ſtop and choak up the ſame; and inaſmuch

7 Annæ, c. 1. Private.

7 Geo. 1. c. 16.

'asmuch as the said Sand Bed, and the further Increase thereof, in the Judgment of understanding 'and experienced Persons, may and can only be remedied and prevented by lengthening and extend- 'ing the said West Pier, and the Head thereof, about one hundred Yards further into the Sea, and by 'no other Means: And whereas the said Duty of one Farthing *per* Chalder was not continued by the 'said Act of the seventh Year of his said late Majesty, but expired on the said first Day of *May* one 'thousand seven hundred and twenty three, and has ever since totally ceased, and the said Duties, so 'continued and made perpetual by the said Act of the seventh Year of his said late Majesty, have been 'and are only and barely sufficient to keep the said Piers and Harbour in good Repair:" To the end therefore that the said Piers and Harbour may be improved, and made as secure for Colliers and coasting Vessels as may be, and for lengthening and extending the said West Pier, may it please your Majesty that it may be enacted, &c.

"The Duty of one Farthing *per* Chalder, granted by 1 *Annæ*, continued from 1 *June* 1735, for 31 "Years. The Trustees appointed by 7 *Geo.* I. to execute this Act. Trustees may appoint Persons to "direct the Moorings of Ships in the said Harbour. Penalty on Masters of Vessels neglecting such "Orders." *See further* 23 Geo. 2. c. 39.

CAP. XI.

An Act for enabling his Majesty to apply the Sum of one million out of the Sinking Fund, for the Service of the Year one thousand seven hundred and thirty-five. Treasury may issue one million for the current Year, out of the Monies arising by *The Sinking Fund*, before 25 *March* 1736. But the Surplus reserved to the future Disposition of Parliament. Clause of Loan. EXP.

CAP. XII.

An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of four Years; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices. The Duties on Salt further continued for 4 Years, after Expiration of the 7 Years granted by the last recited Act. EXP. *Made perpetual* 26 Geo. II. c. 3.

'II. And whereas by a certain Clause in an Act of Parliament passed in the first Year of the Reign of 'her late Majesty Queen ANNE, intituled, *An Act for preventing Frauds in the Duties upon Salt, and for* 'the better Payment of Debentures at the Custom-house, it is enacted, That from and after the four and 'twentieth Day of *June* one thousand seven hundred and two, no Rock Salt whatsoever shall be re- 'fined or made into White Salt in any Place or Places whatsoever within the Kingdom of *England*, 'Dominion of *Wales*, or Town of *Berwick* upon *Tweed* (except such Places as are or shall be 'within ten Miles Distance of the respective Pit or Pits from whence such Rock Salt shall be taken, 'or at such Places as upon or before the tenth Day of *May* one thousand seven hundred and 'two, shall have been used for the refining of Rock Salt) under the Pain of forty shillings for every 'Bushel of Rock Salt that shall be melted or refined in any House, Place or Places not by the said Act 'allowed for that Purpose, and so in Proportion for a greater or lesser Quantity: And whereas some 'Doubts and Disputes have arisen, or may hereafter arise, whether the Miles mentioned in the said 'Act, are to be computed according to the Statute Measure, or the common Estimation of the respec- 'tive Places or Counties, in which the Pit or Pits, from whence such Rock Salt shall be taken, is, 'are shall be situate and being;' Now, for the clearing, obviating and removing all such Doubts and Disputes, Be it enacted and declared by the Authority aforesaid, That the Miles therein mentioned shall be understood and taken, and are hereby declared to be according to the common Estimation of the respective Counties or Places, where such Pit or Pits is, are or shall happen to be, and not according to the Statute or any other Measure; any thing in the said Act, or any other Act concerning the Duties upon Salt, contained to the contrary thereof notwithstanding. A Clause in the Salt Act 1 Annæ, stat. 1. c. 21. explained.

'III. And whereas by an Act made in the fifth Year of the Reign of his late Majesty King GEORGE 'the First, intituled, *An Act for recovering the Credit of the* British *Fishery in foreign Parts, and for better* 'securing the Duties on Salt, it is enacted, That the Curers of Fish be allowed to import foreign Salt for 'the curing of Fish for Exportation without paying any Duty to his Majesty (except the Customs pay- 'able upon the Importation thereof) such foreign Salt being landed and weighed in the Presence of an 'Officer for the Duties on Salt, and being lodged in a Warehouse under the Lock and Key of the said 'Officer, as well as the Proprietor of such Salt; and such foreign Salt, so lodged in the joint Custody of 'the Officer and Proprietor, is to be delivered over, at the Beginning of the several fishing Seasons, into 'the sole Custody of such such Proprietor, or his Agents, upon his or their making Oath in Writing be- 'fore such Officer in Manner and to the Effect therein directed, who at the End of every fishing Season 'are thereby required to make particular Accounts of the Quantities remaining in their Hands, to be 'immediately locked up in the joint Custody of the Officer and Proprietor, or his Agents as aforesaid, 'and to deliver in a particular Account in Writing, as soon as possible, after the End of every fishing Sea- 'son, to the Office for the Duties on Salt, of the Quantities of Fish exported, or entered and shipped to be exported, on which such Salt hath been used or consumed, which Account is to be af- 'firmed by the Oath of such Proprietor or Proprietors, his or their Agent or Agents, using the same: 5 Geo. 1. c. 18.

'And whereas in and by an Act made in the eighth Year of his late Majesty's Reign, intituled, *An Act* 8 Geo. 1. c. 4. 5
'*for taking off the Duty upon all Salt used in the Curing of Red Herrings, and laying a proportionable Duty* 'upon all Red Herrings consumed at home only; and for ascertaining the Custom and Excise payable for the

'Sugar

'*Sugar Houſes in* Scotland; *and for making an Allowance for Salt loſt in any Harbour or River of this* '*Realm*; *and for the better ſecuring the Duties on Salt delivered in* Scotland, it is enacted, That ſuch 'Account of the ſaid Quantities of foreign Salt employed for the Ends and Purpoſes aforeſaid, ſhall 'be made and delivered in within three Months after the Expiration of each Year, in Manner and 'under the Penalties therein directed: And whereas great Frauds have been committed, to the Di- 'minution of the Revenue, and to the Prejudice of the *Britiſh* Salt Works, by the Importation of 'foreign Salt for curing of Fiſh for Exportation, without Payment of the Duties, by Perſons of no 'Fortune or Credit, who pretending to be Proprietors, have at the Beginning of every fiſhing Seaſon 'ſuch foreign Salt delivered over into their ſole Cuſtody, to be employed in the curing of Fiſh as 'aforeſaid, but who ſell and diſpoſe of ſuch foreign Salt for Inland Conſumption, and to avoid being 'brought to any Account, abſcond and withdraw themſelves from the Law:' To remedy therefore ſuch Inconveniencies, be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-five, no foreign Salt ſhall be delivered over from the joint Cuſtody of the Officer and Proprietor into the ſole Cuſtody of the Proprietor or his Agent, for curing Fiſh for Exportation, except he or they do give Security, to the Satisfaction of the chief Officer of the Salt Duty in the Port where ſuch Salt ſhall be imported, that he or they ſhall and will account for the foreign Salt ſo by him or them to be received, in the Terms of and according to the true Intent and Meaning of the ſaid recited Acts made in the fifth and eighth Years of his ſaid late Majeſty's Reign, or ſhall anſwer the ſeveral Penalties in the ſaid Acts directed to be recovered from the Proprietor offending againſt the ſeveral Acts or either of them.

After 24 June 1735, foreign Salt not to be delivered for curing Fiſh for Exportation, without Security.

'IV. And whereas the Cuſtom which hath prevailed in that Part of *Great Britain* called *Scotland*, of 'paying the Servants at Salt Works their Wages in Salt, hath been the Occaſion of ſeveral Frauds and 'Embezilments;' For preventing whereof, be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-five, it ſhall not be lawful for any Proprietor, or other Perſon taking Charge of any Salt Works within *Scotland*, to pay the Wages of any Servants employed by them in ſuch Salt Works in Salt; and if after the ſaid twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-five, any Proprietor or other Perſon taking Charge of any Salt Work in *Scotland*, ſhall preſume to pay the Wages of any Servant or Servants employed by him or them in Salt, the Perſon or Perſons ſo offending ſhall, for every ſuch Offence, forfeit the Sum of twenty Pounds, to be recovered in a ſummary Way, upon Complaint made before any two or more of his Majeſty's Juſtices of the Peace of the County within which ſuch Salt Works do lie, by any Perſon or Perſons who ſhall ſue for the ſame; provided ſuch Penalties be ſued for within three Months next after the Offence committed.

No Servants employed in the Salt Works in Scotland, to be paid their Wages in Salt, on Penalty of 20 l. *See farther* 14 *Geo.* 2. *c.* 22. 26 *Geo.* 2. *c.* 3 & 32.

" Clauſe of Loan for 500,000 *l.* at 4 *l. per Cent.* Treaſury within 10 Days after 29 *Sept.* 1746, to take " an Account of the Money raiſed, *&c.* Deficiencies to be ſupplied out of the next Aids to be granted " after 29 *Sept.* 1746, or *Sinking Fund*, and be replaced. Surplus reſerved for the Diſpoſition of Parlia- " ment. Clauſe of Relief concerning Apprentices.

CAP. XIII.

An Act for the Encouragement of the Arts of Deſigning, Engraving and Etching Hiſtorical and other Prints, by veſting the Properties thereof in the Inventors and Engravers, during the Time therein mentioned.

Preamble.

'WHEREAS divers Perſons have by their own Genius, Induſtry, Pains and Expence, invented 'and engraved, or worked in *Mezzotinto* or *Chiaro Oſcuro*, Sets of Hiſtorical and other Prints, 'in Hopes to have reaped the ſole Benefit of their Labours: And whereas Print-ſellers and other Perſons 'have of late, without the Conſent of the Inventors, Deſigners and Proprietors of ſuch Prints, fre- 'quently taken the Liberty of copying, engraving and publiſhing, or cauſing to be copied, engraved and 'publiſhed, baſe Copies of ſuch Works, Deſigns and Prints, to the very great Prejudice and Detriment 'of the Inventors, Deſigners and Proprietors thereof;' For Remedy thereof, and for preventing ſuch Practices for the future, may it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-five, every Perſon who ſhall invent and deſign, engrave, etch or work in *Mezzotinto* or *Chiaro Oſcuro*, or from his own Works and Invention ſhall cauſe to be deſigned and engraved, etched or worked in *Mezzotinto* or *Chiaro Oſcuro*, any Hiſtorical or other Print or Prints, ſhall have the ſole Right and Liberty of printing and reprinting the ſame for the Term of fourteen Years, to commence from the Day of the firſt publiſhing thereof, which ſhall be truly engraved with the Name of the Proprietor on each Plate, and printed on every ſuch Print or Prints; and that if any Print-ſeller or other Perſon whatſoever, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-five, within the Time limited by this Act, ſhall engrave, etch or work as aforeſaid, or in any other Manner copy and ſell, or cauſe to be engraved, etched, or copied and ſold, in the Whole or in Part, by varying, adding to or diminiſhing from the main Deſign, or ſhall print, reprint or import for Sale, or cauſe to be printed, reprinted or imported for Sale, any ſuch Print or Prints, or any Parts thereof, without the Conſent of the Proprietor or Proprietors thereof firſt had and obtained in Writing, ſigned by him or them reſpectively in the Preſence of two or more credible Witneſſes, or knowing the ſame to be ſo printed

After 24 June 1735, the Property of Hiſtorical and other Prints veſted in the Inventor for 14 Years.

Proprietor's Name to be affixed to each Print.

Penalty on Print-ſellers or others pirating the ſame.

printed or reprinted without the Conſent of the Proprietor or Proprietors, ſhall publiſh, ſell or expoſe to Sale, or otherwiſe, or in any other Manner diſpoſe of, or cauſe to be publiſhed, ſold or expoſed to Sale, or otherwiſe, or in any other Manner diſpoſed of, any ſuch Print or Prints, without ſuch Conſent firſt had and obtained as aforeſaid, then ſuch Offender or Offenders ſhall forfeit the Plate or Plates on which ſuch Print or Prints are or ſhall be copied, and all and every Sheet or Sheets (being Part of, or whereon ſuch Print or Prints are or ſhall be ſo copied or printed) to the Proprietor or Proprietors of ſuch original Print or Prints, who ſhall forthwith deſtroy and damaſk the ſame; and further, that every ſuch Offender or Offenders ſhall forfeit five Shillings for every Print which ſhall be found in his, her or their Cuſtody, either printed or publiſhed, and expoſed to Sale, or otherwiſe diſpoſed of, contrary to the true Intent and Meaning of this Act; the one Moiety thereof to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to any Perſon or Perſons that ſhall ſue for the ſame, to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, in which no Wager of Law, Eſſoin, Privilege or Protection, or more than one Imparlance, ſhall be allowed.

II. Provided nevertheleſs, That it ſhall and may be lawful for any Perſon or Perſons, who ſhall hereafter purchaſe any Plate or Plates for printing from the original Proprietors thereof, to print and reprint from the ſaid Plates, without incurring any of the Penalties in this Act mentioned. Not to extend to Purchaſers of Plates from the original Proprietors.

III. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced or brought againſt any Perſon or Perſons whatſoever for doing or cauſing to be done any Thing in purſuance of this Act, the ſame ſhall be brought within the Space of three Months after ſo doing; and the Defendant and Defendants in ſuch Action or Suit ſhall or may plead the General Iſſue, and give the Special Matter in Evidence; and if upon ſuch Action or Suit a Verdict ſhall be given for the Defendant or Defendants, or if the Plaintiff or Plaintiffs become nonſuited or diſcontinue his, her or their Action or Actions, then the Defendant or Defendants ſhall have and recover full Coſts, for the Recovery whereof he ſhall have the ſame Remedy as any other Defendant or Defendants in any other Caſe hath or have by Law. Limitation of Actions. General Iſſue.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced or brought againſt any Perſon or Perſons for any Offence committed againſt this Act, the ſame ſhall be brought within the Space of three Months after the Diſcovery of every ſuch Offence, and not afterwards; any Thing in this Act contained to the contrary notwithſtanding.

'V. And whereas *John Pine* of *London*, Engraver, doth propoſe to engrave and publiſh a Set of 'Prints copied from ſeveral Pieces of Tapeſtry in the Houſe of Lords, and his Majeſty's Wardrobe, 'and other Drawings relating to the *Spaniſh* Invaſion, in the Year of our Lord one thouſand five 'hundred and eighty-eight;' Be it further enacted by the Authority aforeſaid, That the ſaid *John Pine* ſhall be intitled to the Benefit of this Act, to all Intents and Purpoſes whatſoever, in the ſame Manner as if the ſaid *John Pine* had been the Inventor and Deſigner of the ſaid Prints. Clauſe relating to J. Pine.

VI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame. Publick Act.

CAP. XIV.

An Act for prolonging the Time for claiming the fortunate Tickets in the *Charitable Corporation* Lottery, and for making Proviſion for Tickets in the ſaid Lottery loſt, burnt or otherwiſe deſtroyed. EXP.

'WHEREAS by an Act made and paſſed in the ſeventh Year of the Reign of his preſent Majeſty, intituled, *An Act for the Application and Diſpoſal of the Reſidue of the Money raiſed by way of Lottery, on the Credit of an Act made in the laſt Seſſion of Parliament, for Relief of ſuch Sufferers in the* Charitable Corporation *as are Objects of Compaſſion, according to the Deſcriptions therein mentioned, Mark Frecker, Robert Manning, William Walmeſley, Claudius de Vins, Henry Harris, Charles Fenn, Francis Gaſhry, Richard Graham, John Burman,* and *Joſeph Wight*, ten of the Managers and Directors of the ſaid Lottery, were authorized and appointed to exchange the fortunate Tickets for Certificates, and do all other Acts, Matters and Things, which in and by the ſaid former Act were directed and appointed to be done, executed and performed by the ſaid Managers and Directors, ſubſequent to the drawing of the ſaid Lottery; and the Proprietors of the fortunate Tickets to be drawn in the ſaid Lottery were required to apply to the ſaid ten Managers ſo appointed as aforeſaid, on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-five, for Certificates in exchange for ſuch fortunate Tickets as aforeſaid: And whereas ſeveral of the fortunate Tickets of the ſaid Lottery have not been claimed within the Time limited by the ſaid Act, ſome of which may by Caſualty or Miſchance have been loſt, burnt or otherwiſe deſtroyed, which ſaid Tickets remaining unclaimed amount in Value to the Sum of two thouſand ſeven hundred and twenty Pounds, *&c.* Preamble reciting 7 Geo. 2. c. 11.

CAP. XV.

An Act for the better regulating the Nightly Watch and Bedels, within the two Pariſhes of Saint *James* and Saint *George Hanover Square*, within the Liberties of the City of *Weſtminſter*. PR.

Preamble.

'WHEREAS the keeping a ſufficient and well regulated Watch in the Night Time, within 'the two great and populous Pariſhes of Saint *James* and Saint *George Hanover Square*, within 'the Liberties of the City of *Weſtminſter*, is of great Importance for the Preſervation of the Perſons 'and Properties of the Inhabitants thereof, and very neceſſary to prevent as well the Miſchiefs which 'may happen from Fires, as Murders, Burglaries, Robberies and other Outrages and Diſorders: And 'whereas by the Laws now in being no effectual Proviſion is made for the eſtabliſhing, ordering or well 'governing of ſuch a Nightly Watch, or for levying and collecting any Sums of Money for defraying 'the neceſſary Charges thereof, or for enforcing a due Application and juſt Account of any Money ſo 'levied and collected for that Purpoſe: And whereas it hath been found by Experience, that the Bedels 'employed within the ſaid two Pariſhes, for want of a proper Regulation and Government of them, 'have been of great Charge, and little Uſe to the ſame, and the Methods hitherto practiſed of raiſing 'Monies for maintaining and paying the ſaid Bedels, have been alſo precarious and unwarrantable;' For Remedy of the aforeſaid Inconveniencies, may it pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"The Veſtry of each Pariſh to meet on 2 *June* yearly, for appointing able-bodied Watchmen and Be-"dels, and to ſet down in Writing the ſeveral Regulations; and on legal Notice at other Times, for "ſupplying Vacancies, *&c.* A Copy of the Regulations, ſigned by the Veſtry Clerks, to be delivered "to every Conſtable. One Conſtable for each Pariſh to watch every Night by Turns. Rates "not to exceed 4*d.* in the Pound. Payment of theſe Rates not to intitle any Perſon to a Settlement "in the Pariſh. Yearly Accounts of the Sums Total aſſeſſed and collected, to be inſpected without Fee. "The Inhabitants of Saint *James Square* diſcharged from theſe Rates, but the Truſtees thereof may ap-"point Watchmen and Bedels, who ſhall have like Powers as thoſe appointed by this Act. Perſons pay-"ing the Rates hereby appointed, diſcharged from the Statute of *Wincheſter*, *&c.*

CAP. XVI.

An Act for the Amendment of the Law relating to Actions on the Statute of *Hue* and *Cry*.

Preamble, reciting the Acts 13 Edw. 1. *St.* 2. *c.* 1 & 2. *and* 27 Eliz. c. 13. *See* 4 *W. & M. c.* 8. *for apprehending Highwaymen.*

'WHEREAS by the Laws now in being, the Proceedings upon a Statute made in the thir-'teenth Year of the Reign of King EDWARD the Firſt, commonly called *The Statute of* Hue *and* Cry, and another Statute made in the twenty-ſeventh Year of the Reign of Queen ELIZABETH, 'intituled, *An Act for the following of* Hue *and* Cry, are attended with many and great Inconveniencies 'to the Subjects:' For Remedy thereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-five,

After 24 June 1735, no Perſon to ſue the Hundred in caſe of Robbery,

no Perſon or Perſons ſhall have or maintain any Action againſt any Hundred, or take any Benefit by virtue of the ſaid Statutes, or either of them, unleſs he, ſhe or they, ſhall, over and beſides the Notice already required by the laſt of the above-mentioned Statutes to be given of any Robbery, with as convenient Speed as may be after any Robbery on him, her or them committed,

without firſt giving Notice to a Conſtable, &c. deſcribing the Felon,

give Notice thereof to one of the Conſtables of the Hundred, or to ſome Conſtable, Borſholder, Headborough or Tythingman of ſome Town, Pariſh, Village, Hamlet, or Tything, near unto the Place wherein ſuch Robbery ſhall happen, or ſhall leave Notice in Writing of ſuch Robbery at the Dwelling-houſe of ſuch Conſtable, Borſholder, Headborough or Tythingman, deſcribing in ſuch Notice, to be given or left as aforeſaid, ſo far as the Nature and Circumſtances of the Caſe will admit, the Felon or Felons, and the Time and Place of the Robbery;

and publiſhing the Caſe in the London Gazette, within 20 Days after the Robbery,

and alſo ſhall, within the Space of twenty Days next after the Robbery committed, cauſe publick Notice to be given thereof in the *London Gazette*, therein likewiſe deſcribing, ſo far as the Nature and Circumſtances of the caſe will admit, the Felon or Felons, and the Time and Place of ſuch Robbery, together with the Goods and Effects whereof he, ſhe or they was or were robbed;

and giving Security of 100*l.* to the High Conſtable, to pay Coſts, if caſt,

and ſhall alſo, before any ſuch Action be commenced, go before the chief Clerk or Secondary, or the Filazer of the County wherein ſuch Robbery ſhall happen, or the Clerk of the Pleas of that Court wherein ſuch Action is intended to be brought, or their reſpective Deputies, or before the Sheriff of the County wherein the Robbery ſhall happen, and enter into a Bond to the High Conſtable or High Conſtables of the Hundred in which ſuch Robbery ſhall be committed, in the penal Sum of one hundred Pounds, with two ſufficient Sureties, to be approved of by ſuch chief Clerk, Secondary, Filazer or Clerk of the Pleas, or their reſpective Deputies, or the Sheriff of the ſaid County, with Condition for ſecuring to ſuch High Conſtable or High Conſtables (who are hereby impowered and required to enter, or cauſe to be entered, an Appearance, and alſo to defend ſuch Action, as herein after is mentioned) the due Payment of his or their Coſts, after the ſame ſhall be taxed by the proper Officer, in caſe that he, ſhe or they (the Plaintiff or Plaintiffs in ſuch Action) ſhall happen to be nonſuited, or ſhall diſcontinue his, her or their Action, or in caſe

that Judgment ſhall be given againſt ſuch Plaintiff or Plaintiffs on Demurrer, or that a Verdict ſhall be given againſt him, her or them.

II. And be it enacted by the Authority aforeſaid, That when any ſuch Bond, as above mentioned, ſhall be entred into before the ſaid Sheriff, ſuch Sheriff ſhall immediately certify the ſame in Writing to the chief Clerk or Secondary in the Court of King's Bench, or his or their Deputy, or to the Filazer of that County wherein ſuch Robbery ſhall be committed, or his Deputy, in caſe the Action be intended to be brought in the Court of Common Pleas, or if in the Court of Exchequer, to the Clerk of the Pleas, or his Deputy; which Certificate ſhall be delivered by the Party or Parties robbed, to the ſaid chief Clerk or Secondary, or his or their Deputy, or to ſuch Filazer, or his Deputy, or to ſuch Clerk of the Pleas, or his Deputy, before any Proceſs ſhall iſſue for the Commencement of ſuch Suit as aforeſaid; and ſuch chief Clerk, Secondary, Filazer or Clerk of the Pleas, or their reſpective Deputies, or the ſaid Sheriff, ſhall not take any greater Fee or Reward for making ſuch Bond than five Shillings over and above the Stamp Duties; nor ſhall any Sheriff take any greater Fee or Reward for making, nor ſhall any ſuch chief Clerk, Secondary, Filazer or Clerk of the Pleas, or their reſpective Deputies, take any greater Fee or Reward for receiving and filing ſuch Certificate than two Shillings and ſix Pence; and ſuch chief Clerk, Secondary, Filazer or Clerk of the Pleas, or their reſpective Deputies, and Sheriff as aforeſaid, are hereby required to deliver over *gratis* (upon reaſonable Requeſt made for that Purpoſe) all and every ſuch Bonds, to be by them reſpectively taken purſuant to this preſent Act, to the High Conſtable or High Conſtables to whoſe Uſe the ſame ſhall be taken as aforeſaid.

The Sheriff to certify ſuch Bond,

and the Certificate thereof to be delivered to the chief Clerk, &c. before Proceſs granted.

The Fees.

The Bond to be delivered gratis to the High Conſtable.

III. And be it further enacted by the Authority aforeſaid, That no Hundred, or Franchiſe therein, ſhall be chargeable by virtue of the above mentioned or any other Statute, if one or more of the Felons, by whom ſuch Robbery ſhall be committed, be apprehended within the Space of forty Days next after ſuch publick Notice given in the *London Gazette* as aforeſaid.

Hundred not chargeable, if one of the Felons be apprehended in 40 Days after Notice in the Gazette.

IV. Be it likewiſe enacted by the Authority aforeſaid, That no Proceſs for Appearance in any Action to be brought upon the ſaid Statutes, or either of them, againſt any Hundred, ſhall be ſerved on any Inhabitant thereof, ſave only upon the High Conſtable or High Conſtables of the Hundred wherein the Robbery ſhall happen, who is and are hereby required to cauſe publick Notice thereof to be given in one of the principal Market Towns within ſuch Hundred on the next Market Day after he or they ſhall be ſerved with ſuch Proceſs, or if there ſhall happen to be no Market Town within ſuch Hundred, then in ſome Pariſh Church within the ſame Hundred immediately after Divine Service, on the *Sunday* next after his or their being ſerved with ſuch Proceſs, and he or they is and are alſo hereby impowered and required to enter, or cauſe to be entred, an Appearance in the ſaid Action, and alſo defend the ſame for and on Behalf of the Inhabitants of the ſaid Hundred, as he or they ſhall be adviſed; and in caſe the Plaintiff or Plaintiffs in ſuch Action ſhall recover and obtain Judgment therein, that then no Proceſs of Execution ſhall be ſerved on any particular Inhabitant or Inhabitants of the ſaid Hundred, or any Franchiſe within the Precinct thereof, nor on the ſaid High Conſtable or High Conſtables; but the Sheriff or his Officer ſhall, upon the Receipt of any Writ or Writs of Execution to him directed in purſuance of the ſaid Judgment (inſtead of ſerving the ſaid Writ or Writs on any Inhabitant or Inhabitants) cauſe the ſame to be produced and ſhewn *gratis* unto two Juſtices of the Peace of the County, Riding or Diviſion (whereof one to be of the *Quorum*) and reſiding within the ſaid Hundred, or near unto the ſame, who ſhall thereupon with all convenient Speed cauſe ſuch Taxation and Aſſeſſment to be made, and to be levied and collected in ſuch Manner as is preſcribed in and by the aforeſaid Statute made in the twenty-ſeventh Year of the Reign of Queen ELIZABETH, in which Taxation and Aſſeſſment there ſhall be provided for and included, over and above what the Coſts and Damages recovered by the Plaintiff or Plaintiffs in ſuch Action ſhall amount to, all ſuch juſt and neceſſary Expences which any High Conſtable or High Conſtables of any Hundred hath or have been, or ſhall be at, in having defended any ſuch Action as aforeſaid, Claim being made thereto by ſuch High Conſtable or High Conſtables before the ſaid Juſtices, upon due Notice being given to him or them by the ſaid Juſtices for that Purpoſe; and the Sums of Money ſo to be levied and collected, ſhall be paid over and delivered (by ſuch ſuch Officer or Officers, as by the ſaid Statute made in the twenty-ſeventh Year of the Reign of Queen ELIZABETH are to levy and collect the ſame) within ten Days after ſuch Collection, to the Sheriff of the County wherein the Robbery ſhall happen, to the Uſe and Behoof of the Plaintiff or Plaintiffs in ſuch Action, for ſo much as the Coſts and Damages by him, her or them recovered ſhall amount to, and to the Uſe and Behoof of the ſaid High Conſtable or High Conſtables, for ſo much as his or their Expences in defending the ſaid Action ſhall amount to, of which the ſaid High Conſtable or High Conſtables ſhall give in an Account, and make due Proof upon Oath, to the Satisfaction of the ſaid Juſtices, before any Taxation and Aſſeſſment ſhall be made for the reimburſing ſuch High Conſtable or High Conſtables (which Oath the ſaid Juſtices are hereby authorized and required to adminiſter) and ſhall in ſuch Expences have no further Allowance toward paying an Attorney to defend the ſaid Action, than what ſuch Attorney's Bill ſhall be taxed at by the proper Officer of that Court where ſuch Action ſhall be brought, which the ſaid High Conſtable or High Conſtables ſhall cauſe to be taxed for that Purpoſe.

High Conſtable only to be ſerved with the Proceſs, who is to give publick Notice thereof on the next Market Day, or in the Pariſh Church, and ſhall enter Appearance; if the Plaintiff recover, the Sheriff to ſhew the Writ of Execution to Two Juſtices, who are to tax and levy the Charge as by ſtat. 27 Eliz. 22 Geo. 2. c. 46. ſect. 34.

The Money to be paid in 10 Days after Collection, to the Sheriff, for the Uſe of the Plaintiff, &c.

V. And be it alſo enacted by the Authority aforeſaid, That the Sum or Sums of Money which ſhall be paid over and delivered to the Sheriff of the County, as is herein before mentioned, ſhall (upon reaſonable Requeſt made) be by him paid and delivered over to the ſeveral Parties who ſhall be intitled to receive the ſame, without any Deduction, Fee or Reward whatſoever.

The Money to be paid without Fees.

VI. And that ſufficient Time may not be wanting for ſuch Taxation and Aſſeſſment to be duly made, and for the Money to be levied and collected thereupon, after ſuch Writ or Writs of Execution ſhall be ſhewn to ſuch Juſtices, and before the Sheriff ſhall be obliged to make a Return thereof; Be it enacted by the Authority aforeſaid, That no Sheriff ſhall be called upon or required to make any Return to any

Sheriff not obliged to make a Return to the Writ, till 60 Days after Delivery.

such Writ or Writs of Execution, as ſhall iſſue or be made out upon any Judgement, which ſhall be recovered in an Action brought againſt any hundred, by virtue of the above mentioned Statutes, or either of them, until after the Expiration of ſixty Days next after the Day whereupon ſuch Writ or Writs ſhall be delivered to the ſaid Sheriff, who is hereby required to indorſe, on the Back thereof, the Day on which he received the ſame.

How the High Conſtable ſhall be reimburſed in the Plaintiff be nonſuited, &c.

'VII. And whereas it is reaſonable that the ſaid High Conſtable or High Conſtables ſhould be indemnified as to all Charges which he or they ſhould neceſſarily expend in defending any Suit in purſuance of this preſent Act, and that Proviſion ſhould be made for reimburſing him or them, not only all ſuch Expences as ſhall be over and above the taxed Coſts to be paid by the Plaintiff or Plaintiffs in caſe of a Nonſuit, or Diſcontinuance, or Judgment or Demurrer againſt him, her or them, or Verdict for the Defendants, as aforeſaid, but even ſuch taxed Coſts alſo, in caſe the Plaintiff or Plaintiffs, and his, her or their Sureties, who ſhall be bound for the Payment thereof, ſhall happen to become inſolvent;" Be it therefore enacted by the Authority aforeſaid, That if any Plaintiff or Plaintiffs, in any Action to be brought againſt any Hundred upon the Statutes above-mentioned, or either of them, ſhall be nonſuited, or ſhall diſcontinue his, her or their Action, or ſhall have a Judgment or Demurrer given, or a Verdict paſs againſt him, her or them, it ſhall and may be lawful for any two Juſtices of the Peace (ſuch as are herein before mentioned) upon Complaint to them made for that Purpoſe, and upon an Account given in by ſuch High Conſtable or High Conſtables, and Proof made upon Oath to the Satisfaction of the ſaid Juſtices of ſuch Expences neceſſarily laid out as aforeſaid (which Oath the ſaid Juſtices are hereby impowered and required to adminiſter) to make and cauſe ſuch Taxation and Aſſeſſment to be made, and to be levied and collected in ſuch Manner, as is directed in and by the above-mentioned Statute made in the twenty-ſeventh Year of the Reign of Queen ELIZABETH, as aforeſaid, in order thereby to reimburſe ſuch High Conſtable or High Conſtables all ſuch Charges as he or they ſhall have neceſſarily expended in defending ſuch Action, wherein ſuch Plaintiff or Plaintiffs ſhall have been nonſuited, or ſhall have diſcontinued his, her or their Action, or againſt whom Judgment ſhall have been given upon Demurrer, or a Verdict ſhall have been given, over and above the Coſts in thoſe Caſes to be taxed as aforeſaid; and in caſe it ſhall be made appear upon Oath to the ſaid Juſtices of Peace (which Oath the ſaid Juſtices are hereby alſo impowered and required to adminiſter) to their Satisfaction, that ſuch Plaintiff or Plaintiffs, and alſo his or their Sureties, is and are inſolvent, ſo that the ſaid High Conſtable or High Conſtables can have no Relief, as to ſuch taxed Coſts by them expended in ſuch Defence as aforeſaid (ſave only by the Power herein after given to the ſaid Juſtices) it ſhall and may be lawful to and for ſuch two Juſtices of the Peace to make and cauſe a Taxation and Aſſeſſment to be made, and to be levied and collected, in the ſame Manner as is directed in and by the aforeſaid Statute made in the Reign of Queen ELIZABETH, in order thereby to reimburſe ſuch High Conſtable or High Conſtables ſuch taxed Coſts, as, by reaſon of ſuch Inſolvency, he or they ſhall not be able to recover and receive of and from the Plaintiff or Plaintiffs in the Action, or his or their Sureties, as aforeſaid.

Money levied for reimburſing the High Conſtable to be paid within 10 Days.

VIII. And be it further enacted by the Authority aforeſaid, That the ſeveral Sum or Sums of Money, which ſhall be rated, and aſſeſſed and levied, and collected, as aforeſaid, for the Reimburſement of the Expences neceſſarily ſuſtained by any High Conſtable or High Conſtables, in Defence of any Action brought againſt the Hundred, upon the Statutes above-mentioned, or either of them, in caſe of any Judgment given againſt the Plaintiff or Plaintiffs, ſhall be paid, within ten Days after ſuch Collection, unto the ſaid Juſtices, or one of them, to the Uſe and Behoof of ſuch High Conſtable or High Conſtables, to whom the ſaid Juſtices ſhall upon Requeſt pay and deliver over the ſame.

10 l. Reward for apprehending a Felon, ſo as to indemnify the Hundred.

IX. And to the Intent that *Hue and Cry* may be made with more Diligence and Effect, and other Perſons encouraged to take ſuch Felon or Felons; Be it further enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall apprehend ſuch Felon or Felons, within the Time herein before limited for that Purpoſe, whereby the Hundred hath been actually indemnified or diſcharged from any ſuch Action, as aforeſaid, ſhall upon due Proof thereof upon Oath made before ſuch two Juſtices as aforeſaid (which Oath the ſaid Juſtices are hereby alſo impowered and required to adminiſter) be intitled to the Reward of ten Pounds (which Sum ſhall be raiſed upon the Hundred by a Taxation and Aſſeſſment, to be made, and to be levied and collected in the ſame Manner as the other Sums of Money by this preſent Act appointed to be raiſed upon the Hundred are directed to be aſſeſſed, levied and collected) and ſuch Sum of ten Pounds, which ſhall be ſo rated, aſſeſſed, levied and collected, as aforeſaid, ſhall be paid unto two ſuch Juſtices of the Peace, within ten Days next after the ſame ſhall be ſo levied and collected, to the Uſe of the Perſon or Perſons who ſhall be thereunto intitled, as a Reward for having ſo apprehended ſuch Felon or Felons as aforeſaid; and ſuch Juſtices ſhall, upon reaſonable Requeſt made for that Purpoſe, pay over and deliver the ſaid Sum to ſuch Perſon or Perſons accordingly, in ſuch Shares and Proportions as the ſaid Juſtices ſhall think reaſonable: Provided always, That ſuch Perſon or Perſons, ſo intitled to ſuch Reward, ſhall not be thereby rendred incapable to be a Witneſs in any ſuch Action.

How the Aſſeſſments are to be made.

X. And be it alſo enacted by the Authority aforeſaid, That the Juſtices of the Peace by whom ſuch Taxations and Aſſeſſments, as aforeſaid, ſhall, in purſuance of the ſaid Statute made in the twenty-ſeventh Year of the Reign of Queen ELIZABETH, and alſo of this preſent Act, be made, ſhall limit and appoint at their Diſcretion ſome certain reaſonable Time within which ſuch Taxations and Aſſeſſments ſhall be levied and collected, which Time ſhall not exceed thirty Days; and alſo that if any ſuch Officer or Officers, who are to levy and collect out the ſame within ſuch Time as ſhall be limited and appointed by the ſaid Juſtices of the Peace for their doing thereof, or ſhall refuſe or neglect to pay and deliver over the Sums of Money, ſo levied and collected, to the ſaid Sheriff, and alſo to the ſaid Juſtices,

Penalty on Collectors not doing their Duty.

Juſtices, in ſuch Manner as the ſame in the ſeveral Caſes herein before mentioned are reſpectively directed to be paid, within the reſpective Times herein before limited for ſuch Payment thereof; every ſuch Officer ſhall, for every ſuch Refuſal or Neglect, forfeit double the Sum appointed to be by him levied and collected as aforeſaid.

'XI. And whereas by the above-mentioned Statutes it is enacted, That freſh Suit and *Hue and Cry* 'ſhall be made and purſued, and in what Manner the ſame ſhall be, yet no particular Perſon or Perſons 'is thereby expreſsly required to make and cauſe ſuch *Hue and Cry* and Purſuit to be made, whence it 'hath often happened, that the ſame hath been ſo much neglected and delayed, that Felons have had 'Time to make their Eſcape, and the Intention of the ſaid Statutes hath been thereby in great Meaſure 'fruſtrated;' Be it further enacted by the Authority aforeſaid, That every Conſtable, Borſholder, Headborough or Tythingman, to whom Notice ſhall be given, or at whoſe Dwelling-houſe Notice of any Robbery ſhall be left, as aforeſaid, and that every Conſtable of the Hundred, and every Conſtable, Borſholder, Headborough, or Tythingman, of any Town, Pariſh, Village, Hamlet or Tything, within the Hundred or the Franchiſes within the Precinct thereof, wherein ſuch Robbery ſhall happen, as ſoon as the ſame ſhall come to his Knowledge, either by Notice from the Party or Parties robbed, or from any other Perſon or Perſons to whom Notice ſhall be given thereof purſuant to this preſent or any other Statute, ſhall with the utmoſt Expedition make and cauſe to be made freſh Suit and *Hue and Cry* after the Felon or Felons by whom ſuch Robbery ſhall be committed; and if any Conſtable, Borſholder, Headborough or Tythingman, ſhall offend in the Premiſſes, by refuſing or neglecting to make, or cauſe to be made, ſuch freſh Suit and *Hue and Cry* as aforeſaid, every ſuch Offender ſhall for every ſuch Refuſal or Neglect forfeit five Pounds.

Method of purſuing Hue and Cry.

5 l. Penalty on Refuſal or Neglect.

XII. And be it enacted by the Authority aforeſaid, That every Forfeiture hereby incurred ſhall be recovered with Full Coſts of Suit, and ſhall be and enure, as to one Moiety thereof, to the Uſe of the King's moſt Excellent Majeſty, and as to the other Moiety thereof, to the Uſe of ſuch Perſon or Perſons as ſhall ſue for the ſame within ſix Months next after ſuch Forfeiture ſhall be incurred, by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Privilege, Protection or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Penalties how to be levied.

XIII. And be it further enacted by the Authority aforeſaid, That if any Action, Suit or Information ſhall be commenced or proſecuted againſt any Perſon or Perſons for any thing done in purſuance of this or either of the herein before recited Statutes, That in every ſuch Caſe the Defendant or Defendants in ſuch Action, Suit or Information, may plead the General Iſſue, and give this and the aforeſaid Statutes, or either of them, and the ſpecial Matter in Evidence, at any Trial to be had thereupon; and if the Plaintiff or Proſecutor ſhall become nonſuit, or ſhall diſcontinue or forbear his or her Action or Proſecution, or if a Verdict ſhall paſs againſt the Plaintiff or Proſecutor, or Judgment ſhall be given againſt him or her, upon Demurrer or otherwiſe, the Defendant or Defendants may and ſhall recover Full Coſts, for which he or they ſhall have the like Remedy as Defendants have by Law in other Caſes of Coſts.

General Iſſue.

Full Coſts.

XIV. Provided always, That no ſuch Action, Suit or Information ſhall be brought or exhibited, but within the Space of ſix Months next after the Matter or Thing done, for which the ſame ſhall be commenced, or exhibited, as aforeſaid.

Limitation of Actions.

'XV. And whereas by the Laws now in being, the Perſon or Perſons robbed may be admitted, in 'any Action to be brought againſt the Hundred, as a Witneſs, to prove the Robbery, and the Money, 'Goods or Effects, whereof he, ſhe or they was or were robbed, and yet no Perſon inhabiting within 'the ſaid Hundred can be admitted as a Witneſs for or on Behalf of the ſaid Hundred, by Reaſon of 'the Intereſt he or ſhe may have in the Conſequences of the ſaid Action, which is commonly very in'conſiderable;' Be it therefore enacted by the Authority aforeſaid, That in any Action already brought or to be brought againſt any Hundred, on either of the aforeſaid Statutes, any Perſon inhabiting within the ſaid Hundred or any Franchiſe thereof, ſhall be admitted as a Witneſs for or on Behalf of the ſaid Hundred, in the ſame Manner as if he or ſhe were not an Inhabitant thereof, but reſided in any other Hundred whatſoever.

Any Inhabitant may give Evidence for the Hundred.

Amended by 22 Geo. 2. c. 24. and 22 Geo. 2. c. 46.

CAP. XVII.

An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpoſe. EXP.

CAP. XVIII.

An Act to continue ſome Laws therein mentioned, relating to the Encouragement of the making of Sail Cloth in *Great Britain*, and for Encouragement of the Silk Manufactures of this Kingdom.

'WHEREAS the Laws herein after mentioned (which have by Experience been found uſeful and 'beneficial) are near expiring;' May it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Act made in the Twelfth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain, which was to continue in Force for ſeven Years, from the one and twentieth Day of *July* one thouſand ſeven hundred and thirteen,

Preamble.

The Sail Cloth Act, 12 Annæ, ſt. 1. c. 16.

'Continued till 25 March 1742. 27 Geo. 2. c. 18.' *And further continued by* 33 *Geo.* 2. *c.* 17.

thirteen, and from thence to the End of the then next Seſſion of Parliament; and which was, by an Act made in the fifth Year of his late Majeſty's Reign, continued for ſeven Years longer, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act made in the tenth Year of the Reign of his ſaid late Majeſty, was further continued for ſeven Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament.

Several Clauſes in the Act for encouraging the Silk Manufactures. 8 Geo. 1. c. 15.

II. And be it further enacted by the Authority aforeſaid, That the ſeveral Clauſes contained in an Act made in the eighth Year of the Reign of his late Majeſty, intituled, *An Act for the Encouragement of the Silk Manufactures of this Kingdom, and for taking off ſeveral Duties on Merchandizes exported; and for reducing the Duties upon Beaver Skins, Pepper, Mace, Cloves and Nutmegs imported; and for Importation of all Furs of the Product of the* Britiſh *Plantations into this Kingdom; and that the two Corporations of Aſſurance, on any Suits brought on their Policies, ſhall be liable only to ſingle Damages and Coſts of Suit*, relating to the Encouragement of the Silk Manufactures of this Kingdom, and for taking off ſeveral Duties on Merchandizes exported, which were to continue in force for three Years, from the five and twentieth Day of *March* one thouſand ſeven hundred and twenty-two, and from thence to the End of the then next Seſſion of Parliament; and which ſaid Clauſes were by an Act made in the eleventh Year of his late Majeſty's Reign continued from the Expiration thereof for three Years, and from thence to the End of the then next Seſſion of Parliament; and by another Act made in the ſecond Year of his preſent Majeſty's Reign, are further continued from the Expiration thereof till the nine and twentieth Day of *September* one thouſand ſeven hundred and thirty-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame are hereby continued from the Expiration thereof until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament.

Continued till 25 Mar. 1742. 'Farther continued by 26 Geo. 2. c. 32.'

The two laſt Clauſes in an Act 9 Geo. 1. c. 8. relating to Frauds in Silk and Stuffs, continued till 25 Mar. 1742. 26 Geo. 2. c. 32.

III. And be it further enacted by the Authority aforeſaid, That the two laſt Clauſes in an Act made in the ninth Year of the Reign of his late Majeſty *(For continuing of ſome Laws and reviving others therein mentioned)* for more effectual preventing Frauds in mixing Silks with Stuffs to be exported, which ſaid Clauſes are by an Act made in the ſecond Year of the Reign of his preſent Majeſty to continue in force to the nine and twentieth Day of *September* one thouſand ſeven hundred and thirty-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and are hereby further continued until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament.

CAP. XIX.

An Act to continue an Act paſſed in the Third Year of his preſent Majeſty's Reign, intituled, *An Act for granting Liberty to carry Rice from his Majeſty's Province of* Carolina *in* America, *directly to any Part of* Europe *Southward of* Cape Finiſterre, *in Ships built in and belonging to* Great Britain, *and navigated according to Law*; and to extend that Liberty to his Majeſty's Province of *Georgia* in *America*.

Preamble reciting 3 Geo. 2. c. 28.

'WHEREAS an Act paſſed in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for granting Liberty to carry Rice from his Majeſty's Province of* Carolina *in* America, *directly to any Part of* Europe *Southward of* Cape Finiſterre, *in Ships built in and belonging to* Great Britain, *and navigated according to Law*, which was to be in Force for five Years, from the nine and twentieth Day of *September* one thouſand ſeven hundred and thirty, and from thence to the End of the then next Seſſion of Parliament, and has been found uſeful and beneficial, and therefore fit to be continued;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act ſhall be and is hereby further continued from the Expiration thereof until the twenty-ninth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament.

The Rice Act 3 Geo. 2. continued to 29 Sept. 1742. 'Farther continued by 27 Geo. 2. c. 18.' *And by* 33 *Geo.* 2. *c.* 16.

Recital of Part of the Patent for eſtabliſhing the Colony of Georgia.

'II. And whereas ſince the paſſing the ſaid Act his Majeſty by his Letters Patent bearing Date the ninth Day of *June* in the fifth Year of his Reign, did, amongſt other Things, moſt graciouſly give and grant to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, and their Succeſſors, ſeven undivided Parts (the whole into eight equal Parts to be divided) of all thoſe Lands, Countries, and Territories, ſituate, lying and being in that Part of *South Carolina* in *America* which lies from the moſt Northern Stream of a River there commonly called *The Savannah*, all along the Sea-Coaſt to the Southward unto the moſt Southern Stream of a certain other great Water or River called *The Alatamaha*, and Weſtward from the Heads of the ſaid Rivers reſpectively in direct Lines to the *South-Sea*, and all that Space, Circuit, and Precinct of Land lying within the ſaid Boundaries, with the Iſlands in the Sea lying oppoſite to the Eaſtern Coaſts of the ſaid Lands within twenty Leagues of the ſame: And whereas his Majeſty, by his ſaid Letters Patent, did make, erect and create the ſaid Lands, Countries and Territories into one Independent Province, by the Name of *Georgia*: And whereas Doubts may ariſe whether ſince the Separation of the ſaid Province of *Georgia* from the ſaid Province of *South Carolina* as aforeſaid, Rice may be exported from the ſaid Province of *Georgia* to any Part of *Europe* Southward of *Cape Finiſterre* in the ſame Manner as from the ſaid Province of *Carolina*:' For preventing thereof, and for Encouragement of the ſaid Province of *Georgia*, be it enacted by the Authority aforeſaid, That from

The ſaid Act extended to Georgia.

from and after the first Day of *September* one thousand seven hundred and thirty-five, it shall and may be lawful for any of his Majesty's Subjects in any Ship or Vessel built in *Great Britain*, or belonging to any of his Majesty's Subjects residing in *Great Britain*, and navigated according to Law, that shall clear outwards in any Port of *Great Britain* for the Province of *Georgia* in *America*, to ship or load Rice in the said Province, and to carry the same directly to any Port Southward of *Cape Finisterre*, without carrying the same to any other of his Majesty's Plantations in *America*, or to *Great Britain*, under the like Entries, Securities, Restrictions, Regulations, Limitations, Duties, Penalties and Forfeitures, as are particularly described, appointed, limited, or enacted for that Purpose, in and by the said Act of the third Year of the Reign of his present Majesty, intituled, *An Act for granting Liberty to carry Rice from his Majesty's Province of* Carolina *in* America, *directly to any Part of* Europe, *Southward of* Cape Finisterre, *in Ships built in and belonging to* Great Britain, *and navigated according to Law.*

The Powers of the Officers to be appointed by the said Trustees, 19 Geo. 2. c. 23. 'Continued by 26 Geo. 2. c. 32.' *Concerning* 30 *Geo.* 2. *c.* 9.

III. And be it further enacted by the Authority aforesaid, That the Officers which shall be for that Purpose appointed by the Trustees for establishing the Colony of *Georgia* in *America*, shall and may and are hereby authorized and impowered to do and execute all and every the Matters and Things in the Province of *Georgia* aforesaid, which shall and may be done by virtue of the said Act by any of the Officers belonging to any of the Ports in the Province of *Carolina*.

Plantations see farther, 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35.

CAP. XX.

An Act for rendring the Laws more effectual for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes for repairing Highways, or Locks, or other Works erected by Act of Parliament for making Rivers navigable, and for other Purposes therein mentioned.

Preamble, reciting the Turnpike Act 1 Geo. 2. c. 19. 5 Geo. 2. c. 33.

'WHEREAS an Act of Parliament passed in the first Year of his present Majesty's Reign, *For punishing such Persons as should wilfully and maliciously pull down or destroy Turnpikes for repairing Highways, or Locks, or other Works erected by Authority of Parliament for making Rivers navigable*; and in the fifth Year of his present Majesty's Reign, another Act passed to explain, amend and render more effectual the said Act: And whereas the Provisions made by the said Acts for punishing such Offenders, have by Experience been found to be insufficient:' Now for rendring the said Acts more effectual, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons whatsoever, after the fifteenth Day of *May* in the Year of our Lord one thousand seven hundred and thirty-five, shall, either by Day or Night, wilfully or maliciously pull down, pluck up, throw down, level, or otherwise destroy any Turnpike-Gate or Turnpike-Gates, or any Post or Posts, Rail or Rails, Wall or Walls, or any Chain, Bar, or other Fence or Fences belonging to any such Turnpike-Gate or Turnpike-Gates, or any other Chain, Bar, or Fence of any Kind whatsoever, set up or erected, or hereafter to be set up or erected, to prevent Passengers from passing by without paying any Toll, laid and directed to be paid by any Act or Acts of Parliament already made, or hereafter to be made, for that Purpose, or any House or Houses erected or to be erected for the Use of any such Turnpike-Gate or Turnpike-Gates, or any other Fence or Fences, or any Lock, Sluice, Flood-gate, or other Works on any navigable River erected or to be eerected by Authority of Parliament; or forcibly rescue any Person or Persons being lawfully in Custody of any Officer or other Person, for any of the Offences before-mentioned; that then and in any of the said Cases, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

After 15 May, 1735, Persons maliciously destroying Turnpikes, &c.

Locks or Sluices erected by Parliament, or rescuing Persons in Custody for such Offences, to suffer Death.

II. And be it further enacted, That if any Person or Persons after the said fifteenth Day of *May* shall wilfully and maliciously draw or pluck up any Flood-gate or Flood-gates, fixed or made in any Wear or Wears, Lock or Locks, erected or made, or hereafter to be erected or made, by Authority of Parliament, in or upon any navigable River for preserving the Navigation thereof; all and every such Person or Persons so offending, being thereof lawfully convicted upon the Oath of one or more credible Witness or Witnesses before two or more Justice or Justices of the Peace for the County, Riding or Division where any such Offence or Offences shall be committed, or of the adjacent County, Riding or Division, shall be sent to the House of Correction, there to continue and be kept to hard Labour for the Space of one Month.

A Month's Imprisonment on malicious drawing up Flood-gates, &c.

III. And for the better and more impartial Trial of any Indictment which shall be found, commenced and prosecuted, for the Offences committed against this Act, Be it enacted by the Authority aforesaid, That every Offence aforesaid that shall be done or committed contrary to this Act, shall and may be enquired of, examined, tried and determined in any adjacent County within that Part of the Kingdom of *Great Britain* called *England*, in such Manner and Form as if the Fact had been therein committed.

Offences may be tried in any adjacent County.

IV. Provided that no Attainder for any of the Offences made Felony by virtue of this Act shall make or work Corruption of Blood, Loss of Dower, or Forfeiture of Lands or Tenements, Goods or Chattles.

Attainder on this Act not to work Corruption of Blood, &c.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time after the said fifteenth Day of *May* in the Year of our Lord one thousand seven hundred and thirty-five, commit any of the Offences declared to be Felony by this Act, and being out of Prison, shall discover

Perſon diſcovering and convicting others guilty of the ſaid Felonies ſhall be pardoned.

cover and apprehend, or cauſe to be diſcovered and apprehended, one or more Perſon or Perſons who ſhall commit any ſuch Offence or Offences declared to be Felony as aforeſaid, ſo as he, ſhe or they ſhall be thereof lawfully convicted, every ſuch Perſon or Perſons on Conviction of the Offender or Offenders ſo to be apprehended, ſhall have, and is hereby intitled to his Majeſty's moſt gracious Pardon for the Felonies aforeſaid, which he, ſhe or they ſhall have committed, at any time or times before ſuch Diſcovery made, which Pardon ſhall be likewiſe a good Bar to any Appeal brought or to be brought for any ſuch Felony.

The Hundred to anſwer the Damages.

VI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid fifteenth Day of *May*, the Inhabitants of every Hundred in that Part of the Kingdom of *Great Britain* called *England*, within which ſuch Offence or Offences ſhall be committed, by pulling down and deſtroying any Turnpike-Gate or Gates, or any Poſt or Poſts, Rail or Rails, Wall or Walls belonging to any Turnpike-Gate or Gates, or any Chain, Bar or Fence, or any Houſe or Houſes ſet up or erected, or to be ſet up or erected, for the Uſe or Service of collecting the Tolls, at any Place appointed by the Commiſſioners, or any five or more of them, acting under any Act or Acts of Parliament enabling them to act as Commiſſioners for amending any Road or Roads, Highway or Highways, or any Lock, Sluice or Flood-gate, or any Works erected or to be erected by Authority of Parliament, upon any navigable River, for preſerving or ſecuring the Navigation thereof, ſhall make full Satisfaction for the Damages that ſhall be thereby ſuffered; and that the ſaid Damages ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, by and in the Name of the Clerk of the Peace of the County for the time being, wherein ſuch Offence or Offences ſhall be committed, without naming the Chriſtian Name or Surname of the Clerk of the Peace; and the ſaid Damages ſo to be recovered, ſhall be to the only Uſe and Behoof of the Truſtees, Commiſſioners, Proprietors or Undertakers of any Turnpike or navigable River, to be by them applied and diſpoſed of to the ſeveral Uſes and Purpoſes and in ſuch Manner, as the ſeveral Tolls, Rates and Duties, by virtue of any Act or Acts of Parliament made or to be made, are or ſhall be applied and diſpoſed of, the Sum to be recovered againſt the Inhabitants of ſuch Hundred as ſhall by this Act be made liable to anſwer all or Part thereof, not exceeding, for any Offence, the Sum of twenty Pounds; and all and every the Inhabitants of ſuch Hundred ſhall be rateably and proportionably taxed for and towards an equal Contribution for the Relief of ſuch Inhabitant or Inhabitants againſt whom Execution for ſuch Damages ſhall be had and levied, which Tax ſhall be levied and raiſed by ſuch Ways and Means, and in ſuch Manner and Form as is preſcribed and mentioned for the levying and raiſing Damages recovered againſt Inhabitants of Hundreds in caſes of Robberies, in and by an Act, intituled, *An Act for the following* Hue *and* Cry, made in the twenty-ſeventh Year of the Reign of Queen ELIZABETH.

How to be recovered,

and applied.

The ſaid Damages not to exceed 20 l. for one Offence.

The Inhabitants to be rateably taxed, as in Hue and Cry, by 27 Eliz. c. 13.

On Conviction of one or more Offenders in 12 Months, the Hundred or Inhabitants to be repaid out of the Tolls.

VII. Provided always, and be it further enacted by the Authority aforeſaid, That where any Offence ſhall be committed againſt this Act, and any one or more of the ſaid Offenders ſhall be apprehended and lawfully convicted of ſuch Offence within twelve Months next after ſuch Offence ſhall be committed, any Hundred or Inhabitants thereof, ſubject or liable to make any Satisfaction for the Damages that ſhall be ſuſtained by any of the Offences aforeſaid, and who ſhall have made ſuch Satisfaction, ſhall, upon ſuch Conviction of any one or more of the ſaid Offenders within the Time aforeſaid, be repaid the Sums they have paid for ſuch Satisfaction out of the Tolls of the Turnpike which ſhall ſo be pulled down; any thing herein contained to the contrary notwithſtanding.

Actions commenced by a Clerk of the Peace, not to be diſcontinued on his Death.

VIII. And be it further enacted by the Authority aforeſaid, That if any Clerk of the Peace of or in any County within that Part of *Great Britain* called *England*, ſhall at any Time hereafter commence or prefer any ſuch Action, Bill, Plaint or Information, and ſhall, after the ſame ſo ſued, commenced or preferred, happen to die or be removed out of his Office before Recovery and Execution had, that no ſuch Action, Bill, Plaint or Information, ſued, commenced or preferred, ſhall by ſuch diſplacing or Death be abated or diſcontinued; but it ſhall and may be lawful to and for the Clerk of the Peace next ſucceeding in the ſaid County, to proſecute, purſue and follow all and every ſuch Action, Bill, Plaint or Information, ſo depending for ſuch Damages as ſhall be ſuſtained by any ſuch Offence or Offences as aforeſaid, in ſuch Manner and Form to all Intents and Purpoſes as the Clerk of the Peace might have done, who firſt preferred the ſaid Action, Bill, Plaint or Information.

No Action for recovering Damages, unleſs Information made within 6 Days,

and the Suit commenced in 6 Months after the Offence.

IX. Provided nevertheleſs, That no Action of Debt, Bill, Plaint or Information, ſhall be had, ſued or proſecuted, to recover any Damages by virtue of this Act, unleſs Information upon Oath ſhall be made thereof within Six Days before ſome Juſtice of the Peace of the County, Liberty or Diviſion where ſuch Offence or Offences ſhall be committed, inhabiting within the ſaid Hundred, or near the ſame.

X. Provided alſo, That no Action of Debt, Bill, Plaint or Information ſhall be had, ſued or proſecuted, to recover any Damages to be ſuſtained by Reaſon of any Offence or Offences to be committed contrary to this Act, againſt any Inhabitant of any Hundred where ſuch Offence or Offences ſhall be committed, except ſuch Action or Suit ſhall be commenced within ſix Months next after ſuch Offence ſhall be committed.

5 l. Penalty on aſſaulting or threatning Collectors of Tolls, or forcibly paſſing through Turnpikes, &c.

XI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall aſſault any Collector or Collectors of the Toll, or threaten him or them in the Execution of his or their Office or Offices, or ſhall forcibly paſs through any Turnpike-Gate or Gates, Rail or Rails, Chain or Chains, or other Fence or Fences, ſet up or to be ſet up by Authority of Parliament, without paying the Toll appointed to be paid at ſuch Gate or other Fence; or if any Perſon or Perſons ſhall forcibly carry away or detain any Collector or Collectors of the Toll, ſo as he, ſhe or they ſhall not be able to return to their Duty for the Space of three Days; that then and in any of the ſaid Caſes, the

the Party or Parties ſo offending, upon Conviction by Oath of one or more credible Witneſs or Witneſſes, before two or more Juſtices of the Peace of the County, Liberty or Diviſion where ſuch Offence or Offences ſhall be committed, inhabiting near the ſaid Diviſion or Place (who are hereby impowered to ſummon the Party or Parties ſo offending, and to hear and determine ſuch Offences) ſhall forfeit and pay the Sum of five Pounds, one Moiety thereof to the Informer, and the other Moiety to the Conſtable of the Pariſh where ſuch Offence ſhall be committed, in Truſt for and to the only Uſe and Behoof of the Truſtees, Commiſſioners, Proprietors or Undertakers of any Turnpike or navigable River, to be by them applied and diſpoſed of for the ſeveral Uſes and Purpoſes, and in ſuch Manner, as the ſeveral Tolls, Rates and Duties, by virtue of any Act or Acts of Parliament made or to be made, are or ſhall be directed to be applied and diſpoſed of, after allowing thereout to ſuch Conſtable, ſuch Satisfaction for his Trouble, as the ſaid Truſtees, Commiſſioners or Undertakers, or any Five or more of them, ſhall adjudge reaſonable; to be levied by Warrant or Warrants under the Hands and Seals of the ſaid Juſtices of the Peace, or any two or more of them, by Diſtreſs and Sale of the Goods and Chattles of the Offender or Offenders, rendring the Overplus to the Owner; and for want of ſufficient Diſtreſs, then the Party or Parties ſo offending ſhall by Warrant under the Hands and Seals of ſuch two Juſtices, or more of them, be ſent to the common Gaol of the County where ſuch Offence ſhall be committed, there to remain without Bail or Mainprize for the Space of ſix Months, unleſs he, ſhe or they ſhall be ſooner diſcharged by the Order of the Juſtices at the Quarter-Seſſions of the Peace to be holden for the County where ſuch Offence ſhall be committed; and if ſuch Party or Parties ſhall offend a ſecond or third Time, upon Conviction thereof in Manner aforeſaid, he or they ſo offending ſhall forfeit and pay the Sum of ten Pounds, to be levied by Diſtreſs in Manner aforeſaid; and for want of ſufficient Diſtreſs ſhall for every ſuch Offence, after the firſt, be ſent by two or more Juſtices of the Peace of the County where ſuch Offence ſhall be committed, to the common Gaol of the ſaid County, by ſuch Warrant or Warrants as laſt before-mentioned, for one whole Year without Bail or Mainprize; and ſhall alſo, before he, ſhe or they ſhall be diſcharged out of Cuſtody, give Security at the General Quarter-Seſſions of the County for his, her or their Behaviour for ſeven Years.

Forfeiture how diſtributed.

Diſtreſs on Nonpayment.

6 Months Imprisonment on want of Diſtreſs.

10l. Penalty on ſecond or third Offence.

A Year's Imprisonment on want of Diſtreſs.

XII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for ſuch Collector or Collectors of the Toll, to ſeize and detain any Perſon or Perſons guilty of the Offences before-mentioned, and ſuch Perſon or Perſons to carry before one or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Offence ſhall be committed, without any Warrant or other Authority for ſo doing; and ſuch Juſtice or Juſtices of the Peace are hereby impowered and authorized to oblige ſuch Perſon or Perſons ſo offending, to give Security for his, her, or their appearing at the next petty Seſſions to be holden for the Diviſion or Place where ſuch Offence or Offences ſhall be committed, and for want of ſufficient Security to commit the Perſon or Perſons ſo offending to the common Gaol of the County or Place where the Offence ſhall be committed, until he, ſhe or they ſhall give ſuch Security.

Collectors of Toll may ſeize Perſons guilty of the ſaid Offences, and carry them before a Juſtice, who may bind them over to the Seſſions, &c.

XIII. And be it further enacted by the Authority aforeſaid, That if any Conſtable or Conſtables, who are hereby required to execute all Warrants by this or any former Act appointed to be iſſued concerning Turnpikes, ſhall refuſe to execute any Warrant or Warrants under the Hands and Seals of a ſufficient Number of Commiſſioners or Truſtees authorized by any Act of Parliament for any Turnpike or Turnpikes, to levy any Sum or Sums of Money upon any Perſon or Perſons for any Default, for which ſuch Perſon or Perſons are to forfeit and pay any Sum or Sums of Money whatſoever, or ſhall refuſe to execute any Warrant or Warrants under the Hands of any two or more Juſtices of the Peace, for apprehending any Perſon or Perſons that ſhall be guilty of any Offence againſt this Act, or if any other Perſon or Perſons ſhall refuſe to aſſiſt ſuch Conſtable or Conſtables in apprehending ſuch Offender or Offenders; then ſuch Conſtable or Conſtables ſo refuſing to execute ſuch Warrant, or other Perſon or Perſons ſo refuſing to aſſiſt him, ſhall forfeit and pay the Sum of five Pounds to the Clerk of the Commiſſioners, Truſtees, Proprietors, or Undertakers of any Turnpike or navigable River, to be by them applied and diſpoſed of for the ſeveral Uſes and Purpoſes, and in ſuch Manner as the ſeveral Tolls, Rates and Duties, by virtue of any Act or Acts of Parliament made, or to be made, are or ſhall be directed to be applied and diſpoſed of, to be levied by Diſtreſs by Warrant or Warrants under the Hands and Seals of two or more Juſtices of the Peace of the County where ſuch Conſtable or Conſtables, or any other Perſon or Perſons ſo refuſing, ſhall inhabit, to be directed to the high Conſtable of the Hundred where he or they ſhall inhabit, to be by him levied in the ſame Manner as is before directed in caſe any Perſon ſhall aſſault the Collector of the Toll, or forcibly paſs through any Gate or other Fence without paying the Toll.

5l. Penalty on refuſing to execute a Warrant.

How to be diſpoſed of.

XIV. And be it further enacted by the Authority aforeſaid, That all Forfeitures and Penalties that by virtue of this Act ſhall be received by any Conſtable or Conſtables, Clerk or Clerks to any of the Truſtees, Commiſſioners, Proprietors, or Undertakers of any Turnpike or navigable River, to the Uſe, or in Truſt for ſuch Commiſſioners, Truſtees, Proprietors or Undertakers for the Purpoſes aforeſaid, ſhall, after the Receipt or Receipts of ſuch Forfeiture or Forfeitures, Penalty or Penalties, be by ſuch Conſtable or Conſtables, Clerk or Clerks, paid over to any Perſon or Perſons, to whom the ſaid Commiſſioners, Truſtees, Proprietors or Undertakers, or any five or more of them, by any Order under their reſpective Hands, ſhall direct the ſame to be paid; and in caſe ſuch Conſtable or Conſtables, Clerk or Clerks, ſhall refuſe to account for, or pay over the ſame, that then it ſhall and may be lawful for any two or more Juſtices of the Peace for the County, Town or Diviſion, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes made before them, of any ſuch Refuſal, to commit the Party or Parties ſo refuſing to account or pay over the Sum or Sums of Money by him or them received for,

Forfeitures to whom paid.

Penalty on Conſtables, &c. refuſing to account for Forfeitures.

for any ſuch Forfeiture or Penalty, to the common Gaol of the County, where ſuch Conſtable or Conſtables, Clerk or Clerks, ſhall live, until he or they ſhall pay and ſatisfy the ſame.

Appeal to the Quarter-Seſſions.

XV. Provided alſo, That it ſhall and may be lawful for any Perſon aggrieved by any Order or Orders to be made by any two or more Juſtices of the Peace as aforeſaid, to appeal to the Juſtices of the Peace aſſembled at the next General Seſſions to be holden for the County, City, Diviſion, Pariſh or Place where ſuch Orders ſhall be made, giving reaſonable Notice of ſuch Appeal, the Reaſonableneſs of which Notice ſhall be determined by the Juſtices of the Peace at the Quarter-Seſſions to which the Appeal is made; and if it ſhall appear to them that reaſonable Time of Notice was not given, then they ſhall adjourn the ſaid Appeal to the next Quarter-Seſſions, and then and there finally hear and determine the ſame; and the Juſtices, who in the General Quarter-Seſſions ſhall hear the Matter, ſhall have Power to award reaſonable Coſts to either Party, as to them ſhall ſeem juſt, and ſuch Determination ſhall conclude and bind all Parties concerned.

No *Certiorari* for removing Orders to another Court.

XVI. And it is hereby enacted, That no *Certiorari* ſhall be granted by any Court whatſoever, for removing any Order or Orders, or other Proceedings of any Juſtice or Juſtices of the Peace, concerning all or any of the Matters in this Act contained, out of the proper County, City, Diviſion or Place into any other Court.

Determinations made at Quarter-Seſſions, concerning Complaints, to be final.

XVII. And be it further enacted by the Authority aforeſaid, That when any Complaint of Abuſe, or Exceſs of Power in the Commiſſioners and Truſtees appointed to put any Act of Parliament made for the Repair of any Highway or Highways in Execution, by erecting or ſetting up, or cauſing to be erected or ſet up, any Gate or Gates, Turnpike or Turnpikes, Rails, Poſts, Chain or Chains, or any other Fence, hath been already made, and heard by the Juſtices of the Peace of the County, where ſuch Gate or Gates, Turnpike or Turnpikes, were, or ſhall be erected or continued, in the General Quarter-Seſſions aſſembled, that ſuch Hearing of the ſaid Juſtices ſhall be final, and their Determination therein, either in Favour of the Complainant, or of the ſaid Commiſſioners and Truſtees, ſhall be, and is hereby declared to be, fully confirmed and eſtabliſhed.

Limitation of Actions.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Suit or Suits ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, that in every ſuch Caſe the Action ſhall be laid in ſuch County where the Cauſe of Action did ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Actions to be brought may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance of and by the Authority of the ſaid Act; and if it ſhall appear ſo to be done, or that ſuch Action or Actions ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants, and upon ſuch Verdict, or if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath and have in other Caſes to recover Coſts by Law.

General Iſſue.

Treble Coſts.

This and the 2 before-mentioned Acts to continue in Force for 5 Years.

'Made perpetual by 27 Geo. 2. c. 16.'

XIX. And be it further enacted by the Authority aforeſaid, That this Act, and alſo the ſaid two ſeveral Acts made in the firſt and fifth Years of his preſent Majeſty's Reign, and every Article, Clauſe, and Sentence therein (not altered by this preſent Act) ſhall be and continue in full Force and Effect, and be executed for the Space of five Years, to commence from the ſaid fifteenth Day of *May* in the Year of our Lord one thouſand ſeven hundred and thirty-five, and from thence to the End of the then next Seſſion of Parliament, for the Purpoſes in the ſaid ſeveral Acts mentioned, as fully as if the ſame was herein again repeated and re-enacted in the Body of this preſent Act.

Concerning Highways, ſee further 9 *Geo.* 2. *c.* 18. 14 *Geo.* 2. *c.* 42. 15 *Geo.* 2. *c.* 2. 16 *Geo.* 2. *c.* 29. 18 *Geo.* 2. *c.* 33. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP. XXI.

An Act to continue ſeveral Laws therein mentioned for the better Regulation and Government of Seamen in the Merchants Service; for the regulating of Pilots of *Dover*, *Deal*, and the Iſle of *Thanet*; for preventing Frauds in the Cuſtoms, and to prevent the clandeſtine running of Goods; and for making Copper Ore of the *Britiſh* Plantations an enumerated Commodity.

Preamble.

'WHEREAS the Laws herein after mentioned (which have by Experience been found uſeful and beneficial) are near expiring;' May it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the better Regulation and Government of Seamen in the Merchants Service*, which was to be in Force for five Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-nine, and from thence to the End of the then next Seſſion of Parliament, and is near expiring, ſhall be, and the ſame is hereby continued from the Expiration thereof until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-nine, and from thence to the End of the then next Seſſion of Parliament.

The Seamens Act 2 Geo. 2. c. 36. continued till 25 March 1749.

'Farther continued by 23 Geo. 2. c. 26.'

The Pilots Act 3 Geo. 1. c. 13.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the third Year of the Reign of his late Majeſty, intituled, *An Act for the better regulating of Pilots for the conducting of Ships and*

and Veſſels from Dover, Deal, *and the Iſle of* Thanet, *up the Rivers of* Thames *and* Medway, which was to continue in Force for ſeven Years, and from thence to the End of the then next Seſſion of Parliament; and a Clauſe for further regulating the Pilots of *Dover*, *Deal*, and the Iſle of *Thanet*, in an Act paſſed in the ſeventh Year of the Reign of his late Majeſty, which was to be in Force during the Continuance of the ſaid Act of the third Year of his ſaid late Majeſty's Reign (which ſaid Act of the third Year of his ſaid late Majeſty, together with the ſaid Clauſe, was, by an Act made in the tenth Year of the Reign of his ſaid late Majeſty, further continued for the further Term of eleven Years, and from thence to the End of the then next Seſſion of Parliament) ſhall be, and are hereby further continued until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-nine, and from thence to the End of the then next Seſſion of Parliament.

and a Clauſe in 7 Geo. 1. c. 21. §. 14. relating thereto, continued till 25 Mar. 1749. 'Farther continued by 23 Geo. 2. c. 26.'

'III. And whereas ſeveral Clauſes in an Act made in the fifth Year of the Reign of his late Majeſty, intituled, *An Act againſt clandeſtine running of uncuſtomed Goods, and for the more effectual preventing of Frauds relating to the Cuſtoms*, relating to ſuch Foreign Goods, Wares and Merchandizes, as ſhall be taken in at Sea out of any Ship or Veſſel, in order to be landed, or put into any other Ship, Veſſel or Boat; and alſo relating to Goods not reported and found after clearing Ships; and whereby further Remedies are provided againſt relanding Goods prohibited to be worn in this Kingdom, and Foreign Goods ſhipped out for Parts beyond the Seas; and alſo relating to the opening or altering the Package of Goods on Board Ships outward bound; and alſo relating to hovering Ships or Veſſels of the Burthen of fifty Tons or under; and alſo concerning the Bales or Package in which Coffee ſhall be exported; and alſo relating to Rum imported in Caſks or Veſſels not containing twenty Gallons at the leaſt; and alſo relating to Certificate Goods entred in order to be exported to *Ireland*; which ſaid ſeveral Clauſes were to have Continuance for the Term of three Years, from the ſeveral Times of the Commencement thereof, and from thence to the End of the then next Seſſion of Parliament reſpectively; which ſaid ſeveral Clauſes laſt-mentioned were, by another Act paſſed in the ninth Year of his ſaid late Majeſty's Reign, continued from the Expiration of the ſeveral and reſpective Terms therein mentioned for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament; and which ſaid Clauſes, by an Act made in the ſecond Year of the Reign of his preſent Majeſty, were further continued until the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-four, and from thence to the End of the then next Seſſion of Parliament;' Be it further enacted by the Authority aforeſaid, That the ſaid laſt-mentioned Clauſes ſhall be further continued from and after the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament.

Several Clauſes in an Act 5 Geo. 1. c. 11. relating to foreign Merchandizes, further continued till 29 Sept. 1742. 'Farther continued by 27 Geo. 2. c. 18.' *And again by 33 Geo. 2. c. 16.*

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the eighth Year of his late Majeſty's Reign, intituled, *An Act to prevent the clandeſtine running of Goods, and the Danger of Infection thereby, and to prevent Ships breaking their Quarentine; and to ſubject Copper Ore of the Production of the* Britiſh *Plantations to ſuch Regulations as other enumerated Commodities of the like Productions are ſubject*; which was to be in Force for two Years, from the twenty-fifth Day of *March* one thouſand ſeven hundred and twenty-two, and from thence to the End of the then next Seſſion of Parliament, which Act (except the Clauſe obliging all Ships or Veſſels to perform Quarentine) was by an Act made in the eleventh Year of his late Majeſty's Reign, further continued from the Expiration thereof, for the Space of three Years, and from thence to the End of the then next Seſſion of Parliament; and which by another Act (except the Clauſe obliging all Ships or Veſſels to perform Quarentine) was by an Act made in the ſecond Year of the Reign of his preſent Majeſty further continued from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be (except ſo much of the ſame Act as relates to Ships or Veſſels performing Quarentine) and the ſame is hereby continued from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament.

The Act 8 Geo. 1. c. 18. for preventing clandeſtine running of Goods, except the Clauſe about Quarentine, continued till 29 Sept. 1742. 'Farther continued by 27 Geo. 2. c. 18. §. 5.' *And again by 33 Geo. 2. c. 16.*

CAP. XXII.

An Act to enable *William Mackenzie* late Earl of *Seafort* to ſue or maintain any Action or Suit, notwithſtanding his Attainder, and to remove any Diſability in him by reaſon of his ſaid Attainder, to take or inherit any real or perſonal Eſtate that may or ſhall hereafter deſcend or come to him. PR.

CAP. XXIII.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-five. EXP. 2 s. in the Pound.

The County of *Devon* and acting Commiſſioners exonerated from paying the Arrear to the Land Tax in 1731, occaſioned by the Fire at *Tiverton*.

CXLII. PROVIDED always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand*

Application of the Monies granted this Seſſion. Malt Act.

thouſand ſeven hundred and thirty-five, and ſo much Money, if any ſuch be, of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer upon one other Act of this Seſſion of Parliament, intituled, *An Act for enabling his Majeſty to apply the Sum of one million out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-five*, of the Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, at any Time before the Feaſt Day of the Annunciation of the Bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix; and all the Monies coming into the Exchequer by Loans upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of four Years, and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*, and ſo much Money (if any ſuch be) of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans made or to be made on the ſame Act, and all the Intereſt and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved to diſcharge the ſame; and all the Monies coming into the Exchequer either by Loans or Exchequer Bills upon this Act, and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall be or remain, after all the Loans or Exchequer Bills made or to be made on this Act, and all the Intereſt, Premium or Rate, or Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved to diſcharge the ſame; ſhall be appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay, It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million ſeven hundred fifty-eight thouſand nine hundred and fourteen Pounds nine Shillings and ſeven Pence, for or towards the naval Services herein after more particularly expreſſed; that is to ſay, for or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards other Services of the Navy, performed and to be performed.

Sinking Fund.

Salt Act.

1,758,914 l. 9 s. 7 d. for Naval Services.

CXLIII. And it is hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for or towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

10,000 l. for Greenwich Hoſpital.

CXLIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred and four thouſand four hundred fifty-three Pounds five Shillings and three Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services, not provided for by Parliament.

104,453 l. 5 s. 3 d. for the Office of Ordnance.

CXLV. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies, provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million one hundred fifty-nine thouſand ſix hundred twenty-one Pounds one Shilling and a Penny Farthing, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, any Sum or Sums of Money, not exceeding ſeven hundred ninety-four thouſand five hundred twenty-nine Pounds four Shillings and ſeven Pence Half-penny, for defraying the Charge of twenty-five thouſand ſeven hundred forty-four Men, including Commiſſion and Non-commiſſion Officers and Invalids, for Guards, Gariſons, and ſix independent Companies for the Service of the Highlands, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, and other Services relating to the Forces, for the Year one thouſand ſeven hundred and thirty-five; and any Sum or Sums of Money, not exceeding two hundred and fifteen thouſand ſeven hundred and ten Pounds ſix Shillings and five Pence Half-penny, for maintaining his Majeſty's Forces and Gariſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Gariſons at *Annapolis Royal*, *Canſo*, *Placentia* and *Gibraltar*, for the Year one thouſand ſeven hundred and thirty-five; and any Sum or Sums of Money, not exceeding eighteen thouſand eight hundred and fifty Pounds nine Shillings and two Pence, upon Account, for Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty-five; and any Sum or Sums of Money not exceeding ten thouſand two hundred ſeventy-three Pounds one Shilling and ſeven Pence Farthing, for defraying ſeveral extraordinary Expences and Services incurred, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding ten thouſand three hundred ninety-three Pounds five Shillings and eleven Pence, to compleat the Sum of eighty-one thouſand five hundred ſixty-eight Pounds five Shillings and eleven Pence, for Services incurred by augmenting his Majeſty's Forces, and in concerting ſuch other Meaſures as the Exigency of his Majeſty's Affairs have required; and any Sum or Sums of Money, not exceeding forty-nine thouſand eight hundred thirty-four Pounds thirteen Shillings and four Pence, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and thirty-five, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and

1,150,621 l. 1 s. 1 d. Farthing for the Land Forces.

794,520 l. 4 s. 7 d. Halfpenny for the Forces in Great Britain.

215,710 l. 6 s. 5 d. Halfpenny for the Plantations, &c.

28,850 l. 9 s. 2 d. for Out-penſioners of Chelſea Hoſpital.

10,273 l. 1 s. 7 d. Farthing, for extraordinary Services not provided for by Parliament.

10,393 l. 5 s. 11 d. for defraying the Expence in augmenting the Forces, &c.

and any Sum or Sums of Money, not exceeding three thouſand ſeven hundred and eighty Pounds, for paying of Penſions to Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and thirty-five; which ſaid Sum of three thouſand ſeven hundred and eighty Pounds, ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions, or other Allowances for the ſame, as his Majeſty, by ſuch or the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct or appoint; and any Sum or Sums of Money, not exceeding fifty-ſix thouſand two hundred and fifty Pounds, on Account of the Subſidy payable to the King of *Denmark*, purſuant to the Treaty bearing Date the nineteenth Day of *September* one thouſand ſeven hundred and thirty-four, for the Year one thouſand ſeven hundred and thirty-five.

49,834 l. 13 s. 4 d. for Half-pay Officers.

3,780 l. for Penſions to Widows of reduced Officers.

56,250 l. for the Subſidy to the King of *Denmark*.

CXLVI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding thirty-ſix thouſand four hundred and five Pounds fifteen Shillings and four Pence Farthing, towards making good the Deficiency of the Grants for the Year one thouſand ſeven hundred and thirty-four.

36,405 l. 15 s. 4 d. Farthing, for Deficiencies of the Grants in 1734.

CXLVII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding thirty-ſeven thouſand five hundred fifty-ſeven Pounds thirteen Shillings and four Pence, for making good the Deficiency of the Fund commonly called *The General Fund*, for raiſing ſeven hundred twenty-four thouſand eight hundred forty-nine Pounds ſix Shillings and ten Pence and one fifth Part of a Penny, for the Year ended at *Michaelmas* one thouſand ſeven hundred and thirty-four; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the *Royal African* Company of *England*, on the Coaſt of *Africa*; and there ſhall and may be iſſued to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, any Sum or Sums of Money, not exceeding twenty-ſix thouſand Pounds, by them to be applied towards ſettling and ſecuring the ſaid Colony; and any Sum or Sums of Money, not exceeding four thouſand Pounds, towards the Repair of the Collegiate Church of Saint *Peter*, *Weſtminſter*; and any Sum or Sums of Money, not exceeding three thouſand five hundred Pounds, for the Repair of the Tower and Roof of the Pariſh Church of Saint *Margaret's Weſtminſter*.

37,557 l. 1 s. 4 d. for Deficiencies of the General Fund.

10,000 l. for the Britiſh Forts of the African Company.

26,000 l. for the Colony of Georgia.

4,000 l. for St. Peter, Weſtminſter.

3,500 l. for St. Margaret's, Weſtminſter.

CXLVIII. And be it enacted, That the ſaid Aids or Supplies provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Limitation of the Sums to the Uſes directed.

CXLIX. And as to the ſaid Sum of forty-nine thouſand eight hundred thirty-four Pounds thirteen Shillings and four Pence, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, that no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; That no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

Rules to be obſerved in the Application of Half-pay.

'CL. And whereas by an Act of Parliament made in the ſeventh Year of his Majeſty's Reign, intituled, *An Act for enabling his Majeſty to apply the Sum of one million two hundred thouſand Pounds out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-four, and for appropriating the Supplies granted in this Seſſion of Parliament*, ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which, any Sum or Sums of Money, not exceeding fifty-two thouſand ſix hundred and ninety Pounds fifteen Shillings and ten Pence, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared, That ſo much of the ſaid Sum of fifty-two thouſand ſix hundred and ninety Pounds fifteen Shillings and ten Pence, as is or ſhall be more than ſufficient to ſatisfy and pay the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall and may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal

Surplus of the Money granted laſt Year for Half-pay how to be diſpoſed of.

Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

CAP. XXIV.

An Act to explain and amend an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons.*

Preamble, reciting the Acts 2 Geo. 2. c. 22. 3 Geo. 2. c. 27.

'WHEREAS an Act was made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons*; which Act was to continue in Force for five Years, and from thence to the End of the then next Seſſion of Parliament, and no longer: And whereas an Act was made in the third Year of his preſent Majeſty's Reign, intituled, *An Act for explaining and amending an Act made in the laſt Seſſion of Parliament, intituled,* An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons; both which ſaid Acts expire with this preſent Seſſion of Parliament;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Acts, and the ſeveral Articles and Clauſes therein contained, not hereby altered (except the Clauſe in the ſaid firſt-mentioned Act, for ſetting mutual Debts one againſt the other) ſhall, together with the Alterations and Amendments herein after made, be and remain in full Force and Virtue until the twenty-fifth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty, and from thence to End of the then next Seſſion of Parliament, and no longer.

The ſaid Acts further continued to 25 March 1740, &c. Exception. Farther continued by 21 Geo. 2. c. 33. *See farther* 32 *Geo.* 2. *c.* 28.

The Time limited for exhibiting Petitions.

II. And to prevent Perſons who may be charged in Execution from lying in Priſon until they have ſpent their Subſtance, wherewith they ſhould ſatisfy their Creditors, and afterwards taking the Benefit of the ſaid recited Acts when they have nothing left to deliver up to their Creditors; Be it enacted by the Authority aforeſaid, That from and immediately after the Expiration of this preſent Seſſion of Parliament, no Perſon charged, or to be charged in Execution, ſhall be allowed or permitted to exhibit a Petition to any of the Courts of Law from whence the Proceſs iſſued, as is provided in the ſaid recited Acts, or one of them, unleſs ſuch Petition be exhibited before the End of the firſt Term, which ſhall be next after the End of this Seſſion of Parliament, or before the End of the Term which ſhall be next after ſuch Perſon ſhall be charged in Execution.

Perſons taken by a Capias for running of cuſtomable Goods may be ſecured as before the paſſing thoſe Acts.

'III. And whereas running of cuſtomable and prohibited Goods is grown to an exceſſive Height, and carried on with great Violence by evil Perſons in Defiance of the Law, who do and may attempt to reſcue ſuch Perſons as ſhall or may be taken by virtue of a *Capias*; and it is therefore not ſafe for Perſons ſo taken, to be carried by the Officer to a private Houſe, as is provided in the ſaid recited Acts, or one of them;' Be it enacted by the Authority aforeſaid, That the ſaid recited Acts, or any Part of them, ſhall not relate to any Perſon who ſhall be taken by virtue of a *Capias* for running of cuſtomable or prohibited Goods, or for receiving ſuch Goods, knowing them to be run; but it ſhall and may be lawful for any Officer or Officers to ſecure ſuch Perſon or Perſons as ſhall be taken by virtue of ſuch *Capias* for the Crimes afore-mentioned, in ſuch Manner as might have been lawfully done, if the ſaid recited Acts had never been made.

The Clauſe in the firſt recited Act, relating to mutual Debts, made perpetual.

'IV. And whereas the Proviſion for ſetting mutual Debts one againſt the other, is highly juſt and reaſonable at all Times;' Be it therefore further enacted by the Authority aforeſaid, That the ſaid Clauſe in the ſaid firſt recited Act, for ſetting mutual Debts one againſt the other, ſhall be and remain in full Force for ever.

Exception.

V. And be it further enacted and declared by the Authority aforeſaid, That by virtue of the ſaid Clauſe in the ſaid firſt recited Act contained, and hereby made perpetual, mutual Debts may be ſet againſt each other, either by being pleaded in Bar, or given in Evidence on the General Iſſue, in the Manner therein mentioned, notwithſtanding that ſuch Debts are deemed in Law to be of a different Nature; unleſs in Caſes where either of the ſaid Debts ſhall accrue by reaſon of a Penalty contained in any Bond or Specialty; and in all Caſes where either the Debt for which the Action hath been or ſhall be brought, or the Debt intended to be ſet againſt the ſame hath accrued, or ſhall accrue, by reaſon of any ſuch Penalty, the Debt intended to be ſet off, ſhall be pleaded in Bar, in which Plea ſhall be ſhewn how much is truly and juſtly due on either Side; and in caſe the Plaintiff ſhall recover in any ſuch Action or Suit, Judgment ſhall be entred for no more than ſhall appear to be truly and juſtly due to the Plaintiff, after one Debt being ſet againſt the other as aforeſaid.

Quakers ſolemn Affirmation ſhall be taken in lieu of an Oath. *Farther Proviſions concerning Priſoners, &c.* 11 *Geo.* 2. *c.* 20.

VI. And be it further enacted by the Authority aforeſaid, That in all Caſes wherein by the ſaid Acts, or either of them, an Oath is required, the ſolemn Affirmation of any Perſon being a *Quaker*, ſhall and may be accepted and taken in lieu thereof; and every Perſon making ſuch Affirmation, who ſhall be convicted of wilful and falſe affirming, ſhall incur and ſuffer ſuch and the ſame Pains, Penalties and Forfeitures, as are inflicted and impoſed by any Laws and Statutes of this Realm upon Perſons convicted of wilful and corrupt Perjury.

16 *Geo.* 2. *c.* 31. 27 *Geo.* 2. *c.* 3 & 17. 32 *Geo.* 2. *c.* 28.

CAP.

CAP. XXV.

An Act to indemnify Proteſtant Purchaſers of Eſtates of Papiſts, againſt the Penalties or Forfeitures Papiſts are liable to for not having inrolled their Eſtates, in purſuance of an Act of the third Year of King GEORGE the Firſt for that Purpoſe. E X P.

Preamble, reciting 3 Geo. 1. c. 18.

'WHEREAS in and by an Act paſſed in the third Year of the Reign of his late Majeſty King 'GEORGE the Firſt, intituled, *An Act for explaining an Act paſſed in the laſt Seſſion of Parliament, 'intituled*, An Act to oblige Papiſts to regiſter their Names and real Eſtates, *and for enlarging the Time 'for ſuch Regiſtring, and for ſecuring Purchaſes made by Proteſtants*; it was enacted, That no Manors, 'Lands, Tenements, Hereditaments, or any Intereſt therein, ſhould paſs from any Papiſt by any Deed 'or Will, except ſuch Deed, within Six Months after the Date thereof, and ſuch Will, within ſix 'Months after the Death of the Teſtator, ſhould be inrolled in one of the King's Courts of Record at '*Weſtminſter*, or elſe within the ſaid County or Counties wherein the Manors, Lands and Tenements 'lay, by the *Cuſtos Rotulorum*, and two Juſtices of the Peace, and the Clerk of the Peace of the ſaid 'County or Counties, or two of them at the leaſt, whereof the Clerk of the Peace to be One: And 'whereas many Purchaſes made by Proteſtants ſince the making of the ſaid Act may be in danger of 'being impeached or called in Queſtion, by reaſon that ſome Deeds or Wills neceſſary to make out the 'Title, have not been duly inrolled according to the Directions of the ſaid Act;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Purchaſe really and truly made on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-five, for a full and valuable Conſideration, of any Manors, Meſſuages, Lands, Tenements or Hereditaments, or of any Intereſt therein, by any Proteſtant or Proteſtants, of any Papiſt or Papiſts, and meerly and only for the Benefit of Proteſtants, ſhall be impeached or avoided, for or by reaſon that any Deed or Will neceſſary to make out the Title to the ſame hath not been duly inrolled according to the ſaid Act; provided that ſuch Deed or Will ſhall be inrolled on or before the twenty-ninth Day of *September* in the Year of our Lord one thouſand ſeven hundred and thirty-five, in ſuch Manner as by the ſaid Act is directed; any thing in the ſaid Act contained to the contrary in any wiſe notwithſtanding.

Purchaſes for valuable Conſideration made before 25 March 1735, not to be avoided, though not duly regiſtred, if the Deed or Will be inrolled by 29 Sept. 1735, as directed by the ſaid Act.

II. Provided nevertheleſs, That nothing herein contained ſhall extend, or be conſtrued to extend, to make void or annul any Judgment or Judgments already given againſt any Perſon or Perſons, who hath or have incurred the Penalties of the ſaid Act for not inrolling as aforeſaid.

This Act not to extend to Judgments already given.

CAP. XXVI.

An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Lincoln's Inn Fields*, in the County of *Middleſex*, to make a Rate on themſelves, for raiſing Money ſufficient to incloſe, clean, and adorn the ſaid Fields. P R.

Preamble, reciting the Agreement between Sir William Cowper, &c. and Lincoln's Inn.

'WHEREAS in and by certain Articles of Agreement bearing Date the nineteenth Day of *June* 'which was in the Year of our Lord one thouſand ſix hundred and fifty-ſeven, made, or mentioned to be made, between Sir *William Cowper* of *Ratling Court*, in the County of *Kent*, Baronet, '*Robert Henley* of the *Middle Temple*, *London*, Eſquire, and *James Cowper* of *Lincoln's Inn*, in the County of *Middleſex*, Eſquire, all ſince deceaſed, of the one Part; Sir *Liſlebon Long* Knight (then Recorder 'of the City of *London*) *Nicholas Franklyn*, *Thomas Williams*, *William Prynne*, *Richard Raynsford*, *Robert 'Aſhton*, *Thomas Darcy*, *Thomas Beverley*, *Edward Harris*, and *William Glaſcock*, Eſquires, all of them 'then Maſters of the Bench of the ſaid Society of *Lincoln's Inn*, and Perſons nominated in Truſt for the 'ſaid Society, and all ſince deceaſed, of the other Part; therein reciting, That the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, were intereſted in the Inheritance of *Cup Field*, in an Indenture 'to the ſaid Articles annexed mentioned, and had deſigned the Continuance of one Row or Range of 'Buildings, called *Portugal Row*, in the ſaid Field Eaſtward towards *Lincoln's Inn* Wall, and of one 'other Row or Range of Buildings along the North Side of the ſaid Field, leading from the Buildings 'lately erected by one *Newman*, on the North Weſt Side of the ſaid Field to *Turn Stile*; and alſo reciting, That the ſaid Society of *Lincoln's Inn* were intereſted in the Benefit and Advantage of the Proſpect and Air of the ſaid Field, but were willing and contented that the ſaid Sir *William Cowper*, *Robert 'Henley*, and *James Cowper*, might proceed in their ſaid Deſign and Undertaking of the ſaid Building, 'with ſuch Caution and Proviſion for the beautifying and adorning the intended Building, and for levelling and plaining the ſaid Field, and caſting the ſame into Walks, and for Prevention of any future 'Building thereupon, in ſuch Manner as in the ſaid Articles, the Indenture thereunto annexed, and an 'Indenture of Demiſe bearing even Date therewith, was expreſſed; the ſaid Articles witneſſed, and it 'was thereby mutually declared, concluded, covenanted and agreed, by and between all the Parties 'thereto, and the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, did, for themſelves, their 'Heirs, Executors, Adminiſtrators and Aſſigns, covenant, promiſe, grant and agree, to and with the 'ſaid Sir *Liſlebon Long*, and the ſaid other Truſtees, their Executors and Adminiſtrators, as followeth: 'Firſt, That the Two Rows or Ranges intended to be built, as aforeſaid, ſhould bear equal Proportion

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Heads of the Agreement.

'tion in Front, Height, Breadth, Strength and Beauty with *Portugal Row*, or in a more firm or beautiful Manner: Alſo, that there ſhould be forty Foot by the Standard Diſtance between each of the ſaid Rows or Ranges of Buildings, and *Lincoln's Inn* Wall: Alſo that all the reſt and Reſidue of the ſaid Field ſhould, within two Years then next, at the Coſts and Charges of the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, be levelled, plained and caſt into Graſs Plotts and Gravel Walks of convenient Breadth, railed all along on each Side, and ſet with Rows of Trees, according to a Plott or Model thereto annexed; and that for the future no Building, other than the ſaid two Rows or Ranges, ſhould be erected upon the ſaid Field, or any Part thereof (except one Water-houſe in the Middle of the ſaid Field, which ſhould not exceed in Proportion the Breadth of ten Yards Square) Alſo, that the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, the Survivors or Survivor of them, or the Heirs of ſuch Survivor, ſhould at their Charges build and ſet up, in the Middle of the ſaid Wall of *Lincoln's Inn*, a large Pair of Gates, and Free-ſtone Stairs, with a fair and eaſy Deſcent out of the Walks belonging to the ſaid Society, into the ſaid Field, for the Uſe and Conveniency of the Students of the ſaid Society: And the ſaid Sir *Liſlebon Long*, and other the ſaid Truſtees, on Behalf of the ſaid Society, thereby agreed, that the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, ſhould and might carry on their ſaid Building, in the Sort and Manner therein and herein before expreſſed, and not otherwiſe, without any Lett or Diſturbuance of the ſaid Society, as in and by the ſaid in Part recited Articles, Relation thereunto being had, may more fully and at large appear:

Indenture of Feoffment.

And whereas by Indenture of Infeoffment, with Livery and Seiſin thereon indorſed, bearing even Date with the ſaid recited Articles, and made between the ſame Parties, therein reciting more at large the Agreement between the ſaid Parties, to the Effect herein before ſet forth; it is thereby witneſſed, That the ſaid Sir *William Cowper*, *Robert Henley* and *James Cowper* (to the Intent the reſt and Reſidue of the ſaid Field might be kept open for the Air, and not built upon further than as by the ſaid Articles was agreed) in Conſideration of five Shillings, did grant, bargain, ſell, infeoff and confirm unto the ſaid Sir *Liſlebon Long*, and the ſaid other Truſtees, and the Survivors and Survivor of them, and the Heirs of ſuch Survivor, all the reſt, Reſidue or Body of the ſaid Field therein, called *Copfield* alias *Cupfield*, containing by Eſtimation, from the Eaſt Side of the ſaid Field, lying next *Lincoln's Inn* Wall aforeſaid, thirty Pole, be the ſame more or leſs, and from the North Side of the ſaid Field unto the South Side thereof, thirty and three Pole, more or leſs, by Agreement, according to the ſaid Articles, not to be built upon; to hold unto the ſaid Truſtees, and the Survivors and Survivor of them, and the Heirs of ſuch Survivor, to the Uſe of them and their Heirs for ever, upon Truſt that they ſhould, preſently after the Sealing and Delivery of the ſaid Indenture, make a Leaſe of the ſaid Premiſſes to the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, their Executors, Adminiſtrators and Aſſigns, for the Term of nine hundred Years, without Impeachment of Waſte (other than the erecting new Buildings) at one Shilling *per Annum* Rent, with a Covenant, amongſt others, on the Part of the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, that the ſaid Premiſſes ſhould at all Times thereafter remain and continue under the Covenants, Limitations, Truſts and Agreements therein and herein before-mentioned; and another Covenant for the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, their Executors, Adminiſtrators and Aſſigns, fulfilling and performing the ſaid Agreements, as in and by the ſaid Indenture, Relation thereunto being had, may more fully appear: And whereas in and by one other Indenture, bearing Date the twentieth Day of the ſame *June* one thouſand ſix hundred and fifty-ſeven, the ſaid Sir *Liſlebon Long*, and other the Truſtees aforeſaid, did make a Leaſe of the ſaid Field to the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, for the ſaid Term of nine hundred Years, without Impeachment of Waſte, with a Proviſo to be void, and for the ſaid Truſtees Re-entry, in caſe of any Building on the ſaid Field, by the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, as in and by the ſaid Indenture of Leaſe doth and may more fully and at large appear: And whereas, in purſuance of the ſaid Agreements, the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, proceeded in and finiſhed their ſaid two Rows of Buildings, from the ſaid forty Foot from *Lincoln's Inn* Wall aforeſaid, up, to and adjoining to the Buildings then erected Weſtward from *Lincoln's Inn* Wall aforeſaid, on a certain Field or Parcel of Ground called *Purſfield*, and afterwards railed in the ſaid Fields or Parcel of Ground called *Copfield* alias *Cupfield*, and at the Extent of the ſaid Field Weſtward, cauſed Poſts to be ſet up, and Rails to be made croſs from South to North, bounding the ſame from the ſaid Field called *Purſfield*; which ſaid two Fields called *Copfield* alias *Cupfield* and *Purſfield* contain the Buildings and large ſquare Piece or Parcel of Ground, now and for ſome Years paſt called *Great Lincoln's Inn Fields*: And whereas the ſaid Sir *William Cowper*, *Robert Henley*, and *James Cowper*, are all ſince dead, and their Right and Intereſt in and to the ſaid Houſes ſo built by them, and in and to the ſaid Field called *Copfield*, otherwiſe *Cupfield*, is now veſted in *Anthony Henley*, of the *Grange*, in the County of *Southampton* Eſquire, and *William Cowper* of the Pariſh of Saint *James*'s, in the County of *Middleſex* Eſquire, their, ſome, or one of their Aſſignee or Aſſigns: And whereas the ſaid great Square now called *Lincoln's Inn Fields*, ſituate in the ſeveral Pariſhes of Saint *Giles in the Fields*, Saint *Clement Danes*, and Saint *Andrew Holborn*, in the County of *Middleſex*, hath for ſome Years paſt laid waſte and in great Diſorder, whereby the ſame has become a Receptable for Rubbiſh, Dirt and Naſtineſs of all Sorts, brought thither, and laid not only by the Inhabitants of the ſaid Fields, but many others, which has not been removed or taken away by the ſeveral Scavengers of the Pariſhes wherein the ſaid Fields are ſituate as aforeſaid; but alſo, for want of proper Fences to incloſe the ſame, great Miſchiefs have happened to many of his Majeſty's Subjects going about their lawful Occaſions, ſeveral of whom have been killed, and others maimed and hurt by Horſes, which have been from time to time aired and rode in the ſaid Fields; and, by reaſon of the ſaid Fields being kept open, many wicked and diſorderly Perſons have frequented and met

'together

‘ together therein, uſing unlawful Sports and Games, and drawing in and enticing young Perſons into ‘ Gaming, Idleneſs, and other vicious Courſes; and Vagabonds, common Beggars, and other diſorder- ‘ ly Perſons reſort therein, where many Robberies, Aſſaults, Outrages, and Enormities have been, and ‘ continually are committed, notwithſtanding the Watch or Guard allowed by the ſeveral Pariſhes, ‘ wherein the ſaid Fields are ſituate, for preventing the ſame: And whereas the South, Weſt and North ‘ Parts of the ſaid Fields are incompaſſed with Houſes, many of which are inhabited by the Owners and ‘ Proprietors thereof, who with the other Inhabitants cannot go to and from their reſpective Habitations ‘ in the Night Seaſon without Danger, and therefore are deſirous to prevent any Miſchiefs for the future, ‘ and to incloſe, clean, repair and beautify the ſaid Fields in a graceful Manner, and are willing and de ‘ ſirous that an adequate Contribution may for that Purpoſe be raiſed by and amongſt themſelves:’ Wherefore and to the End the ſaid Fields may be incloſed, cleanſed and and adorned, and kept in Repair for the future, the ſaid Proprietors and Inhabitants do moſt humbly beſeech your moſt Excellent Majeſty, that it may be enacted, *&c.*

“ The Inhabitants to meet 2 *June* 1735, and chooſe 21 Truſtees. 20 *s.* Penalty on any Perſon annoying “ the ſaid Fields or Houſes after 2 *June* 1735. To be levied by Diſtreſs. The Offender may be commit- “ ted till he ſhall remove the Annoyance. 50 *l.* Penalty on continuing Incroachments after that Time. “ 40 *s.* Penalty on unlawful Aſſemblies or Sports, riding Horſes, *&c.* The Truſtees, and Perſons ap- “ pointed by them, may dig Gravel, Sand, *&c.* in the ſaid Fields for the Uſes of this Act. Yearly “ Rates to be proportioned and raiſed. Landlords to pay for empty Houſes, *&c.* Tenants to pay the “ Rates, and deduct their Landlords Proportion out of the Rent. Truſtees to chooſe a Collector and “ Receiver. Impriſonment on not accounting. Diſtreſs on Non-payment of the Rates in ten Days after “ Demand. The Square of *Lincolns Inn Fields* after 24 *June* 1735, to be a diſtinct Ward as to the Sca- “ venger and Watch, and the reſpective Pariſhes exonerated. The Truſtees may grant Annuities for “ 32 Years. Money paid for Annuities to be regiſtred, and proper Inſtruments ſigned by the Truſtees “ to be granted thereon, and the yearly Rates chargeable with the Repayment. Truſtees may incumber “ the ſaid Rates with Mortgages as well as Annuities, if they think convenient; but not to ex- “ ceed 6000 *l.*”

CAP. XXVII.

An Act for rebuilding the Pariſh Church of Saint *Leonard Shorditch* in the County of *Middleſex*. “ Nine “ or more of the Truſtees may cauſe the old Church to be pulled down, and a new one to be built. “ The Expences to be borne out of the Funeral Rates, as ſettled by Indenture 8 *April* 1735. The “ full Rates to be paid for Burials of Perſons dying in the ſaid Pariſh, but buried elſewhere, during “ this Act. *Rep.* 11 Geo. 2. *c.* 23. The Veſtry within two Months to nominate 12 Inhabitants, out of “ which the Truſtees are to chooſe 4 Perſons to collect the Rates, and ſo on every *Tueſday* in *Eaſter* “ Week yearly. Perſons ſerving as Collectors diſcharged from the Office of Scavenger. Collectors “ refuſing to account, to be impriſoned. Truſtees may borrow Money and grant Annuities on the “ Rates, not exceeding 8000 *l.* at 8 *l.* 10 *s. per Cent.* Deficiency in Annuities to be ſupplied by an Aſ- “ ſeſſment on Lands, *&c.* but not to exceed 1 *s.* in the Pound of the yearly Rent; Two Thirds to be “ paid by the Landlord, and the other Third by the Tenants. The Payment of theſe Aſſeſſments “ ſhall not intitle to a Settlement. The Rates to commence from 1 *June* 1735, and be continued no “ longer than neceſſary; and then the ancient Rates for Funerals to be paid. The Veſtry, with Con- “ ſent of the Truſtees, may make Alterations in the Burial Duties, ſo as not to exceed in the Total, “ the uſual Rates.” P R.

Explained and amended by 11 *Geo.* 2. *c.* 23.

CAP. XXVIII.

An Act to explain and make more effectual the ſeveral Acts made and paſſed for repairing the Highways leading to *Highgate Gatehouſe* and *Hampſtead*, in the County of *Middleſex*, ſo far as the ſame relate to the Statute Work to be done upon the ſaid Highways, or Compoſitions to be made in lieu of the ſame. P R.

CAP. XXIX.

An Act for the Application of the Rents and Profits of the Eſtates forfeited by the Attainders of *James* late Earl of *Derwentwater*, and *Charles Radcliffe*.

‘ WHEREAS *James* late Earl of *Derwentwater* was, in the Year of our Lord one thouſand ſeven hundred and fifteen, attainted of High Treaſon, and executed for the ſame: And whereas *Charles Radcliffe* was alſo attainted of High Treaſon, in the Year of our Lord one thouſand ſeven hundred and ſixteen: And whereas by virtue of an Act of Parliament made and paſſed in the firſt Year of the Reign of his late Majeſty King GEORGE the firſt, intituled, *An Act for appointing Commiſſioners to enquire of the Eſtates of certain Traitors and Popiſh Recuſants, and of Eſtates given to ſuperſtitious Uſes, in order to raiſe Money out of them ſeverally for the Uſe of the Publick*; and of one other Act made in the ninth Year of his ſaid late Majeſty's Reign, intituled, *An Act to continue the Duties for Encouragement of the Coinage of Monies*; *and for Relief of* William *late Lord* Widdrington; *and to prevent foreign Lotteries being carried on in this Kingdom*; *and for aſcertaining the Duties on bound Books imported*; *and for iſſuing Certificates and Debentures for Arrears due to five Regiments, to be ſatisfied by Annuities therein mentioned*; *and for diſcharging the Duties of Rock Salt loſt on the Rivers* Weaver *and* Mercy; *and for limiting*

Preamble, reciting the Acts

1 Geo. 1. c. 50.

9 Geo. 1. c. 19.

'*limiting the Times of Continuance of Commiſſioners for forfeited Eſtates in* England *and* Scotland *reſpectively*; '*and for appropriating the Supplies granted to His Majeſty in this Seſſion of Parliament*; *and to rectify Miſ-*
'*nomers and Omiſſions of Commiſſioners for the Land Tax, in the Year one thouſand ſeven hundred and twenty-*
5 Geo. 2. c. 23. '*three*; and of one other Act made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for*
'*making void the ſeveral Contracts, for Sale of the Eſtate of* James *late Earl of* Derwentwater, *to* William
'Smith *Eſquire, and alſo of the Annuity of two hundred Pounds during the Life of* Charles Radcliffe, *and*
'*the Arrears thereof, to* Matthew White *Eſquire, and the ſeveral Conveyances made in purſuance of the*
'*ſame*; and of other Acts of Parliament made and paſſed in the Reign of his ſaid late Majeſty, the Ba-
'rony, Manor or Lordſhip of *Langley*, in the County of *Northumberland*, and divers other Manors,
'Lordſhips, Meſſuages, Lands, Tenements, Rents, and Hereditaments, belonging to him the ſaid
'*James* late Earl of *Derwentwater* and the ſaid *Charles Radcliffe*, became veſted in his then Majeſty,
'and are now veſted in his preſent Majeſty for the Uſe of the Publick: And whereas by the ſaid Act of
'the fifth Year of his preſent Majeſty's Reign, the ſeveral Contracts which had been made for the Sale
'of the ſaid Premiſſes to the ſaid *William Smith* and the ſaid *Matthew White* were ſet aſide, and made ab-
'ſolutely void, and Power was thereby given to the Court of *Exchequer* to order the ſaid Premiſſes to be
'ſold again, ſubject to ſuch Claims and Demands as had been allowed by the Commiſſioners and Tru-
'ſtees named in and according to an Act of the fourth Year of his ſaid late Majeſty's Reign, for ſuch
'Eſtate and Intereſt as was veſted in his Majeſty by virtue of the ſaid ſeveral Attainders, and of the
'ſaid Act of the ninth Year of his ſaid late Majeſty, and of the ſaid Act of the fifth Year of his pre-
'ſent Majeſty; and the Purchaſe Money was to be paid into the Receipt of his Majeſty's Exchequer,
'to be applied and diſpoſed of according to any Act or Acts of Parliament then after to be made for
'that Purpoſe; and till ſuch Sale, the Rents and Profits were to be applied and diſpoſed of according
The Sum now remaining in the Exchequer. 'to any future Act or Acts of Parliament to be made for that Purpoſe: And whereas there now re-
'mains in the Receipt of his Majeſty's Exchequer the Sum of ſeven thouſand one hundred eighty-two
'Pounds, thirteen Shillings, which hath ariſen out of the Rents and Profits of the ſaid Premiſſes ſo veſted
'in his Majeſty as aforeſaid; and there are alſo ſeveral Sums of Money in the Hands of the Collectors
'and Receivers, and due and in Arrear from the Tenants and Farmers of the ſaid Premiſſes: And
'whereas the Annuity or Rent Charge, and alſo the ſeveral Mortgages and Incumbrances of and upon
'the ſaid Eſtate of the ſaid late Earl of *Derwentwater*, or ſome Part thereof (herein after particularly
'mentioned) have been regularly claimed and allowed according to the Direction of the ſaid Act of the
'fourth Year of his ſaid late Majeſty's Reign; and there is now due, owing, iſſuing and payable out of
'the ſaid Eſtate, or ſome Part thereof, to the ſeveral Perſons herein after named, the ſeveral Sums of
Claims allowed to be paid out of the Premiſſes. 'Money and Annuity herein after mentioned; that is to ſay, To the Right Honourable *Robert James*
'Lord *Petre*, the Sum of twenty thouſand Pounds principal Money, with the Intereſt thereof; to *Cuth-*
'*bert Conſtable* alias *Tunſtal*, of *Burton Conſtable* in *Holderneſs* in the County of *York* Eſquire, upon Mort-
'gage, the Sum of five thouſand nine hundred Pounds principal Money, beſides Intereſt; to *Mary*
'*Chamberlain* Spinſter, *Edward Hopkins* of the City of *Coventry* Eſquire and *Anna Maria* his Wife, *Ri-*
'*chard Luther* Eſquire and *Charlotte* his Wife, upon Mortgage, the Sum of three thouſand Pounds prin-
'cipal Money, beſides Intereſt; to the Lady *Catharine Radcliffe*, ſecond Daughter of *Francis* late Earl of
'*Derwentwater*, one Annuity or yearly Rent Charge of one hundred Pounds, clear of all Taxes, for
'the Term of her natural Life, with the Arrears thereof;' To the End therefore that the ſaid Sums of
Money, and all the Rents, Iſſues and Profits of the Premiſſes, during the Continuance of his Ma-
jeſty's ſaid Eſtate and Intereſt therein for the Uſe of the Publick as aforeſaid, may, ſubject to the Pay-
ments herein before and herein after mentioned, be diſpoſed of and applied to the Uſe and Benefit of
the Publick, and in Eaſe of his Majeſty's good Subjects; We your Majeſty's moſt dutiful and loyal
Subjects, the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Ma-
jeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the
Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament
7,182 l. 13 s. now in the Exchequer, after clearing the Incumbrances, appropriated to the finiſhing of Greenwich Hoſpital. aſſembled, and by the Authority of the ſame, That the ſaid Sum of ſeven thouſand one hundred eighty-
two Pounds, and thirteen Shillings, ſo ariſing and produced out of the Rents and Profits of the ſaid
Premiſſes, and remaining in the Receipt of the Exchequer as aforeſaid, ſhall be iſſued, appropriated and
applied, in the firſt Place for the paying and clearing off all Intereſt and Arrears of the ſaid Annuity of
one hundred Pounds a Year and Incumbrances herein before-mentioned, to the twenty-fifth Day of
March, one thouſand ſeven hundred and thirty five; and after Payment thereof the Surplus and Reſidue
of the ſaid Sum of ſeven thouſand one hundred eighty-two Pounds and thirteen Shillings, ſhall (except
as is herein after excepted) be appropriated and applied, and is hereby appropriated and applied, towards
the building and finiſhing of the Royal Hoſpital for Seamen at *Greenwich*.

The Application of the Arrears. II. And it is hereby further enacted by the Authority aforeſaid, That all Sums of Money collected
and received by the reſpective Receivers of the Rents and Profits of the ſaid Premiſſes ſo forfeited and
veſted in his Majeſty as aforeſaid, which were not paid into the Receipt of the Exchequer on or before
the twenty-fifth Day of *March* in the Year of our Lord one thouſand ſeven hundred and thirty-five, and
all Arrears of Rents and Profits of the ſame Premiſſes due and owing from the ſeveral Farmers, Tenants
and Occupiers of any Part or Parts thereof at or on the ſaid twenty-fifth Day of *March* one thouſand
ſeven hundred and thirty-five, and all the Rents, Iſſues and Profits of the ſaid Premiſſes which ſhall,
from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-five, grow,
accrue, or become due and payable for and during his Majeſty's ſaid Eſtate and Intereſt in the ſaid Pre-
miſſes (ſubject in the firſt Place to the Payment of the ſaid Annuity of one hundred Pounds a Year as
the ſame ſhall grow due, and of all Principal and Intereſt due and to grow due upon the ſeveral Incum-
brances herein before-mentioned) ſhall be iſſued and applied, and are hereby appropriated and applied,

to the Uſes and for the Purpoſes following; that is to ſay, In the firſt Place for and towards the finiſhing and compleating the Building of the ſaid Royal Hoſpital for Seamen at *Greenwich*, and after the Building of the ſame Royal Hoſpital ſhall be compleated and finiſhed, for and towards the Support of the ſaid Royal Hoſpital for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out, and become decrepit, in the Service of their Country.

His Majeſty's Right to the Premiſſes not to be ſold. Exception.

III. And it is hereby further enacted and declared by the Authority aforeſaid, That the ſaid Premiſſes ſo forfeited and veſted in his Majeſty as aforeſaid, ſhall not be ſold (except as herein after is excepted) but ſhall remain and continue veſted in his Majeſty, his Heirs and Succeſſors (ſubject to, and charged, and chargeable with the ſaid Annuity of one hundred Pounds a Year, and Incumbrances aforeſaid, and the Payment thereof in the firſt Place) for ſuch Eſtate and Intereſt as aforeſaid, for the Purpoſes of this Act; any thing in the ſaid Act of the fifth Year of the Reign of his preſent Majeſty contained to the contrary notwithſtanding.

His Majeſty may impower the Commiſſioners of the ſaid Hoſpital to appoint Stewards, &c.

IV. And, to the End and Intent that all and every the Rents, Iſſues and Profits of the ſaid Premiſſes, ſo forfeited and veſted in his Majeſty as aforeſaid, may be effectually levied, paid and applied for the Purpoſes of this Act; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, by Sign Manual to authorize and impower the Commiſſioners or Governors of the ſaid Royal Hoſpital for the time being, or any ſeven or more of them, to appoint Stewards, Receivers or Bailiffs of the ſaid Premiſſes ſo forfeited and veſted in his Majeſty as aforeſaid, for and during the ſaid Eſtate and Intereſt of his Majeſty, his Heirs and Succeſſors, in the ſame Premiſſes, and to inveſt them with full Power to receive the Rents, Iſſues and Profits thereof, and to give Receipts, Diſcharges and Acquittances for the ſame, and to hold Courts, and to do and perform all Acts, Matters and Things neceſſary for the managing the ſaid Premiſſes, uſually done and performed by Stewards, Receivers and Bailiffs, and alſo to aſſign and allow ſuch Salaries and Rewards to the ſaid Stewards, Receivers and Bailiffs, as the ſaid Commiſſioners or Governors of the ſaid Royal Hoſpital for the time being, or any ſeven or more of them, ſhall think requiſite and neceſſary in that Behalf.

and to grant Leaſes.

V. And be it further enacted, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, from time to time, during the Continuance of the ſaid Eſtate and Intereſt of his Majeſty, his Heirs and Succeſſors, in the ſaid Premiſſes, to authorize and impower the Commiſſioners and Governors of the ſaid Royal Hoſpital for the time being, to grant Leaſes of the Premiſſes ſo forfeited and veſted in his Majeſty as aforeſaid, or of any Part or Parts thereof, unto any Perſon or Perſons for any Term or Number of Years not exceeding twenty-one Years, to take Effect in Poſſeſſion and not in Reverſion, ſo as there be reſerved to continue payable during the Terms in ſuch Leaſes to be granted the beſt and moſt improved yearly Rent and Rents that can be had or gotten for the ſame, without taking any Fine, Premium or free Gift, and ſo as there be contained in all ſuch Leaſes a Condition of Re-entry for Non-payment of the Rent and Rents thereby reſpectively to be reſerved, and ſo as the reſpective Leſſees execute Counterparts of all ſuch Leaſes, and ſo as no Clauſe be contained in any of the ſaid Leaſes, giving Power to any Leſſee to commit Waſte, or exempting him, her or them from Puniſhment for committing the ſame.

The Conditions of the Leaſes.

6 Months Notice to be given in the *Gazette* before granting Leaſes.

VI. And be it further enacted, That the ſaid Commiſſioners or Governors of the ſaid Royal Hoſpital ſhall give publick Notice in the *London Gazette* of the Time and Place when and where ſuch Eſtates are intended to be lett, ſix Months at leaſt before the Expiration of the Term for which the ſaid Eſtates are now or ſhall be hereafter lett.

How Sales are to be made,

See 25 *Geo.* 2. *c.* 42.

'VII. And whereas it may be found neceſſary and expedient to ſell and diſpoſe of ſome Part or Parts 'of the ſaid Premiſſes to pay off and diſcharge the ſaid ſeveral Mortgages and Incumbrances herein be-'fore-mentioned (except the ſaid Annuity of one hundred Pounds a Year)' Provided therefore, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Attorney General of his Majeſty, his Heirs and Succeſſors, by his or their Direction, or for the ſaid ſeveral Mortgagees and Incumbrancers herein before named, their Executors, Adminiſtrators or Aſſigns, or any of them, to apply to his Majeſty's Court of *Exchequer* at *Weſtminſter*, by Motion in a ſummary Way, for the Sale of the abſolute Fee-ſimple and Inheritance of ſuch Part or Parts of the ſaid Barony, Manors, Lordſhips, Meſſuages, Farms, Lands, Tenements, Tithes and Hereditaments, charged with the ſaid reſpective Incumbrances, as ſhall be ſufficient for the Diſcharge thereof, to any Perſon or Perſons being Proteſtants, upon which Motion it ſhall and may be lawful to and for the ſaid Court of *Exchequer* to make ſuch Order or Orders, and give ſuch Directions for ſuch Sale or Sales, as the ſaid Court ſhall think proper, and for cauſing publick Notice to be given thereof, as is uſual in Caſes of Eſtates directed to be ſold by Decrees in Courts of Equity, and to make and give ſuch other Orders and Directions therein, as to that Court in their Diſcretion ſhall ſeem juſt; and the Money ariſing by ſuch Sale or Sales ſhall be applied by the Direction of the ſaid Court to the Diſcharge of the ſaid Incumbrances; and in caſe there ſhall happen to be any Surplus of the ſaid Purchaſe Money, the ſame ſhall be applied for the Benefit of the ſaid Hoſpital; and upon Payment and Application of ſuch Purchaſe Money as aforeſaid, one or more Grant or Grants, Aſſurance or Aſſurances of ſuch Parts and Parcels of the ſaid Eſtates as ſhall be ſo ſold and paid for as aforeſaid, ſhall be made and paſſed under the Great Seal of *Great Britain* to every ſuch Purchaſer or Purchaſers, his, her or their Heirs and Aſſigns; and all and every Perſon and Perſons making any ſuch Purchaſe, and having any ſuch Grant or Grants, Aſſurance or Aſſurances, as aforeſaid, ſhall, from the Time of the making ſuch Grant or Grants, Aſſurance or Aſſurances, be, and are hereby adjudged to be ſeiſed of and intitled to the abſolute Fee-ſimple, and in the actual Poſſeſſion of ſuch Part and Parts of the ſaid Premiſſes as ſhall be ſo purchaſed and conveyed.

and Mortgagees to convey.

VIII. Provided always, and it is hereby further enacted and declared, That upon full Payment of the Principal, Intereſt and Coſts, due and to grow due upon the ſaid ſeveral Mortgages or Securities herein before mentioned, the ſaid Mortgagees and Incumbrancers, and their Truſtees, ſhall aſſign and convey their reſpective Securities on the Eſtates which ſhall be ſo ſold, to the reſpective Purchaſers thereof, or to any Perſon or Perſons to be named by ſuch Purchaſers reſpectively, at the Coſts of ſuch Purchaſer, in ſuch Manner, and by ſuch Conveyances, as the ſaid Court of Exchequer ſhall direct; and ſo much of the ſaid Premiſſes included in ſuch Mortgages and Incumbrances which ſhall remain unſold, ſhall, at the Coſts of his Majeſty, his Heirs and Succeſſors, be aſſigned and conveyed by ſuch Mortgagees and Incumbrancers to his Majeſty, his Heirs and Succeſſors, or to ſuch other Perſon or Perſons as his Majeſty, his Heirs or Succeſſors ſhall direct and appoint, ſubject nevertheleſs to the Directions herein contained for applying the Rents and Profits thereof as aforeſaid.

The Commiſſioners may make Contracts for finiſhing the Hoſpital, and are to lay their annual Accounts before the King and Parliament.

IX. And be it further enacted by the Authority aforeſaid, That the Commiſſioners or Governors of the ſaid Royal Hoſpital ſhall and are hereby required to contract and agree with able and ſufficient Tradeſmen, Artificers or other Perſons, for finiſhing and compleating the ſaid Royal Hoſpital in a workmanlike and ſubſtantial Manner on the eaſieſt and moſt reaſonable Terms, according to the Plan laid before the Houſe of Commons in this Seſſion of Parliament, and that they do lay their Proceedings herein with their annual Accounts before his Majeſty and both Houſes of Parliament reſpectively.

8 Geo. 1. c. 24.

'X. And whereas the Encouragement given by an Act made in the eighth Year of the Reign of his 'late Majeſty King GEORGE the Firſt, intituled, *An Act for the more effectual ſuppreſſing of Piracy*, to Sea-'men or Mariners on board any Merchant Ship or Veſſel, extends only to ſuch Seamen or Mariners as ſhall be maimed in Fight againſt any Pirate;' Be it enacted by the Authority aforeſaid, That in caſe any Seaman or Mariner on board any Merchant Ship or Veſſel belonging to the Subjects of his Majeſty, his Heirs or Succeſſors, ſhall be maimed in Fight againſt any Enemy whatſoever of his Majeſty, his Heirs or Succeſſors, every ſuch Seaman or Mariner ſhall be admitted into and provided for in the ſaid Royal Hoſpital in like Manner as any other Seaman or Mariner wounded or diſabled in the Service of his Majeſty, his Heirs or Succeſſors.

Seamen maimed in the Merchants Service, intitled to Relief in the ſaid Hoſpital.

Concerning Seamen, ſee farther c. 47. 31 *Geo.* 2. c. 10. 11 *Geo.* 2. c. 30. 13 *Geo.* 2. c. 3 & 17. 14 *Geo.* 2. c. 38. 17 *Geo.* 2. c. 34. 18 *Geo.* 2. c. 31. 20 *Geo.* 2. c. 38. 22 *Geo.* 2. c. 52. 24 *Geo.* 2.

2000l. to be paid to Lord Gage for his Service in recovering the Premiſſes.

XI. Provided always, and be it further enacted by the Authority aforeſaid, That out of the Rents and Profits of the ſaid Eſtate now remaining in the Receipt of his Majeſty's Exchequer, there ſhall and may be iſſued and paid to the Lord Viſcount *Gage* in the Kingdom of *Ireland*, the Sum of two thouſand Pounds, without Account, and clear of all Fees and Deductions whatſoever, he having been at great Charges and Expences in recovering the ſaid Eſtate for the Uſe of the Publick.

Saving Clauſes.

XII. Saving always to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, all ſuch Right, Title, Eſtate, Intereſt, Claim and Demand of, in, unto or out of the ſaid Premiſſes, or any Part thereof, as his Majeſty, his Heirs or Succeſſors might have had, or been intitled unto, in caſe this Act had never been made (other than and except ſuch Right, Title, Eſtate, Intereſt, Claim and Demand, as was or is veſted in his Majeſty, his Heirs and Succeſſors, by virtue of the ſeveral Attainders herein before mentioned, or either of them, or of the ſaid recited Acts of Parliament, or any of them, and other than and except ſuch Right, Title, Eſtate, Intereſt, Claim and Demand which his Majeſty, his Heirs and Succeſſors, hath or may have, in or to ſuch Part or Parts of the ſaid Premiſſes, which ſhall be ſold purſuant to the Directions of this Act) any thing herein contained to the contrary in any wiſe notwithſtanding.

XIII. Saving alſo to the ſaid ſeveral Mortgagees and Incumbrancers herein before named (till they ſhall be paid off as aforeſaid) and to all and every other Perſon and Perſons, Bodies Politick and Corporate, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, all ſuch Right, Title, Eſtate, Intereſt, Claim and Demand, of, in, unto or out of the ſaid Premiſſes, or any Part thereof (except ſuch Part or Parts of the ſaid Premiſſes which ſhall be ſold purſuant to the Directions of this Act) as they or any of them might have had, or been intitled unto, in caſe this Act had never been made; any thing herein contained to the contrary notwithſtanding.

Explained and amended by 11 *Geo.* 2. c. 30. *And ſee* 22 *Geo.* 2. c. 52.

CAP. XXX.

An Act for regulating the Quartering of Soldiers during the Time of the Elections of Members to ſerve in Parliament.

Preamble.
3 *Ed* 1. c. 5.
7 *H.* 4. c. 15.
11 *H.* 4. c. 1.
1 *H.* 5. c. 1.
8 *H.* 6. c. 7.
10 *H.* 6. c. 2.
23 *H.* 6. c. 14.
7 *W.* 3. c. 4.
7 & 8 *W.* 3. c. 7 & 25.
10 & 11 *W.* 3. c. 7.
9 *Ann.* c. 5.
10 *Ann.* c. 23.
2 *Geo.* 2. c. 24.

'WHEREAS by the ancient Common Law of this Land, all Elections ought to be free: And 'whereas by an Act paſſed in the third Year of the Reign of King EDWARD the Firſt, of famous 'Memory, it is commanded, upon great Forfeiture, that no Man by Force of Arms, nor by Malice, or 'Menacing, ſhall diſturb any to make free Election: And foraſmuch as the Freedom of Elections of 'Members to ſerve in Parliament is of the utmoſt Conſequence to the Preſervation of the Rights and Li-'berties of this Kingdom: And whereas it hath been the Uſage and Practice to cauſe any Regiment, 'Troop or Company, or any Number of Soldiers, which hath been quartered in any City, Borough, 'Town or Place, where any Election of Members to ſerve in Parliament hath been appointed to be 'made, to remove and continue out of the ſame during the Time of ſuch Election, except in ſuch 'particular Caſes as are herein after ſpecified:' To the End therefore that the ſaid Uſage and Practice may be ſettled and eſtabliſhed for the future; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in

Parliament assembled, and by Authority of the same, That when and as often as any Election of any Peer or Peers to represent the Peers of *Scotland* in Parliament, or of any Member or Members to serve in Parliament, shall be appointed to be made, the Secretary at War for the time being, or in case there shall be no Secreatary at War, then such Person who shall officiate in the Place of the Secretary at War, shall and is hereby required at some convenient Time before the Day appointed for such Election, to issue and send forth proper Orders in Writing for the Removal of every such Regiment, Troop or Company, or other Number of Soldiers, as shall be quartered or billeted in any such City, Borough, Town or Place, where such Election shall be appointed to be made, out of every such City, Borough, Town or Place, one Day at the least before the Day appointed for such Election, to the Distance of two or more Miles from such City, Borough, Town or Place, and not to make any nearer Approach to such City, Borough, Town or Place, as aforesaid, until one Day at the least after the Poll to be taken at such Election shall be ended, and the Poll Books closed.

On Notice of Election of a Member, the Secretary at War, or Person acting as such, to send proper Orders in Writing for removing Soldiers 2 Miles from the Place of Election,

II. And be it further enacted by the Authority aforesaid, That in case the Secretary at War for the time being, or such Person who shall officiate in the Place of the Secretary at War, shall neglect or omit to issue or send forth such Orders as aforesaid, according to the true Intent and Meaning of this Act, and shall be thereof lawfully convicted upon any Indictment to be preferred at the next Assizes, or Sessions of *Oyer* and *Terminer*, to be held for the County where such Offence shall be committed, or on an Information to be exhibited in the Court of King's Bench within Six Months after such Offence committed, such Secretary at War, or Person who shall officate in the Place of the Secretary at War, shall for such Offence be discharged from their said respective Offices, and shall from thenceforth be utterly disabled, and made incapable to hold any Office or Employment, civil or military, in his Majesty's Service.

on Penalty of forfeiting his Office, &c.

III. Provided nevertheless, That nothing in this Act contained shall extend, or be construed to extend, to the City and Liberty of *Westminster*, or the Borough of *Southwark*, for and in respect of the Guards of his Majesty, his Heirs or Successors, nor to any City, Borough, Town or Place, where his Majesty, his Heirs or Successors, or any of his Royal Family shall happen to be or reside at the Time of any such Election as aforesaid, for or in respect of such Number of Troops or Soldiers only as shall be attendant as Guards to his Majesty, his Heirs or Successors, or to such other Person of the Royal Family as is aforesaid; nor to any Castle, Fort or fortified Place, where any Garrison is usually kept, for or in respect of such Number of Troops or Soldiers only whereof such Garrison is composed.

Not to extend to Westminster, or other Place of Residence of the Royal Family, &c.

or fortified Places;

IV. Provided likewise, That nothing in this Act contained shall extend, or be construed to extend, to any Officer or Soldier who shall have a Right to vote at any such Election as aforesaid, but that every such Officer and Soldier may freely, and without Interruption, attend and give his Vote at such Election; any thing herein before contained to the contrary thereof notwithstanding.

or any Officer, &c. having a Right to vote at such Election.

V. Provided always, That the Secretary at War, or in case there shall be no Secretary at War, then such Person who shall officiate in the Place of the Secretary at War, shall not be liable to any Forfeiture or Incapacity for not sending such Order as aforesaid, upon any Election to be made of a Member to serve in Parliament on a Vacancy of any Seat there, unless Notice of the making out any new Writ for such Election shall be given to him by the Clerk of the Crown in Chancery, or other Officer making out any new Writ for such Election, which Notice he is hereby directed and required to give with all convenient Speed after making out the said Writ.

The Secretary at War, &c. not liable in case of Vacancy, unless Notice of the Writ be given by the Clerk of the Crown.

See farther 9 *Geo.* 2. *c.* 38. 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 18 *Geo.* 2. *c.* 18. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

Anno nono GEORGII II.

'AT the Parliament begun and holden at *Westminster*, the [a] fourteenth Day of *January*, *Anno Dom.* one thousand seven hundred and thirty-four, in the eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And from thence continued by several Prorogations to the fifteenth Day of *January* 1735, being the second Session of this present Parliament.'

[a] *In Recordo* xv *die* Januar. *Anno Regni Serenissimi, &c. nono, continuat. usque ad et in* xxi *diem* Januar. *Anno Regni, &c. decimo.*

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thousand seven hundred and thirty-six. EXP.

CAP. II.

An Act to punish Mutiny and Desertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and thirty-six. EXP. 2 s. in the Pound.

CAP.

CAP. IV.

An Act to amend an Act paſſed in the ſeventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act to preſerve and encourage the Woollen and Silk Manufactures of this Kingdom, and for more effectual employing the Poor, by prohibiting the Uſe and Wear of all printed, painted, ſtained or dyed Callicoes, in Apparel, Houſhold Stuff, Furniture, or otherwiſe, after the twenty-fifth Day of* December *one thouſand ſeven hundred and twenty-two (except as is therein excepted)* ſo far as relates to Goods made of Linen Yarn, and Cotton Wooll, manufactured in *Great Britain*.

Preamble, reciting the Act 7 Geo. 1. c. 7.

'WHEREAS by an Act paſſed in the ſeventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act to preſerve and encourage the Woollen and Silk Manufactures of this Kingdom, and for more effectual employing the Poor, by prohibiting the Uſe and Wear of all printed, painted, ſtained or dyed Callicoes, in Apparel, Houſhold Stuff, Furniture or otherwiſe, after the twenty-fifth Day of* December *one thouſand ſeven hundred and twenty-two (except as is therein excepted)* it is enacted, That the Prohibition of Callicoes intended by the ſaid Act, and the Penalties thereby inflicted for wearing or uſing printed, painted, ſtained or dyed Callicoes in Apparel, Houſhold Stuff or Furniture, after the twenty-fifth Day of *December* one thouſand ſeven hundred and twenty-two, contrary to the ſaid Act, ſhould reſpectively extend to prohibit, and ſhould be levied and recovered, for wearing or uſing in Apparel, Houſhold Stuff or Furniture, after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and twenty-two, any Stuff made with Cotton, or mixed therewith, which ſhould be printed or painted with any Colour or Colours, or any Callicoe chequered or ſtriped, or any Callicoe ſtitched or flowered in foreign Parts with any Colour or Colours, or with coloured Flowers made there (Muſlins, Neckcloths and Fuſtians excepted) in ſuch Manner as the Penalties inflicted by the ſaid Act for wearing or uſing printed, painted, ſtained or dyed Callicoes in Apparel, Houſhold Stuff or Furniture, after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and twenty-two, contrary to the ſaid Act, are to be levied or recovered, but under ſuch Limitations, and with ſuch Liberties, Privileges and Advantages, as are mentioned and expreſſed in the ſaid Act, or in any other Act or Acts of Parliament then in Force relating thereto, or relating to printed, painted, ſtained or dyed Callicoes: And whereas great Quantities of Stuffs made of Linen Yarn and Cotton Wooll have for ſeveral Years paſt been manufactured, and have been printed and painted within this Kingdom of *Great Britain*, and the ſaid Manufactures ſo printed or painted are a Branch of the ancient Fuſtian Manufacture of this Kingdom, and have been and are now uſed and worn in Apparel and Furniture: And whereas ſome Doubts have lately ariſen, whether the Uſe and Wearing of the ſaid Stuffs, when the ſame are ſo printed or painted, be prohibited by the ſaid recited Act, whereby the ſaid Manufacture is diſcouraged, and may be utterly loſt, and great Numbers of his Majeſty's Subjects and their Families, whoſe Livelihoods intirely depend thereupon, may be ruined, and the Poor greatly increaſed, if not timely prevented:' For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That nothing in the ſaid recited Act ſhall extend or be conſtrued to prohibit the wearing or uſing in Apparel, Houſhold Stuff, Furniture or otherwiſe, any Sort of Stuff made of Linen Yarn and Cotton Wooll manufactured and printed or painted with any Colour or Colours within the Kingdom of *Great Britain*, provided that the Warp thereof be intirely Linen Yarn; and that no Perſon ſhall incur, or be deemed or adjudged, or taken to incur, any Penalty or Forfeiture whatſoever for wearing or uſing ſuch Manufacture ſo printed or painted as aforeſaid; any thing in the ſaid Act to the contrary thereof in any wiſe notwithſtanding.

Stuff made of Linen Yarn, and Cotton Wooll, manufactured in Great Britain, if the Warp be intirely Linen, may be worn, notwithſtanding the ſaid Act.

II. And be it further enacted by the Authority aforeſaid, That none of the Penalties in the ſaid former Act, which may have been incurred for the wearing or uſing any Sort of Stuff made of Linen Yarn and Cotton Wooll manufactured and printed or painted within this Kingdom as aforeſaid, ſhall be recovered or levied, unleſs ſome Proſecution for the ſame hath been already commenced, and Judgment already obtained thereupon; any thing in the ſaid former Act contained to the contrary in any wiſe notwithſtanding.

No Penalty for ſuch Wearing to be recovered, unleſs where Judgment hath been already obtained. *See further* 15 Geo. 2. c. 31.

CAP. V.

An Act to repeal the Statute made in the firſt Year of the Reign of King JAMES the Firſt, intituled, *An Act againſt Conjuration, Witchcraft, and dealing with evil and wicked Spirits*, except ſo much thereof as repeals an Act of the fifth Year of the Reign of Queen ELIZABETH, *Againſt Conjurations, Inchantments and Witchcrafts*, and to repeal an Act paſſed in the Parliament of *Scotland* in the ninth Parliament of Queen MARY, intituled, *Anentis Witchcrafts*, and for puniſhing ſuch Perſons as pretend to exerciſe or uſe any Kind of Witchcraft, Sorcery, Inchantment or Conjuration.

BE it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Statute made in the firſt Year of the Reign of King JAMES the Firſt, intituled,

intituled, *An Act againſt Conjuration, Witchcraft, and dealing with evil and wicked Spirits*, ſhall, from the twenty-fourth Day of *June* next, be repealed and utterly void and of none Effect (except ſo much thereof as repeals the Statute made in the fifth Year of the Reign of Queen ELIZABETH, intituled, *An Act againſt Conjurations, Inchantments and Witchcrafts.*) 1 James 1. c. 12 repealed, except a Clauſe repealing 5 Eliz. c. 16.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, the Act paſſed in the Parliament of *Scotland* in the ninth Parliament of Queen MARY, intituled, *Anentis Witchcrafts*, ſhall be and is hereby repealed. The Act in Scotland 9 Mariæ alſo repealed.

III. And be it further enacted, That from and after the ſaid twenty-fourth Day of *June*, no Proſecution, Suit or Proceeding, ſhall be commenced or carried on againſt any Perſon or Perſons for Witchcraft, Sorcery, Inchantment or Conjuration, or for charging another with any ſuch Offence, in any Court whatſoever in *Great Britain*. After 24 June 1736, no Perſon to be proſecuted for Witchcraft, &c.

IV. And for the more effectual preventing and puniſhing any Pretences to ſuch Arts or Powers as are before-mentioned, whereby ignorant Perſons are frequently deluded and defrauded; Be it further enacted by the Authority aforeſaid, That if any Perſon ſhall, from and after the ſaid twenty-fourth Day of *June*, pretend to exerciſe or uſe any Kind of Witchcraft, Sorcery, Inchantment or Conjuration, or undertake to tell Fortunes, or pretend from his or her Skill or Knowledge in any occult or crafty Science to diſcover where or in what Manner any Goods or Chattles, ſuppoſed to have been ſtolen or loſt, may be found; every Perſon ſo offending, being thereof lawfully convicted on Indictment or Information in that Part of *Great Britain* called *England*, or on Indictment or Libel in that Part of *Great Britain* called *Scotland*, ſhall for every ſuch Offence ſuffer Impriſonment by the Space of one whole Year without Bail or Mainprize, and once in every Quarter of the ſaid Year in ſome Market Town of the proper County upon the Market Day, there ſtand openly on the Pillory by the Space of one Hour, and alſo ſhall (if the Court by which ſuch Judgment ſhall be given ſhall think fit) be obliged to give Sureties for his or her good Behaviour, in ſuch Sum, and for ſuch Time, as the ſaid Court ſhall judge proper according to the Circumſtances of the Offence, and in ſuch Caſe ſhall be further impriſoned until ſuch Sureties be given. Perſons pretending to exerciſe Witchcraft, tell Fortunes, or by crafty Science to diſcover ſtolen Goods, to be impriſoned for a Year, be pillory'd, and bound for good Behaviour.

CAP. VI.

An Act to indemnify Perſons who have omitted to read the Prayers, and make and ſubſcribe the Declarations directed to be read, made and ſubſcribed by the Act of Uniformity of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, within the Time limited by Law, and for allowing further Time for doing thereof. EXP.

'WHEREAS by an Act of Parliament made in the thirteenth and fourteenth Years of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for the Uniformity of publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies, and for eſtabliſhing the Form of making, ordaining and conſecrating of Biſhops, Prieſts and Deacons in the Church of* England, it was among other Things enacted, That every Perſon who ſhould thereafter be preſented or collated, or put into any Eccleſiaſtical Benefice or Promotion, within the Realm of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, ſhould, in the Church, Chapel or Place of publick Worſhip, belonging to the ſaid Benefice or Promotion, within two Months next after that he ſhould be in the actual Poſſeſſion of the ſaid Eccleſiaſtical Benefice or Promotion, upon ſome Lord's Day, openly, publickly and ſolemnly, read the Morning and Evening Prayer appointed to be read by and according to the Book of Common Prayer therein before mentioned, at the Times thereby appointed or to be appointed; and after ſuch Reading thereof, ſhould openly and publickly, before the Congregation there aſſembled, declare his unfeigned Aſſent and Conſent to the Uſe of all Things therein contained and preſcribed, according to the Form therein before appointed; and that all and every ſuch Perſons who ſhould (without ſome lawful Impediment to be allowed and approved of by the Ordinary of the Place) neglect or refuſe to do the ſame within the Time aforeſaid, or in caſe of ſuch Impediment, within one Month after ſuch Impediment removed, ſhould *ipſo facto* be deprived of all his ſaid Eccleſiaſtical Benefices and Promotions; and that from thenceforth it ſhould be lawful for all Patrons of all and ſingular the ſaid Eccleſiaſtical Benefices and Promotions, or any of them, according to their reſpective Rights and Titles, to preſent or collate to the ſame, as though the Perſon or Perſons ſo offending or neglecting were dead; and alſo that every Dean, Canon and Prebendary of every Cathedral or Collegiate Church, and all Maſters or other Heads, Fellows, Chaplains and Tutors, of or in any College, Hall, Houſe of Learning or Hoſpital, and every publick Profeſſor and Reader in either of the Univerſities, and in every College elſewhere; and every Parſon, Vicar, Curate, Lecturer, and every other Perſon in holy Orders, and every Schoolmaſter keeping any publick or private School, and every Perſon inſtructing or teaching any Youth in any Houſe or private Family as a Tutor or Schoolmaſter, who upon the firſt Day of *May* which ſhould be in the Year of our Lord one thouſand ſix hundred and ſixty-two, or at any Time thereafter, ſhould be Incumbent or have Poſſeſſion of any Deanery, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſor's Place or Reader's Place, Parſonage, Vicarage or any other Eccleſiaſtical Dignity or Promotion, or of any Curate's Place, Lecture or School, or ſhould inſtruct or teach any Youth as Tutor or Schoolmaſter, ſhould, before the Feaſt Day of Saint *Bartholomew* which ſhould be in the Year of our Lord one thouſand ſix hundred ſixty-two, or at or before his or their reſpective Admiſſion to be Incumbent or have Poſſeſſion, ſubſcribe a Declaration or Acknowledgment, wherein, Preamble, reciting the Uniformity Act 13 & 14 Car. 2. c. 4.

'among

'among other Words, which by an Act of Parliament made in the first Year of the Reign of their 'late Majesties King WILLIAM and Queen MARY, are directed from thenceforth not to be enjoined 'or required, are contained the Words following; that is to say, *I A. B. do declare, that I will conform to 'the Liturgy of the Church of* England, *as it is now by Law established*; upon Pain that all and every the 'Persons last mentioned, failing in such Subscription, shall lose and forfeit such respective Deanery, Pre-'bend, Canonry, Mastership, Headship, Fellowship, Professor's Place, Reader's Place, Ecclesiastical 'Dignity or Promotion, Curate's Place, Lecture and School: And whereas several Persons have through 'Inadvertency either wholly omitted to read the said Prayers, and to make and subscribe the said 'several Declarations, or one of them, or have not done it within the Time, and in the Manner by 'Law required; and have thereby incurred the Forfeitures in such Case inflicted by the said recited Act 'of the thirteenth and fourteenth Years of King CHARLES the Second; and the Validity of Leases 'made, and other Acts done by them since such Forfeitures incurred, may by reason thereof be contro-'verted and avoided, *&c.*' EXP.

Farther Time is given for this Purpose by 11 Geo. 2. c. 31.

CAP. VII.

An Act to explain and amend an Act passed in the first Year of the Reign of his present Majesty, intituled, *An Act for repairing and enlarging the Road leading from the House called* The Sign of the Bells, *in the Parish of Saint* Margaret *in* Rochester, *to* Maidstone, *and other Roads therein mentioned, in the County of* Kent. PR. [Continued 22 Geo. 2. c. 8.]

CAP. VIII.

An Act for the better regulating the Nightly Watch and Bedels within the Parish of Saint *Martin in the Fields*, within the Liberties of the City of *Westminster*. PR.

Preamble. 'WHEREAS the keeping a sufficient and well regulated Watch in the Night-time within the 'great and populous Parish of Saint *Martin in the Fields*, within the Liberties of the City of *West-'minster*, is of great Importance for the Preservation of the Persons and Properties of the Inhabitants 'thereof, and very necessary to prevent, as well the Mischiefs which may happen from Fires, as Mur-'ders, Burglaries, Robberies and other Outrages and Disorders: And whereas by the Laws now in 'being, no effectual Provision is made for the establishing, ordering or well governing of such a Nightly 'Watch, or for levying and collecting any Sums of Money for defraying the necessary Charges thereof, 'or for enforcing a due Application and just Account of any Money so levied and collected for that Pur-'pose: And whereas it hath been found by Experience, that the Bedels employed within the said Parish, 'for want of a proper Regulation and Government of them, have been of great Charge and little Use to 'the said Parish, and the Methods hitherto practised of raising Monies for maintaining and paying the 'said Bedels have been also precarious and unwarrantable;' For Remedy of the aforesaid Inconveniencies, may it please your most Excellent Majesty that it may be enacted, *&c.*

"Vestry to meet on 3 *May* and 3 *Nov.* yearly, and appoint the Number of Watchmen and Bedels, and "set down in Writing the Orders agreed on for regulating the Watch. Transcripts of the Regulations, "*&c.* signed by the Vestry Clerk, to be delivered to each Constable. The Charges to be paid by an "half-yearly Assessment, and may be levied by Distress. Persons aggrieved may appeal to the next "General Quarter-Sessions, whose Order to be final. The Assessment not to exceed 4*d. per* Pound. "No Person paying the said Assessment, or chosen a Bedel or Watchman, to gain thereby a Settle-"ment. No hired Servant capable of being chosen a Bedel or Watchman. Collectors of the Assess-"ment to account to the vestry on 26 *July* yearly, or oftener, if required. Yearly Accounts of Receipts "and Disbursements to be adjusted and signed at a Vestry by 20 *August*, and lodged with the Vestry Clerk. "Persons paying the said Rates discharged from Watch or Ward.

CAP. IX.

An Act for enlarging the Term and Powers granted by an Act passed in the eleventh Year of his late Majesty King GEORGE the First, intituled, *An Act for repairing and amending the Road from* Biggleswade *in the County of* Bedford, *to* Bugden, *and through* Alconbury, *to the Top of* Alconbury Hill, *or Cross Post, leading into* Sautery Lane, *on the* York *and* Edinburgh *Road, and from the said Town of* Bugden *to the Town of* Huntingdon, *and from* Cross Hall *in* Eaton Soken *in the said County of* Bedford, *to* Great Stoughton Common *in said County of* Huntingdon. PR.

The recited Act 11 Geo. 1. c. 20. is further continued for 21 Years, &c.

CAP. X.

An Act for repairing and widening the Road leading from Saint *Dunstan's Cross* near the City of *Canterbury*, to the Waterside at *Whitstable* in the County of *Kent*. PR.

Certain Tolls are granted from 24 *June* 1736, for 21 Years.

CAP.

CAP. XI.

An Act for enlarging the Term and Powers granted by an Act paſſed in the fifth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing the Road from* Beconsfield *in the County of* Bucks, *to* Stoken Church *in the County of* Oxon. P R.

The recited private Act is further continued for 21 Years.

CAP. XII.

An Act to enable the Juſtices of the Peace, acting for the Weſtern Diviſion of the County of *Kent*, to purchaſe a convenient Piece of Ground for building a Gaol for the ſaid County, and for impowering the ſaid Juſtices to apply Part of the County Stock of the ſaid Diviſion towards the ſame. E X P.

Preamble.

'WHEREAS the common Gaol for ſecuring the Priſoners of the Crown at *Maidſtone* in the Weſtern Diviſion of the County of *Kent*, is in great Decay, too ſtrait for the ſafe keeping of the Priſoners, and ſtanding in the Middle of the ſaid Town, is often, from Diſtempers of the Priſoners, both offenſive and dangerous to the Inhabitants of the ſaid Town, and to ſuch as reſort thither; and there being no Priſon for confining of Debtors, great Charge, Expence and Hazard are thereby occaſioned to the Sheriff of the ſaid County for the Time being, to whoſe Cuſtody ſeveral Perſons are committed for Debts of very large Sums of Money; all which Inſufficiencies and Inconveniencies of the Gaol aforeſaid have been preſented by the Grand Jury at the Aſſizes and General Gaol Delivery held for the ſaid County: And whereas there is no Scite of Ground to enlarge the ſaid Gaol, or to erect a Priſon and other Conveniencies for the ſafe keeping of Debtors; and foraſmuch as the Juſtices of the Peace for the ſaid County cannot, by the Laws now in Force, raiſe a ſufficient Sum of Money upon the ſaid County, in order to purchaſe a new Scite of Ground, and thereon build a Gaol; nor can they apply the Stock of the ſaid County, or any Part thereof, for the Purpoſes aforeſaid;' Be it therefore enacted, *&c.*

" The Juſtices at their General Quarter-Seſſions may authorize Perſons to purchaſe Ground in *Maidſtone* Pariſh, to be veſted in the Truſtees herein named. When the Truſtees ſhall be reduced to Seven, others to be choſen, not exceeding Ten, *&c.* A convenient Gaol, with different Wards, to be built. Part of the preſent County Stock to be applied towards the Charge thereof; the remaining Charge to be raiſed by Aſſeſſment at the Quarter-Seſſions.

CAP. XIII.

An Act for the better regulating the Nightly Watch and Bedels within the Pariſh of Saint *Paul Covent Garden*, within the Liberties of the City of *Weſtminſter*. P R.

'WHEREAS the keeping a ſufficient and well regulated Watch in the Night-time within the Pariſh of Saint *Paul Covent Garden*, within the Liberties of the City of *Weſtminſter*, is of great Importance for the Preſervation of the Perſons and Properties of the Inhabitants thereof, and very neceſſary to prevent, as well the Miſchiefs which may happen from Fires, as Murders, Burglaries, Robberies, and other Outrages and Diſorders: And whereas by the Laws now in being no effectual Proviſion is made for the eſtabliſhing, ordering or well governing of ſuch a Nightly Watch, or for levying and collecting any Sums of Money for defraying the neceſſary Charges thereof, or for enforcing a due Application and juſt Account of any Money ſo levied and collected for that Purpoſe: And whereas it hath been found by Experience, that the Bedels employed within the ſaid Pariſh, for want of a proper Regulation and Government of them, have been of great Charge and little Uſe to the ſaid Pariſh, and the Methods hitherto practiſed of raiſing Monies for maintaining and paying the ſaid Bedels have been alſo precarious and unwarrantable;' For Remedy of the aforeſaid Inconveniencies, may it pleaſe your moſt Excellent Majeſty, that it may be enacted, *&c.*

" The Veſtry, with other Perſons ſpecified, to meet on 3 *May* and 3 *Nov.* yearly, and appoint the Number of Watchmen and Bedels, and ſet down in Writing the Orders agreed on for regulating the Watch. Tranſcripts of the Regulations, *&c.* ſigned by the Veſtry Clerk, to be delivered to each Conſtable. The Watchmen, in the Abſence of the Conſtable, may apprehend Night-walkers, *&c.* The Charges to be paid by an half-yearly Aſſeſſment. Perſons aggrieved may appeal to the next Quarter-Seſſions, whoſe Order to be final. The Aſſeſſment not to exceed 6*d. per* Pound. No Perſon paying the ſaid Aſſeſſment, or choſen a Bedel or Watchman, to gain thereby a Settlement. No hired Servant capable of being choſen a Bedel or Watchman. Collectors of the Aſſeſſment to account to the Veſtry on 26 *July* yearly, or oftner, if required. Yearly Accounts of Receipts and Diſburſements, to be adjuſted and ſigned at a Veſtry by 20 *Auguſt*, and lodged with the Veſtry Clerk. Perſons paying the ſaid Rates diſcharged from Watch or Ward.

CAP. XIV.

An Act for repairing the Roads from *Henley* Bridge the County of *Oxford*, to *Dorcheſter* Bridge, and from thence to *Culham* Bridge, and to a Place called *Mile-ſtone*, in the Road leading to *Magdalene* Bridge in the ſaid County. P R.

Certain Tolls are granted from 1 *May* 1736, for 21 Years.

CAP. XV.

An Act for enabling the Mayor, Bailiffs and Burgeſſes of the Borough of *New Windſor* in the County of *Berks*, to repair and maintain their great Bridge over the River of *Thames*, and the Way thereon, leading from the ſaid Borough of *New Windſor*, to *Eton* in the County of *Bucks*. P R.

Preamble.

'WHEREAS the Mayor, Bailiffs and Burgeſſes of the Borough of *New Windſor* in the County of *Berks*, are lawfully ſeized of the great Bridge over the River *Thames*, commonly called or known by the Name of *Windſor Bridge*, ſet, lying and being in *New Windſor* aforeſaid, and of the Way thereon leading from *New Windſor* aforeſaid, to *Eton* in the County of *Bucks*, with the Appurtenance thereof, and are obliged by reaſon of their Tenure to repair and maintain the ſame; and for that Purpoſe by themſelves, their Officers, Deputies or Aſſigns, have received, and are intitled to receive, certain cuſtomary Tolls for Pontage and Paſſage over and under the ſaid Bridge; that is to ſay,

The Toll.

'For every Hearſe or Coach paſſing over the ſaid Bridge with a dead Corpſe, ſix Shillings and eight Pence.

'For every Hackney Coach (not a Freeman's) for every Paſſage, two Pence.

'For every Load, Paſſage or Carriage with Houſhold Goods, Wooll, Earthen Ware, Charcoal and Leather, four Pence.

'For every Load, Paſſage or Carriage, with Corn, Hay, Straw, Dung, Wood and Peat, two Pence.

'For every Score of Sheep, two Pence.

'For every Head of Oxen, Hogs and other Cattle, one Halpenny.

'For every Horſe loaded with Hampers, or otherwiſe, one Halfpenny.

'For every Barge going under the ſaid Bridge down Stream, ſix Pence.

'And whereas the ſaid Mayor, Bailiffs and Burgeſſes have, by Indenture of Leaſe, bearing Date the twelfth Day of *September* one thouſand ſeven hundred and ſeven, demiſed the ſaid Bridge and Tolls for the Term of forty Years, and under the yearly Rent of five Pounds, and ſubject to the Exceptions and Conditions therein expreſſed, to *John Herring* of *Windſor* aforeſaid, Grocer, his Executors, Adminiſtrators and Aſſigns: And whereas the ſaid Bridge, which is of great Advantage to the Commerce of the adjacent Counties, as well as of the ſaid Borough, is now in a ruinous Condition, and no Proviſion is made for ſupporting the ſame, otherwiſe than by the Monies ariſing from the Profits of the Tolls herein before and after mentioned, the Payment whereof hath of late been refuſed by ſeveral Perſons, and cannot be recovered but by bringing ſeparate Actions againſt each particular Perſon ſo refuſing, which muſt be attended with great Expence and Delay;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"The ſaid Bridge, *&c.* ſubject to the ſaid Leaſe, veſted in the Mayor, *&c.* who may appoint Collectors.
"The Profits of the Ferry, whilſt the Bridge is repairing, veſted in the Mayor, *&c.* Ferry not to "continue longer than the neceſſary Reparations of the Bridge, which are to be finiſhed in 3 Months.
"10*s.* Penalty on any Perſon, not authorized by the Mayor, *&c.* working a Boat within 2 Furlongs of "the Bridge to hinder the Toll.

CAP. XVI.

An Act for continuing the Term and Powers granted by an Act paſſed in the fourth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing the Highways from* Crown Corner *in the Town of* Reading (*leading by and through the ſeveral Pariſhes of* Shinfield *and* Heckfield, *in the ſeveral Counties of* Berks, Wilts *and* Southampton) *to* Baſingſtoke *in the ſaid County of* Southampton. P R.

The recited Act is continued for 21 Years farther.

CAP.

CAP. XVII.

An Act for the better regulating the Nightly Watch and Bedels within the Pariſhes of *Saint Margaret* and *Saint John the Evangeliſt*, within the City and Liberty of *Weſtminſter*. P R.

'WHEREAS a new Church hath been erected near *Mill Bank*, in the Pariſh of *Saint Margaret*, *Weſtminſter*, and a Diſtrict hath been allotted thereto, which ſince the Conſecration of the ſaid Church hath been called and known by the Name of the Pariſh of *Saint John the Evangeliſt*: And whereas, notwithſtanding ſuch Diviſion, all Parochial Rates (except only the Rate for the Maintenance of the Rector of the ſaid new Church, appointed to be made by an Act paſſed in the firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for making Proviſion for the Rector of the new Church ſituate near* Mill Bank, *in the Pariſh of Saint* Margaret, Weſtminſter, *and for other Purpoſes therein mentioned*) have been and now are (in purſuance of an Act paſſed in the tenth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for enlarging the Time given to the Commiſſioners appointed by her Majeſty, purſuant to an Act for granting to her Majeſty ſeveral Duties on Coals, for building fifty new Churches in and about the Cities of* London *and* Weſtminſter, *and Suburbs thereof, and other Purpoſes therein mentioned*; *and alſo for giving the ſaid Commiſſioners further Powers for better effecting the ſame*; *and for appointing Monies for rebuilding the Pariſh Church of* Saint Mary Woolnoth *in the City of* London) aſſeſſed and levied within and through all Parts and Diſtricts, which did formerly belong to the ſaid Pariſh of *Saint Margaret*, *Weſtminſter*: And whereas the well ordering and regulating a Nightly Watch and Bedels within the ſaid two Pariſhes of *Saint Margaret*, and *Saint John the Evangeliſt*, within the City and Liberty of *Weſtminſter*, is of great Importance for the Preſervation of the Perſons and Properties of the Inhabitants thereof, and very neceſſary to prevent, as well the Miſchiefs which may happen from Fires, as Murders, Burglaries, Robberies, and other Outrages and Diſorders: And whereas by the Laws now in being no effectual Proviſion is made for the eſtabliſhing, ordering or well governing of ſuch a Nightly Watch and Bedels within the ſaid two Pariſhes, or for levying and collecting any Sums of Money for defraying the neceſſary Charges thereof, or for enforcing a due Application and juſt Account of any Money ſo levied and collected for that Purpoſe:' For Remedy of the aforeſaid Inconveniencies; may it pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"The Veſtries of the two Pariſhes to meet Yearly in *St. Margaret*'s Veſtry Room, and appoint the Number of Watchmen and Bedels, and aſcertain the Pound Rate for the Charge thereof, and in 14 Days after chooſe the Watchmen and Bedels, and ſet down in Writing the Regulations agreed on. A Copy of the Regulations, ſigned by the Veſtry Clerk of each Pariſh, to be delivered to each Conſtable. The Watchmen, in the Abſence of the Conſtable, may apprehend Night-Walkers, *&c.* Perſon appointed a Collector, on refuſing to act, to forfeit 10*l.* The Aſſeſſment, on Payment refuſed, to be levied by Diſtreſs. Perſons aggrieved may appeal to the Quarter-Seſſions. The Aſſeſſment not to exceed 6*d.* in the Pound. No Perſon paying the Aſſeſſment, or choſen a Bedel or Watchman, to gain thereby a Settlement. Collectors to account Yearly on 20 *July*, &c. A Book of Receipts and Diſburſements, ſigned at *St. Margaret*'s Veſtry by 20 *Auguſt* Yearly, to be kept by the Veſtry Clerk, and inſpected without Fee. On Neglect of *St. John*'s Veſtry to meet and act jointly, *St. Margaret*'s Veſtry may make ſuch Aſſeſſments ſeparately. If a Diviſion of the ſaid Pariſhes ſhall be made, the Veſtries of each ſeparately to execute this Act. No Perſon paying the Aſſeſſment, liable to the Watch or Ward."

CAP. XVIII.

An Act for reviving and continuing the Acts therein mentioned, and for explaining and amending a Clauſe in an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for making the Laws for repairing the Highways more effectual*, relating to the appointing Scavengers in Cities and Market Towns, and the ordering the Aſſeſſments for the Repairing and Cleanſing the Streets therein.

'WHEREAS an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the more effectual preventing and further Puniſhment of Forgery, Perjury, and Subornation of Perjury, and to make it Felony to ſteal Bonds, Notes, or other Securities for Payment of Money*, is expired, and one other Act made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act to prevent the committing of Frauds by Bankrupts*, is near expiring, both which Acts have been found uſeful and beneficial to the Publick;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, the ſaid Act, made in the ſecond Year of his preſent Majeſty's Reign, ſhall be and is hereby revived and made perpetual. The Act 2 Geo. 2. c. 25. againſt Forgery, Perjury, &c. revived, and made perpetual.

II. And be it further enacted by the Authority aforeſaid, That the above mentioned Act, made in the fifth Year of his Majeſty's Reign, ſhall be and is hereby continued, and ſhall be in Force, from the The Bankrupts Act 5 Geo. 2. c. 30. continued.

'Farther continued by 24 Geo. 2. c. 57. §. 8.'

the Time therein limited for the Expiration thereof, until the twenty-ninth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-three, and from thence to the End of the then next Seſſion of Parliament, and no longer.

and further by 31 *Geo.* 2. *c.* 35. *to* 29 *Sept.* 1764.

The Act 1 Geo. 1. c. 52. for repairing the Highways, extended to Market Towns.

'III. And whereas by a Clauſe in an Act of Parliament made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for making the Laws for repairing the Highways more effectual*, the Juſtices of the Peace in any City or Market Town (not having already particular Proviſion made for them therein by any former Law) or the major Part of them, at their General or Quarter Seſſions, are impowered to appoint a Scavenger or Scavengers for cleanſing the Streets, and to order the Repairing ſuch Streets therein, as they ſhall judge neceſſary; and, for defraying the Charges thereof, to order an Aſſeſſment or Aſſeſſments, not exceeding ſix Pence in the Pound in one Year, to be equally made upon all and every the Occupiers or Owners of Houſes, Lands, Tenements and Hereditaments in ſuch Cities; and whereas Market Towns are omitted in the latter Part of the ſaid Clauſe;' Be it therefore enacted, That the ſaid Clauſe, and all the Powers therein contained or mentioned, ſhall be deemed and taken to extend to Market Towns (not having already particular Proviſion made for them therein by any former Law) as well as Cities, as if the ſame had been in the ſaid Clauſe particularly named and mentioned.

Concerning Highways ſee further, 14 *Geo.* 2. *c.* 42. 15 *Geo.* 2. *c.* 2. 16 *Geo.* 2. *c.* 29. 18 *Geo.* 2. *c.* 33. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP. XIX.

An Act for the better regulating the Nightly Watch and Bedels within the Pariſh of *Saint Anne*, within the Liberties of the City of *Weſtminſter*. PR.

Preamble.

'WHEREAS the keeping a ſufficient and well regulated Watch in the Night-time within the Pariſh of *Saint Anne*, within the Liberties of the City of *Weſtminſter*, is of great Importance for the Preſervation of the Perſons and Properties of the Inhabitants thereof, and very neceſſary to prevent, as well the Miſchiefs which may happen from Fires, as Murders, Burglaries, Robberies, and other Outrages and Diſorders: And whereas by the Laws now in being no effectual Proviſion is made for the eſtabliſhing, ordering or well governing of ſuch a Nightly Watch, or for levying or collecting any Sums of Money for defraying the neceſſary Charges thereof, or for enforcing a due Application and juſt Account of any Money ſo levied and collected for that Purpoſe: And whereas it hath been found by Experience, that the Bedels employed within the ſaid Pariſh, for want of a proper Regulation and Government of them, have been of great Charge and little Uſe to the ſaid Pariſh, and the Methods hitherto practiſed of raiſing Monies for maintaining and paying the ſaid Bedels, have been alſo precarious and unwarrantable;' For Remedy of the aforeſaid Inconveniencies, may it pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"The Veſtry to meet on 3 *May*, and 3 *Nov.* Yearly, and appoint the Number of Watchmen and Bedels, and ſet down in Writing the Orders agreed on for regulating the Watch. Tranſcripts of the Regulations, *&c.* ſigned by the Veſtry Clerk, to be delivered to each Conſtable. The Watchmen in the Abſence of the Conſtable may apprehend Night-walkers, *&c.* The Charges to be paid by an Half-yearly Aſſeſſment. Perſons aggrieved may appeal to the next General Quarter-Seſſions, whoſe Order to be final. The Aſſeſſment not to exceed 6 *d. per* Pound. No Perſon paying the ſaid Aſſeſſment, or choſen a Bedel or Watchman, to gain thereby a Settlement. No hired Servant capable of being choſen a Bedel or Watchman. Collectors of the Aſſeſſment to account to the Veſtry on 26 *July* Yearly, or oftner if required. Yearly Accounts of Receipts and Diſburſements to be adjuſted and ſigned at a Veſtry by 20 *Auguſt*, and lodged with the Veſtry Clerk. Perſons paying the ſaid Rates diſcharged from the Watch or Ward."

CAP. XX.

An Act for the better Enlightening the Streets of the City of *London*.

Preamble.

Amended and in part repealed by 17 *Geo.* 2. *c.* 29.

'WHEREAS it hath been found by Experience, that many and frequent Murders, Robberies, Burglaries, Felonies, and other Crimes of a heinous Nature, have been and are frequently committed in the Streets, Lanes, and Paſſages of the City of *London* and the Liberties thereof in the Night Seaſon; the Commiſſion of which Crimes has in a great Meaſure been owing to the inſufficient Manner in which the Streets, Lanes, Paſſages and Courts of the ſaid City have for ſome Years paſt been, and at this preſent Time are lighted by the Proprietors of the Convex Lights: And whereas the Citizens of *London* are deſirous to have the open Places, Streets, Lanes, Paſſages and Courts thereof enlightened in a better and more effectual Manner, as well for their own as for the common Safety and Benefit of all other Perſons whoſe Affairs oblige them to paſs and repaſs through the ſame; and in order to effect ſo good a Work the ſaid Citizens have conſented and agreed to raiſe the Money neceſſary for that Purpoſe by a reaſonable Tax and Aſſeſſment on the Inhabitants of the ſaid City, in ſuch Manner as herein after is expreſſed: But foraſmuch as the ſame cannot be effectually done but by the Aid and Aſſiſtance of an Act of Parliament;' May it pleaſe your Majeſty (at the humble Petition and Deſire of the Mayor, Aldermen, and Commonalty of the City of *London*, in Common Council aſſembled) that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty,

Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſuch a convenient and ſufficient Number of Glaſs Lamps, of ſuch Sort and Faſhion, and put up in ſuch Parts and Places of the ſaid City of *London*, and the Liberties thereof, as to the Mayor, Aldermen, and Commonalty of the ſaid City, in Common Council aſſembled, ſhall ſeem meet and expedient, ſhall be with all convenient Speed erected and fixed to or near any Houſe or Building, Place or Places whatſoever within the ſaid City or Liberties thereof, and the ſame ſhall be kept lighted and burning from Sun-ſetting to Sun-riſing throughout the Year.

Glaſs Lamps to be put up in London, according to the Directions of the Lord Mayor, &c. and kept lighted from Sun-ſetting to Sun-riſing.

II. And, for defraying the firſt Expence of buying and erecting of ſuch Lamps or Lights, and alſo the yearly Charges of ſupplying, maintaining and repairing the ſame, the following Rates and Aſſeſſments ſhall be laid and raiſed on the ſeveral Inhabitants of the ſaid City and the Liberties thereof, annually and each Year, from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-ſix; that is to ſay,

Yearly Rates.

'For each and every Houſe, the Rent whereof is under ten Pounds *per Annum*, and the Inhabitant 'whereof is charged to Church and Poor, any Sum not exceeding ſeven Shillings *per Annum*.

'For each and every Houſe of the yearly Rent of ten Pounds or upwards, and under twenty Pounds, 'any Sum not exceeding twelve Shillings *per Annum*.

'For each and every Houſe of the yearly Rent of twenty Pounds or upwards, and under thirty 'Pounds, any Sum not exceeding fourteen Shillings *per Annum*.

'For each and every Houſe of the yearly Rent of thirty Pounds or upwards, and under forty Pounds, 'any Sum not exceeding ſixteen Shillings *per Annum*.

'And for each and every Houſe of the yearly Rent of forty Pounds or upwards, any Sum not ex'ceeding twenty Shillings *per Annum*.

'III. And foraſmuch as it is reaſonable that all publick Buildings (Hoſpitals excepted) ſhould be 'taxed and aſſeſſed in a due Proportion towards the better Lighting the ſaid City and the Liberties 'thereof;' Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Alderman of the Ward of *Caſtle Baynard*, with the Advice and Conſent of his Deputy and Common Councilmen, or the Majority of them, at his and their Diſcretions, and they are hereby required Yearly and every Year, to tax and aſſeſs the Cathedral Church of Saint *Paul*; and alſo for the Alderman of each reſpective Ward where ſuch other publick Buildings reſpectively do ſtand, and are ſituate, by and with the Advice and Conſent of his Deputy and Common Councilmen, or the Majority of them, at his and their Diſcretions, and they are hereby required yearly and every Year, to tax and aſſeſs all Pariſh Churches, Church-yards, Chapels, Meeting-houſes, Schools, Halls, Markets, Warehouſes, and all other publick Buildings whatſoever, ſituate, ſtanding and being within their reſpective Wards, towards the erecting, ſupplying, maintaining and repairing the Lights aforeſaid, Regard being by them always had to the Number of Lamps which ſhall be found neceſſary for the lighting the ſame.

St. Paul's Cathedral, and all other publick Buildings, to be yearly aſſeſſed.

IV. And it is hereby enacted by the Authority aforeſaid, That the Dean and Chapter of the Cathedral Church of Saint *Paul* for the time being, and all and every the reſpective Church-wardens and Chapel-wardens of the ſeveral Pariſh Churches and Chapels, and reſpective head Officers, Maſters, Wardens and Governors of all Meeting-houſes, publick Halls, Schools, and the Occupiers or Proprietors of all other publick Buildings and Places within the ſaid City and Liberties thereof reſpectively, fronting or adjoining to any of the ſaid publick Streets, Lanes, publick Places and Paſſages of the ſaid City and Liberties thereof, and the Farmers or Occupiers of all and every the Markets within the City and Liberties thereof, ſhall and they reſpectively are hereby charged with and required to pay the reſpective Rates and Aſſeſſments which ſhall from time to time be ſo rated and aſſeſſed upon the ſaid reſpective Buildings and Places purſuant to this Act.

By whom thoſe Aſſeſſments ſhall be paid.

V. Provided always, and it is hereby declared, That if the ſaid Dean and Chapter of Saint *Paul* ſhall at their own Coſt and Charge cauſe the Fence round the ſaid Cathedral to be duly lighted with Lamps of the ſame Sort, and at and for the ſame Time, and in a proportionable Number, and from time to time keep the ſaid Fence ſo lighted in the ſame Manner as by this Act ought to be done in the other Parts of Saint *Paul's* Church-yard (which the Court of Lord Mayor and Aldermen from time to time are hereby impowered to determine) that then and ſo long as they continue to light the ſaid Fence as is hereby directed, no Rate or Aſſeſſment ſhall be laid on the ſaid Cathedral Church by virtue of the Powers hereby granted; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

On what Condition the Dean and Chapter of St. Paul to be excuſed.

VI. Provided always, and it is hereby declared, That in caſe any Perſon or Perſons ſhall think him, her or themſelves aggrieved by ſuch Tax and Aſſeſſment as aforeſaid, it ſhall and may be lawful for them reſpectively, within the Space of twenty Days after ſuch Tax or Aſſeſſment ſhall be laid, to appeal to the Court of Lord Mayor and Aldermen, whoſe Deciſion ſhall be final and concluſive.

The Deciſion of the Lord Mayor and Aldermen, on Appeals, to be final.

'VII. And wherers there are ſeveral Pieces of void Ground and ſpacious Places belonging to the 'ſaid City lying within the ſame or Liberties thereof, where no Inhabitants are or can be properly 'chargeable as aforeſaid, and which nevertheleſs ought to be well and ſufficiently lighted;' Be it further enacted by the Authority aforeſaid, That the Chamberlain of the ſaid City of *London* for the time being, ſhall at the Coſt and Charges of the ſaid City pay ſuch Taxes and Aſſeſſments as ſhall be laid and rated for the due lighting of ſuch void Ground and Places, where no Inhabitants are or can

The City Chamberlain to pay for void Grounds, and appeal to the Lord Mayor, &c.

can be properly charged, according to the Diſcretion of the Alderman, Deputy, and majority of the Common Councilmen of each Ward, within which ſuch void Grounds and Places are ſituate and compriſed as aforeſaid, Regard being by them always had to the Number of Lamps neceſſary for the due lighting of the ſame; and in caſe the ſaid Chamberlain ſhall think the ſaid City aggrieved by ſuch Tax or Aſſeſſment, he ſhall and may in Behalf of the ſaid City within the Space of twenty Days after ſuch Tax or Aſſeſſment ſhall be laid, appeal to the Court of Lord Mayor and Aldermen as aforeſaid, whoſe Determination ſhall be final.

The Alderman of the Ward, &c. to appoint Collectors.

VIII. And to the end that the ſeveral Rates and Aſſeſſments herein before-mentioned may be fully and compleatly raiſed and paid for the Purpoſes aforeſaid without Expence, Fee or Reward, Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for each Alderman in his Ward, by and with the Advice and Conſent of his Deputy and Common Councilmen, or the majority of them, immediately to nominate, elect and impower two or more ſubſtantial and reſponſible Inhabitants of and belonging to each Ward, to aſk, collect and receive the ſeveral Rates or Aſſeſſments herein before granted and made payable by each Inhabitant of ſuch Wards as aforeſaid, which Collectors ſhall continue in that Office until new ones ſhall be choſen in the Wardmote, which ſhall be held for the Choice of other Ward Officers on or near Saint *Thomas*'s Day next enſuing ſuch Nomination and Appointment; at which Time the ſaid Collectors firſt choſen ſhall and they are hereby required to bring in their Accounts to the Alderman of the ſaid Ward at the Wardmote, in which they ſhall ſpecify and expreſs the ſeveral Sums of Money by them received, and give in a Liſt of ſuch Perſons as ſhall have neglected or refuſed to pay the Rates and Aſſeſſments ſo laid on them as aforeſaid, that the ſame may be recovered and levied in ſuch Manner as is herein after-mentioned.

Collectors when and how to account.

The Deputy and Common Councilmen to return ſix Inhabitants, out of which the Collectors are to be choſen.

IX. And to the Intent that there may never be wanting a ſufficient Number of Perſons duly qualified to collect the Rates and Aſſeſſments hereby granted and made payable, Be it further enacted by the Authority aforeſaid, That the Deputy and Common Councilmen of each Ward ſhall at each Wardmote to be held upon or near Saint *Thomas*'s Day for the Choice of Ward Officers, return the Names and Places of Abode of ſix or more ſubſtantial Inhabitants of each Ward, out of which two or more (according to the Extent of the Ward) ſhall be choſen and appointed at the ſaid Wardmote to be Collectors for the Year enſuing, and be there ſworn to the true and faithful Execution of their Office before the preſiding Officer at the Wardmote, who is hereby impowered to adminiſter the ſaid Oath; and in caſe any Perſon or Perſons ſo choſen ſhall neglect or refuſe to take upon him or them the ſaid Office, or duly to execute the ſame according to the true Intent and Meaning of this Act, he or they ſhall reſpectively forfeit and pay the Sum of ten Pounds, and ſtill continue liable to be choſen into the ſaid Office again the Year following; and in caſe of his or their Refuſal, ſhall be again liable to the like Penalty, and ſo *toties quoties*.

201. Penalty on Collectors refuſing to act.

A Reaſſeſſment to be made, in caſe of Imbezilment.

X. And to the Intent that reſponſible Perſons may be choſen and appointed Collectors in each Ward, be it further enacted by the Authority aforeſaid, That in caſe any Collector or Collectors, Receiver or Receivers of the ſaid Rates and Aſſeſſments, ſhall imbezil, make away with, detain or miſapply any Sum or Sums of Money ſo collected by him or them for the Uſes aforeſaid, the ſame ſhall be again rated and laid on the Inhabitants of each Ward, and collected and levied by a Reaſſeſſment on all the Inhabitants, in Proportion to what they had or ought to have paid.

Diſtreſs on Nonpayment.

XI. And it is hereby further enacted by the Authority aforeſaid, That in caſe any Inhabitant of the ſaid City of *London*, or any other Perſon or Perſons hereby intended to be charged and rated towards defraying the Expence of lighting the ſaid City as aforeſaid, ſhall neglect or refuſe to pay and diſcharge ſuch Rates and Aſſeſſments, as he, ſhe or they ſhall be charged with, according to the true Intent and Meaning of this Act, after ſuch Rates and Aſſeſſments ſhall reſpectively be demanded, that then and ſo often it ſhall and may be lawful to and for the ſaid Collector or Collectors, Receiver or Receivers, and every or any of them, by Warrant obtained under the Hand and Seal of the Lord Mayor of the ſaid City for the time being, or of the Alderman of the Ward where ſuch Perſon or Perſons ſo neglecting or refuſing to pay ſhall inhabit or be chargeable (which Warrant the ſaid Lord Mayor or ſuch Alderman is hereby authorized and required to grant) to take and diſtrain the Goods and Chattles of ſuch Perſon or Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus, if any ſuch ſhall be, after having deducted the reaſonable Charges of ſuch Diſtreſs, to the Owner of ſuch Goods and Chattles demanding the ſame.

Who to grant the Warrant for Diſtreſs.

Aſſeſſment to be collected Half-yearly.

XII. And be it further enacted by the Authority aforeſaid, That every Collector or Collectors of the Rates and Aſſeſſments aforeſaid ſhall collect the ſame Half-yearly, and pay the Money into the Chamber of the City of *London*, as he or they ſhall receive the ſame, in ſuch Manner that ſuch Collector or Collectors ſhall never have a Sum exceeding fifty Pounds ſo collected at one Time in his or their Hands by the Space of ten Days; and if ſuch Collector or Collectors ſhall keep and retain in his and their Hands more than the ſaid Sum of fifty Pounds longer than ten Days, he and they ſhall reſpectively forfeit the Sum of five Pounds for every ſuch Offence (which ſaid Penalty ſhall be recovered and levied as any other Penalty is hereby directed to be recovered and levied) and on Payment of every ſuch Sum of Money into the Chamber of the ſaid City of *London* ſuch Collector or Collectors ſhall take a Receipt for the ſame from the ſaid Chamberlain or one of his Clerks, in which Receipt ſhall be ſpecified and expreſſed the Name of ſuch Collector and Collectors, the Sum paid, and the Name of the Ward where in the Money hath been collected; and the Chamberlain of the ſaid City of *London* for the time being, or ſuch of his Clerks as ſhall be by him for that Purpoſe appointed, ſhall be obliged, and he and they is and are hereby required to give ſuch Receipt without Fee or Reward; and ſuch Receipts ſhall by the Collector and Collectors be produced to the Alderman of the Ward at the Time he ſettles and adjuſts his yearly

The Form of the Chamberlain's Receipts.

yearly Account; and ſhall by the ſaid Alderman be taken and allowed as a full and ſufficient Diſcharge for all and every ſuch Sum and Sums of Money ſuch Collectors or Receivers ſhall have received and paid into the Chamber of the City of *London* as aforeſaid.

XIII. And to the end that the Payment of the ſaid Rates and Aſſeſſments for the Purpoſes aforeſaid may the more effectually be enforced, be it further enacted by the Authority aforeſaid, That every Freeman of *London* liable to pay the ſaid Rates and Aſſeſſments, who ſhall have neglected or refuſed to pay the ſaid Rates and Aſſeſſments to the Perſon or Perſons authorized and impowered to collect and receive the ſame, or ſhall have deſired to be excuſed from paying ſuch Rates and Aſſeſſments, ſhall be under the ſame Incapacity of voting at Elections within the ſaid City of *London*, as any Perſon or Perſons now is or are who do not pay their Scot or Lot to the ſeveral yearly Rates and Taxes to which the Citizens of *London* are at this Time or ſhall hereafter become liable.

Freemen not paying the ſaid Aſſeſſments, incapacitated from voting at Elections.

XIV. And to the Intent that no Monopoly in lighting the ſaid City and Liberties thereof be for the time to come attempted, whereby the Expence thereof will be greatly enhanced, and the Work not ſufficiently performed; Be it enacted by the Authority aforeſaid, That each Alderman, by and with the Advice and Conſent of his Deputy and the majority of his Common Councilmen, ſhall and may, and he is hereby required, authorized and impowered to contract and agree for the Number of Lamps neceſſary to be erected and ſet up in and for his Ward, and the Charge thereof, on Poſts or Irons, as he ſhall think beſt to order, and ſhall be moſt effectual for the Purpoſes hereby intended; and alſo that each ſuch Alderman, with ſuch Advice and Conſent as aforeſaid, ſhall and may contract with any Perſon or Perſons for the lighting, trimming, ſnuffing, cleanſing, ſupplying, maintaining and repairing ſuch Number of Lamps as ſhall be neceſſary for his Ward; provided nevertheleſs, that ſuch Contract be made for the Space of one whole Year and no longer at one Time, and ſhall not exceed ſuch Sum for each Lamp, as ſhall be directed and ordered by the Mayor, Aldermen and Commons in Common Council aſſembled, in caſe they ſhall think fit to ſettle and direct the ſame.

The Alderman of each Ward, &c. to contract for ſetting up, and trimming the Lamps for one Year;

but ſuch Contract not to exceed the Sum appointed by the Mayor, &c.

XV. Provided always, and it is further enacted by the Authority aforeſaid, That no Alderman, Deputy or Common Councilman, during his Continuance in ſuch Office, or any Perſon or Perſons in Truſt for him, them or any of them, ſhall be concerned or intereſted in any Contract or otherwiſe, for lighting the ſaid City or any Part thereof, or for providing and fixing any of the ſaid Lamps, Poſts or Irons, or other Materials neceſſary thereto.

No Alderman, &c. to be intereſted in ſuch Contracts.

XVI. And be it further enacted by the Authority aforeſaid, That the Chamberlain of the ſaid City of *London* for time being, ſhall and may, and he is hereby authorized and required to pay all and ſingular the Orders or Draughts on him to be made by the Alderman of each Ward, with the Advice of his Deputy, and the Majority of the Common Councilmen of each Ward reſpectively, in diſcharge of ſuch Contract or Contracts they ſhall or may reſpectively enter into, as well for providing and erecting as for lighting, trimming, ſnuffing, cleanſing, ſupplying, maintaining and repairing the Lamps within each and ſingular the Wards of the ſaid City. And alſo, that he the ſaid Chamberlain for the time being ſhall and he is hereby required to keep regular and clear Entries in a Book to be for that Purpoſe by him provided, of all and ſingular the Receipts and Payments he ſhall make on the Account of lighting the ſaid City as aforeſaid, diſtinguiſhing each Ward under diſtinct Heads; to which Book every Citizen of *London* ſhall and may have free Acceſs in Office Hours, and ſhall be permitted to inſpect the ſame without Fee or Reward; and alſo that the Chamberlain for the time being ſhall have the ſaid Account audited and paſſed in the ſame Manner and by the ſame Perſons who are now appointed or ſhall be appointed to audit the Accounts of the Chamberlain of the ſaid City of *London*.

The Chamberlain to pay all Draughts made on him by the Alderman of the Ward, &c.

and enter them diſtinctly in a Book,

to be inſpected without Fee.

'XVII. And whereas ſeveral evil-diſpoſed Perſons have broken and may wilfully and maliciouſly 'break and deſtroy the Lamps hung out in the Streets of this City;' Now to prevent the like malicious Practices for the future, be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, wilfully or maliciouſly break, throw down or extinguiſh any Lamp that is or ſhall be hung out or ſet up to light the Streets, or wilfully damage the Poſts, Irons or other Furniture thereof, every Perſon ſo offending therein, and being thereof convicted by the Oath of one or more Witneſs or Witneſſes before any one or more Juſtice or Juſtices of the Peace for the City of *London*, ſhall for the firſt Offence forfeit the Sum of forty Shillings for each Lamp ſo broken, thrown down, extinguiſhed or otherwiſe damaged, and for the ſecond Offence the Sum of fifty Shillings, and for the third Offence the Sum of three Pounds, to be recovered and levied in ſuch Manner as in this Act is mentioned.

Penalty on maliciouſly breaking or extinguiſhing the Lamps.

'XVIII. And whereas it is impoſſible to aſcertain the exact Expence which may accrue to the ſaid 'City of *London*, in providing, ſupplying and maintaining ſuch Lights as aforeſaid, as well from the 'Alteration in the Price of Oil and other Materials, as from other unforeſeen Accidents and Caſualties 'which may happen;' Be it therefore further enacted, That if at the Expiration of ſeven Years it ſhall be found that any Surplus ſhall have ariſen from the Money collected by virtue of this Act, over and above what ſhall have been iſſued and applied in purſuance hereof, for the finding, ſupplying and maintaining ſuch Lights as aforeſaid, ſuch Surplus Money ſhall remain in the Chamber of the ſaid City of *London*, to be applied either in Aid of the Orphans Fund, or in Abatement or Diminution of future Aſſeſſments for the Purpoſes of this Act, or to be otherwiſe diſpoſed of to or for the Uſe and Benefit of the Citizens of *London*, as they by any Act of Common Council ſhall direct and appoint.

Surplus Monies after 7 Years how to be diſpoſed of.

XIX. And it is hereby further enacted, That the Mayor, Aldermen and Commons, in Common Council aſſembled, ſhall and they are hereby impowered and required at a Court of Common Council to be held, as ſoon as conveniently may be after the twenty-fourth Day of *June* one thouſand ſeven hundred

How and when the Aſſeſſments are to be made.

hundred and thirty-ſix, to order and appoint a Rate and Aſſeſſment to be made purſuant to the Powers hereby granted and given, to commence on the twenty-fifth Day of *March* preceding, and to continue till the twenty-fifth Day of *December* following; and that the ſaid Mayor, Aldermen and Commons, in Common Council aſſembled, ſhall yearly and every Year between the firſt Day of *January* and the laſt Day of *February* order and direct what Rates and Aſſeſſments ſhall be made on the Inhabitants for the Purpoſes aforeſaid, which Aſſeſſment ſhall be for one whole Year, commencing the twenty-fifth Day of *December* preceding the ſaid Order.

Penalty on Collectors refuſing to account at the Wardmote on or near St. Thomas's Day.

XX. And be it further enacted by the Authority aforeſaid, That if any Collector or Collectors ſhall neglect or refuſe to bring in his and their Accounts to the Alderman of the Ward at the Wardmote held on or near Saint *Thomas*'s Day, he or they ſhall reſpectively forfeit the Sum of five Pounds, and in like Manner the ſame Sum of five Pounds for every twenty Days he or they detain the ſaid Account, to be recovered and levied by ſuch Ways and Means as herein after in this Act is mentioned.

Warrants of Diſtreſs how and by whom to be granted.

XXI. And to prevent as much as may be any Deficiency happening in the collecting the Rates and Aſſeſſments aforeſaid, be it further enacted, That the Collector or Collectors of all and every the Wards of the ſaid City ſhall and he and they are hereby required in Caſes of Refuſal or Nonpayment of the ſeveral Rates and Aſſeſſments aforeſaid within thirty Days after the reſpective Rates and Aſſeſſments ſhall become due, to apply to the Lord Mayor for the time being, or to the Alderman of the reſpective Wards where ſuch Refuſal or Non-payments ſhall happen, for a Warrant to diſtrain for the ſaid Rate and Aſſeſſment, and ſhall take care to execute or cauſe the ſame to be duly executed.

The Manner of determining and levying pecuniary Penalties.

XXII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord Mayor for the time being, or any two or more Juſtices of the Peace for the City of *London*, to hear and determine any of the Offences which are made ſubject to and puniſhable by any pecuniary Penalties directed to be levied by this Act; and ſuch Juſtices of the Peace are hereby authorized and required upon any Informations exhibited or Complaint made in that Behalf within ten Days after ſuch Offence committed, to ſummon the Party or Parties accuſed, and the Witneſſes on either Side, and after Oath of the Commiſſion of any of the Facts above-mentioned by one or more credible Witneſs or Witneſſes to iſſue a Warrant or Warrants for apprehending the Party offending in the ſaid City of *London*, and upon the Appearance or Contempt of the Party accuſed in not appearing, upon the Proof of Notice given, to proceed to the Examination of the Witneſs or Witneſſes on Oath (which Oath they are hereby authorized, impowered and required to adminiſter) to give ſuch Judgment, Sentence or Determination, as ſhall be juſt and conformable to the Tenor and true Meaning of this Act. And where the Party accuſed ſhall be convicted of ſuch Offence, either by View of the ſaid Juſtices, or any of them, or upon ſuch Information as aforeſaid, or on Confeſſion of the Party accuſed, it ſhall and may be lawful for ſuch Juſtices to iſſue Warrant or Warrants for the levying the pecuniary Penalties and Forfeitures ſo adjudged on the Goods and Chattles of the Offender, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in five Days, rendring to the Party the Overplus, if any there be; and in caſe any Perſon or Perſons ſhall be convicted in purſuance of this Act of breaking, throwing down or extinguiſhing any Lamp to be hung or ſet up as aforeſaid, and no Goods or Chattles of any Perſons ſo offending can at the Time of ſuch Conviction be found, then and in ſuch Caſe it ſhall and may be lawful to and for the Juſtice or Juſtices of the Peace before whom ſuch Perſon or Perſons ſhall be convicted as aforeſaid, to commit ſuch Offender to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding the Space of three Months, or until ſuch pecuniary Penalty or Penalties ſhall be paid.

Power of mitigating the ſaid Penalties.

XXIII. Provided nevertheleſs, That it ſhall and may be lawful to and for ſuch Juſtices of the Peace from time to time, where they ſee cauſe, to mitigate, compound or leſſen any of the ſaid Forfeitures or Penalties as they in their Diſcretion ſhall think fit, ſo as ſuch Mitigation do not extend to remit above one Moiety of the Penalties inflicted and directed to be levied by this Act; and every ſuch Mitigation ſhall be a ſufficient Diſcharge to the Perſons offending reſpectively, for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo leſſened, mitigated or remitted.

Quarter-Seſſions finally to determine Appeals.

XXIV. Provided alſo, That if any Perſon or Perſons ſhall find him, her or themſelves aggrieved, or remain unſatisfied in the Judgment of the ſaid Juſtices, then ſuch Perſon or Perſons ſhall and may by virtue of this Act complain or appeal to the Juſtices of the Peace at their next Quarter-Seſſions to be held for the ſaid City of *London*, who are hereby impowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the ſame; and in caſe of Conviction to iſſue Warrant or Warrants for levying and compelling by ſuch Means as aforeſaid the Payment of the ſaid Penalties and Forfeitures.

Penalties how to be applied.

XXV. And it is hereby further enacted by the Authority aforeſaid, That all the Penalties to be levied by virtue of this Act ſhall be paid and applied in Manner following; that is to ſay, one Moiety thereof to the Perſon or Perſons who ſhall inform and ſue for the ſame, and the other Moiety to the Alderman of the Ward where ſuch Offence ſhall be committed, to be by him paid over into the Chamber of *London*, to be accounted for and applied as Part of the Fund for providing and maintaining ſuch Lights within the ſaid City as aforeſaid.

Limitation of Actions.

XXVI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, that in every ſuch Caſe the Action or Suit ſhall be brought within Six Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in *London*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſo to be brought ſhall and may plead the General Iſſue, Not guilty, and give this Act and the ſpecial Matter in Evidence, at any Trial to be had thereupon; and if the

General Iſſue.

Plantiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her or their Action or Actions, Suit or Suits, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant and Defendants ſhall and may recover treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any other Caſes by Law. Treble Coſts.

XXVII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a Publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame. Publick Act. *Amended and in Part repealed by 17 Geo. 2. c. 29.*

CAP. XXI.

An Act for repairing the Highways from *Sunning Lane End*, next *Twyford*, to the *Old Bear Inn* in *Reading* in the County of *Berks*. PR. 1 Geo. 2. c. 3.

CAP. XXII.

An Act for rebuilding the Pariſh Church of *Gainsburgh* in the County of *Lincoln*. PR. *See* 14 *Geo.* 2. *c.* 15.

CAP. XXIII.

An Act for laying a Duty upon the Retalers of Spirituous Liquors, and for licenſing the Retalers thereof.

'WHEREAS the drinking of Spirituous Liquors or Strong Waters is become very common, eſpecially among the People of lower and inferior Rank, the conſtant and exceſſive Uſe whereof tends greatly to the Deſtruction of their Healths, rendering them unfit for uſeful Labour and Buſineſs, debauching their Morals, and inciting them to perpetrate all Manner of Vices; and the ill Conſequences of the exceſſive Uſe of ſuch Liquors are not confined to the preſent Generation, but extend to future Ages, and tend to the Devaſtation and Ruin of this Kingdom:' For Remedy whereof may it pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, no Perſon or Perſons whatſoever ſhall preſume, by him, her or themſelves, or by any other Perſon or Perſons whatſoever employed by him, her or them, or for his, her or their Benefit, to ſell or retale any Brandy, Rum, Arrack, Uſquebaugh, Geneva, *Aqua Vitæ*, or any other diſtilled Spirituous Liquors, or Strong Waters, unmixed, or mixed with themſelves or any other Ingredients, and by whatſoever Name or Names they are or may be called, publickly or privately, in any leſs Quantity than two Gallons, without firſt taking out a Licence for that Purpoſe, as is herein after directed, within ten Days at leaſt before he, ſhe or they ſhall ſell, or offer to ſell, or retale the ſame, for which he, ſhe or they ſhall immediately upon taking out thereof pay down for the ſame the Sum of fifty Pounds in Manner following; that is to ſay, If ſuch Licence be taken out within the Limits of the Penny Poſt, then the ſame ſhall be paid at the Chief Office of Exciſe in *London*, or at any other Place, and to ſuch Perſons as his Majeſty's Commiſſioners for the Duties of Exciſe for the time being ſhall appoint to receive the ſame; and that ſuch Perſons as by the ſaid Commiſſioners ſhall be appointed, are hereby impowered to deliver ſuch Licences to any ſuch Perſon or Perſons upon his, her or their paying down for the ſame the aforeſaid Sum of fifty Pounds at the Time of taking out thereof; but if ſuch ſuch Licence ſhall be taken out without the Limits aforeſaid, then the ſame ſhall be paid by all and every the Perſons ſo taking out ſuch Licence at the Office of Exciſe next adjoining to the Place where he, ſhe or they reſpectively reſide or inhabit, or at any other Place, and to ſuch Perſons, as his Majeſty's Commiſſioners for the Duties of Exciſe for the time being ſhall appoint to receive the ſame; and ſuch Perſons as by the ſaid Commiſſioners ſhall be appointed, are hereby impowered to deliver ſuch Licences to any ſuch Perſon or Perſons, upon his, her or their paying down for the ſame the aforeſaid Sum of fifty Pounds at the Time of taking out thereof.

Preamble. Theſe Duties are repealed by 16 Geo. 1. c. 8.

After 29 Sept. 1736 no Perſon to retale diſtilled Spirituous Liquors of any Sort,

in leſs Quantity than 2 Gallons,

without paying down 50 l. for a Licence, at the Exciſe Office in London, if in the Limits of the Penny Poſt;

if without thoſe Limits, at the Exciſe Office next adjoining to the Perſon's Place of Reſidence.

II. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons, that ſhall take out ſuch Licence as aforeſaid, is and are hereby required to take out a freſh Licence ten Days at leaſt before the Expiration of twelve Months after the taking out of the firſt Licence, before he, ſhe or they do preſume or offer to ſell any ſuch Spirituous Liquors in any leſs Quantity than two Gallons, and in the ſame Manner to renew ſuch Licence from Year to Year, paying down the like Sum of fifty Pounds for each and every new or renewed Licence, at the Places, and at the Times before-mentioned; and if any Perſon or Perſons ſhall preſume or offer to ſell or retale any of the ſaid Spirituous Liquors in any leſs Quantity than aforeſaid, without taking out ſuch Licence, and renewing the ſame yearly, as in Manner aforeſaid, he, ſhe or they ſhall reſpectively forfeit and loſe the Sum of one hundred Pounds for each Offence.

The like Sum to be paid on renewing the Licence every Year, 10 Days before the Expiration of the old one.

100 l. Penalty on retailing without ſuch Licence and Renewal. 11 Geo. 2. c. 26. 24 Geo. 2. c. 40.

III. And be it further enacted by the Authority aforeſaid, That for all ſuch Spirituous Liquors, or Strong Waters, by whatever Name or Names they are or may be called, as any Perſon or Perſons retaling them, or any of them, in any leſs Quantity than aforeſaid, or any Perſon or Perſons in Truſt for him, her or them, or for his, her or their Uſe or Benefit, ſhall be poſſeſſed of, or intereſted in, upon the ſaid Twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, or at any Time after, there ſhall be raiſed and paid unto your Majeſty, your Heirs and Succeſſors, a Duty after the Rate of

20 s. per Gallon on all Spirituous Liquors retaled after 29 Sept. 1736, to be paid by the Retalers.

These Duties repealed 16 Geo. 2. c. 8.

of twenty Shillings for every Gallon thereof, and in that Proportion for a greater or leſſer Quantity, to be paid by the reſpective Retalers thereof, over and above all other Duties charged and chargeable on the ſame.

Such Liquors retaled in England, &c. to be under the Management of the Commiſſioners of Exciſe. Thoſe in Scotland, under the Commiſſioners of Exciſe there.

IV. And, for the better aſcertaining, charging, collecting, raiſing, levying and ſecuring the Rates and Duties by this Act impoſed on the ſaid Spirituous Liquors, and preventing Frauds therein, be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Rates and Duties by this Act granted, as are charged upon ſuch Spirituous Liquors as ſhall be retaled in *England*, *Wales*, or the Town of *Berwick upon Tweed*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of his Majeſty's Revenue of Exciſe in *England* for the time being; and ſuch of the ſaid Rates and Duties as are impoſed by this Act upon ſuch Spirituous Liquors as ſhall be retaled in *Scotland*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of the Exciſe in *Scotland* for the time being; which ſaid ſeveral and reſpective Commiſſioners of Exciſe, or the major Part of them, ſhall be his Majeſty's Commiſſioners for granting ſuch Licences for retaling ſuch Spirituous Liquors; and the ſaid reſpective Commiſſioners of Exciſe, or the major Part of them, have hereby Power by Commiſſion under their reſpective Hands and Seals to conſtitute and appoint under them ſuch Officers as ſhall be neceſſary in that Behalf; and all Monies ariſing by the ſaid Duties and by the Licences for the Sale thereof herein before-mentioned (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall from time to time be paid into the Receipt of his Majeſty's Exchequer diſtinctly and apart from all other Branches of the publick Revenues, ſubject and liable to the Uſes and Purpoſes herein after mentioned.

All Monies ariſing by theſe Duties and Licences to be paid into the Exchequer, diſtinctly from all other publick Revenues.

The Act 12 Car. 2. for taking away the Court of Wards and Liveries, &c. and all others relating to the Exciſe on Ale, &c. to be in Force for recovering theſe Duties.

V. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Directions, Methods, Penalties, Forfeitures, Clauſes, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knight Service, and Purveyance, and ſettling a Revenue upon his Majeſty in lieu thereof*, or by any other Law now in Force relating to his Majeſty's Revenue of Exciſe upon Beer, Ale, and other Liquors, as are provided, ſettled or eſtabliſhed for managing, levying, raiſing, collecting, mitigating or recovering, adjudging, or aſcertaining the Duties thereby granted, or any of them (other than in ſuch Caſes for which other Penalties or Proviſions are preſcribed by this Act) ſhall be exerciſed, applied, uſed and put in Execution in and for the managing, raiſing, levying, collecting, mitigating, adjudging, aſcertaining, recovering and paying the Duties upon the ſaid Spirituous Liquors by this Act granted, as fully and effectually to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauſes, Matters and Things were particularly repeated and again enacted in the Body of this preſent Act; and that one Moiety of the Fines, Penalties and Forfeitures, by this Act granted, ſhall go and be paid to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to the Perſon or Perſons who ſhall inform or ſue for the ſame.

An Entry in Writing to be made of all Warehouſes, &c. at the next Office of Exciſe, 10 Days before retaling ſuch Liquors,

VI. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons, who after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, ſhall ſell or offer to ſell or retale any Spirituous Liquors or Strong Waters, by whatever Name or Names they are or may be called, in any leſs Quantity than two Gallons, ſhall, at leaſt ten Days before he, ſhe or they ſhall ſell or offer to ſell by Retale any ſuch Spirituous Liquors or Strong Waters, make a true and particular Entry in Writing of all Warehouſes, Storehouſes, Shops, Cellars, Vaults, Rooms or other Places whatſoever, by him, her or them reſpectively uſed, or intended to be uſed, for the laying, keeping, or retaling any of the ſaid Spirituous Liquors, or Strong Waters, at the next Office of Exciſe within the Limits wherein ſuch Warehouſes, Storehouſes, Shops, Cellars, Vaults, or other Rooms or Places ſhall be ſituated, and alſo of all Spirituous Liquors, or Strong Waters, by whatever Name or Names they are or may be called, which at the Time of making ſuch reſpective Entries, or which at any Time after, ſhall be in ſuch Warehouſes, Storehouſes, Shops, Cellars, Vaults, Rooms, and other Places, and every of them reſpectively; upon Pain of forfeiting the Sum of twenty Pounds for every ſuch Warehouſe, Storehouſe, Shop, Cellar, Vault, Room, and other Place, which ſhall be ſo made uſe of by ſuch Retaler, and forty Shillings for every Gallon of ſuch Spirituous Liquors or Strong Waters, which ſhall be concealed, and not entred as herein is directed, together with all the Spirituous Liquors or Strong Waters which ſhall be found therein, or concealed as aforeſaid, and the Casks and other Veſſels containing the ſame.

on Penalty of 20 l. for each Warehouſe, &c. and forfeiting 40 s. per Gal with the Liquor and Casks.

No Spirituous Liquors to be brought into any Warehouſe, &c. without Notice to the Exciſe Officer, and authentick Certificate, that the Duties have been paid, &c. on Penalty of 20 l.

VII. And, for the better ſecuring the Duties hereby granted, and preventing any Foreign Brandies, Strong Waters, or other Spirits, to be run into this kingdom; Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, no Brandy, Rum, Arrack, *Aqua Vitæ*, Uſquebaugh, or any other Spirituous Liquors, or Strong Waters, by whatever Name or Names they are or may be called, ſhall be brought into any ſuch Warehouſe, Storehouſe, Shop, Cellar, Vault, Room, or other Place made Uſe of by any Retaler of any of the ſaid Spirituous Liquors or Strong Waters, without firſt giving Notice thereof to the Officer of Exciſe of the Diviſion or Place where ſuch Warehouſe, Storehouſe, Shop, Cellar, Vault, Room or other Place in which ſuch Spirituous Liquors or Strong Waters as aforeſaid, are intended to be lodged, is ſituated, and producing to the ſaid Officer, and leaving with him an authentick Certificate, that the Duties charged or chargeable by any Law now in being upon the ſaid Spirituous Liquors or Strong Waters have been actually paid, or that the ſame have been condemned as forfeited, or were Part of the Stock of ſome Retaler of any of the ſaid Spirituous Liquors or Strong Waters, of which an Account had been taken purſuant to this Act, and expreſſing the Quantity and Quality thereof, the Name of the Seller, and at what Place the ſaid Duties were paid, or the ſaid Liquors condemned as aforeſaid, or of

whoſe Stock the ſame was Part; on Pain of forfeiting the Sum of twenty Pounds, together with the ſaid Liquors ſo brought in without ſuch Notice and Certificate as aforeſaid, with the Casks and all other Veſſels whatſoever containing the ſame.

VIII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, no Retaler of any ſuch Spirituous Liquors or Strong Waters as aforeſaid, ſhall make any Increaſe of ſuch Liquors, after the ſame have been taken an Account of by an Officer or Officers for the ſaid Duties hereby granted, by any private or clandeſtine Addition thereto of Water, or any other Liquors, on Pain of forfeiting the Sum of forty Shillings for every Gallon of ſuch Spirits, and Water, or other Liquors mixed as aforeſaid; all which Spirituous Liquors ſo mixed ſhall and may be ſeiſed and taken by the Officers of the ſaid Duties for his Majeſty's Uſe.

40s. per Gallon Penalty on increaſing Spirituous Liquors, after the Account taken of them by the Officer; and the Liquors forfeited to his Majeſty.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Officers of the Duties by this Act granted, or any of them, from time to time, and at all Times by Day and by Night (but if in the Night-time in the Preſence of a Conſtable or other Officer of the Peace, Oath being firſt made by any ſuch Officer or other Perſon before any Juſtice of the Peace dwelling in or near ſuch Place, of a probable Cauſe of ſuſpecting the Concealment of any ſuch Spirituous Liquors therein) to enter into all and every the ſaid Warehouſes, Storehouſes, Shops, Cellars, Vaults, Rooms, or other Places made uſe of by any Retaler of any ſuch Spirituous Liquors or Strong Waters as aforeſaid, for keeping the ſame, and by taſting, gauging or otherwiſe, to take an Account of the Quantity or Quality of all ſuch Spirituous Liquors or Strong Waters, as ſhall at any Time be in their or any of their Cuſtody; and if any ſuch Retaler as aforeſaid ſhall hinder or refuſe the ſaid Officer or Officers to enter into his, her or their Warehouſes, Storehouſes, Shops, Cellars, Vaults, Rooms and other Places, or any of them, to take ſuch Account as aforeſaid, or ſhall let, hinder or obſtruct the ſaid Officer or Officers in the Execution of any of the Powers or Authorities by this Act given to him or them, the Perſon or Perſons offending therein ſhall for every ſuch Offence forfeit and loſe the Sum of fifty Pounds.

Officer may enter Warehouſes, &c. by Day or Night, and taſte and gauge the Liquors there found.

50 l. Penalty on obſtructing the Officer in his Duty.

'X. And whereas many Perſons concerned in Trades, who employ great Numbers of Journeymen, 'Workmen, Servants, Labourers, and other Artificers, deal in Spirituous Liquors, and retale the ſame 'at exceſſive Rates to Perſons working under them;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, no Licence ſhall be granted to any Perſon or Perſons whatſoever, for ſelling by Retale any Spirituous Liquors or Strong Waters whatſoever, except to ſuch Perſons only who ſhall keep publick Victualling-houſes, Inns, Coffee-houſes, Ale-houſes, or Brandy-ſhops, and uſe or exerciſe no other Trade whatſoever; and if ſuch Licences ſhall be granted, the ſame are hereby declared void to all Intents and Purpoſes.

Licences to be granted to Perſons keeping Victualling-houſes, Inns, &c. only.

XI. And be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, agree or contract with any Journeyman, Workman, Servant, Labourer, or other Perſon employed by or working under him, or them reſpectively, in Manner following; that is to ſay, If ſuch Maſter, Miſtreſs, or other Perſon or Perſons, ſhall agree to pay ſuch Journeyman, Workman, Servant, Labourer, or other Perſon employed by or working under him, her or them, or under his, her, or their Direction, ſo much Money for Wages, and ſuch a Quantity of Spirituous Liquors or Strong Waters, as together with ſuch Money ſhall amount to the Value of the Wages as ſhall be ordinarily and uſually paid for the Work ſuch Journeyman, Workman, Servant, Labourer, or other Perſon, ſhall be employed in, or ſhall ſet off, ſtop or deduct, all or any Part of the Wages or Hire due to ſuch Journeyman, Workman, Servant or Labourer, for any Spirituous Liquors or Strong Waters delivered to them by him, her or them, or any other Perſon, ſuch Perſon or Perſons, ſo offending, ſhall be deemed a Retaler within the Meaning of this Act, and ſhall, for every Offence, forfeit the Sum of twenty Pounds over and above all other the Penalties and Forfeitures impoſed by this Act; and ſuch Journeyman, Workman, Servant, Labourer, or other Perſon, ſhall be intitled to his or her whole Wages, notwithſtanding any ſuch Agreement, ſetting off, ſtopping, or deducting, and ſhall have the like Remedy in Law for the ſame, as if all or any Part of ſuch Wages were not paid.

Perſons paying any Part of Journeymens Wages in Spirituous Liquors, to be deemed Retalers,

and forfeit 20 l.

Journeyman, &c. to recover his whole Wages, notwithſtanding ſuch Agreement.

XII. Provided always, That this Act ſhall not extend to any Phyſicians, Apothecaries, Surgeons, or Chymiſts, as to any Spirits or other Spirituous Liquors, which they may uſe in the Preparation or making up of Medicines for Sick, Lame, or Diſtempered Perſons only.

Spirituous Liquors may be ſtill uſed in Medicines.

XIII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, no Perſon or Perſons ſhall hawk, ſell or expoſe to ſale any Brandy, Spirituous Liquors, or Strong Waters, by whatever Name or Names they are or may be called or diſtinguiſhed, about the Streets, Highways, or Fields, in any Wheelbarrow or Basket, or upon the Water in any Ship, Boat or Veſſel, or in any other Manner whatever, or ſhall ſell or expoſe the ſame to ſale on any Bulk or Bulks, Stall or Stalls, or in any Shed or Sheds, or on or in any other Place or Places, other than in ſuch Place or Places as are herein before in this Act mentioned or allowed, upon Pain of forfeiting, for every ſuch Offence, the Sum of ten Pounds; and it ſhall and may be lawful to and for any one or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion, City or Liberty reſpectively, wherein ſuch Offence ſhall be committed, on his or their own View, or on Confeſſion of the Party, or by Proof on the Oath of one or more credible Witneſs or Witneſſes made of ſuch Offence, to convict any Perſon or Perſons ſo offending as aforeſaid, and ſuch Perſon or Perſons ſo offending and convicted, ſhall immediately on ſuch Conviction pay the ſaid Sum of ten Pounds into the Hands of the Churchwardens and Overſeers of the Poor of

10 l. Penalty on hawking Spirituous Liquors in the Streets, Fields, &c.

11 Geo. 2. c. 26. §. 5.
17 Geo. 2. c. 17. §. 16.
24 Geo. 2. c. 40.

The Offender, on not paying the Penalty, to be ſent to the Houſe of Correction for 2 Months.

10 Geo. 2. c. 17. §. 9.

the Pariſh where ſuch Offence ſhall be committed, or one of them; and on ſuch Offender or Offenders refuſing or neglecting to pay the ſaid Sum, the Juſtice or Juſtices ſo convicting as aforeſaid ſhall and may by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, commit the Offender or Offenders to the Houſe of Correction for the ſaid County, City, or Liberty reſpectively, there to remain and be kept to hard Labour for the Space of two Months, to be reckoned from the Day of the ſaid Commitment; and the Perſon or Perſons ſo committed ſhall not be diſcharged until he, ſhe, or they ſhall have paid the ſaid Sum of ten Pounds, or until the Expiration of the ſaid two Months; and every Sum or Sums of Money ariſing from the Conviction of any Perſon or Perſons as aforeſaid, in caſe there be no Informer, ſhall be wholly applied to the Uſe of the Poor of the Pariſh, wherein the Offence was committed; but if there ſhall be an Informer, one Moiety of ſuch Money ſhall be paid to the Informer, and the other Moiety ſhall be paid to the Overſeers and Churchwardens as aforeſaid, or one them, and applied to the Uſe of the Poor of the Pariſh as aforeſaid.

Retalers of Spirituous Liquors to be licenſed by 2 or more Juſtices.

Fee for ſuch Licence.

XIV. Provided, and it is hereby declared, That nothing in this Act ſhall extend or be conſtrued to enable any Perſon or Perſons to ſell any Spirituous Liquors or Strong Waters by Retale, unleſs ſuch Perſon or Perſons be firſt licenſed by two are more of his Majeſty' Juſtices of the Peace for the County, Riding, Diviſion, City or Liberty, wherein ſuch Perſon or Perſons ſhall ſell the ſaid Liquors, under the Hands and Seals of the ſaid Juſtices; for which Licence or Licences the Sum of two Shillings and Six Pence, and no more, ſhall be paid to the Clerks of ſuch Juſtices, and no Fee or Sum of Money, or other Reward whatſoever, to the Clerk or Clerks of the Peace for entring the ſame, or on any other Account, on Pain of forfeiting five Pounds, in caſe any of the ſaid Juſtices Clerks or any Clerk of the Peace ſhall ask, receive or demand any more or other Fee or Fees on Account of ſuch Licences, under any Pretence whatſoever; and if the Licence is not found and provided by the ſaid Juſtices Clerks, then no Fee whatſoever ſhall be due or received by them.

Any Juſtice may convict a Perſon ſelling Beer, Ale, or Strong Waters, or keeping a diſorderly Houſe, in the following Form.

XV. And be it further enacted by the Authority aforeſaid, That for the more eaſy and expeditious ſuppreſſing the Houſes of ſuch Perſons who ſhall preſume to ſell any Spirituous Liquor, or any Cyder, Ale, Beer, or other Liquors by Retale, without a Licence from two or more Juſtices of the Peace for that Purpoſe, and of diſorderly Houſes wherein any Perſons ſhall ſell any of the ſaid Liquors by Retale, it ſhall be ſufficient for any Juſtice or Juſtices of the Peace, who ſhall convict any Perſon or Perſons of any or either of the ſaid Offences, to draw up and return ſuch Conviction in either of the following Form of Words, as the Caſe ſhall happen, or in any other Form of Words to the ſame Effect, *mutatis mutandis*, that is to ſay,

Middleſex, " *A. B.* is convicted on his or her own Confeſſion (or on the Oath of)
" of having ſold Beer, Ale, or Strong Waters in the Pariſh of in this
" County, on the Day of without being duly licenſed
" thereto by two Juſtices of the Peace."

Given under my (or our) Hand and Seal (or Hands and Seals) this Day of

or in caſe of diſorderly Houſes, inſtead of the Words [*of having ſold Beer, Ale, or Strong Waters without being duly licenſed thereto by two Juſtices of the Peace*] to uſe the Words following [*of keeping a diſorderly Houſe*] and if Occaſion requires, to add, that the ſame is the *Firſt*, *Second*, or *Third Conviction*; which ſaid Convictions, in the ſame or like Form of Words, ſhall be good and effectual in Law to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or adjudged void or inſufficient for want of any other Form of Words whatſoever, ſubject nevertheleſs to an Appeal to the next General Quarter-Seſſions of the Peace for the County, Riding, Diviſion, City, or Liberty, where ſuch Offence was committed, after ſuch Conviction, by any Party aggrieved thereby.

Perſons giving away Spirituous Liquors to Servants or Apprentices fetching Goods from their Shops, deemed Retakers.

XVI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, if any Perſon or Perſons, who ſhall vend, ſell or utter any Wares, Goods, Proviſions, or other Things by Retale, ſhall give away any Spirituous Liquor or Liquors to any Servant or Apprentice coming to his, her or their Shops or Houſes to buy, fetch or carry away any ſuch Wares, Goods, Proviſions, or other Things, or under the Pretence of his or her being a Cuſtomer, or under any other Pretence, every ſuch Perſon or Perſons, ſo giving away ſuch Spirituous Liquor or Liquors, ſhall be deemed and taken to be a Retaler or Retalers of Spirituous Liquors within the Meaning of this Act, and as ſuch ſhall be ſubject and liable to the Penalties and Forfeitures impoſed by this Act on every Retaler of Spirituous Liquors, offending contrary to the true Intent and Meaning of this Act.

The ſaid Duties made Part of the Aggregate Fund.

XVII. And be it further enacted by the Authority aforeſaid, That the Duties and Revenues which ſhall ariſe by Licences for vending Brandy or Spirits, as alſo the preſent Duties on Low Wines, Strong Waters, Brandy, Rum, Arrack, and all other Spirits, whether Foreign or *Britiſh*, and ſuch Duties as ſhall ariſe by retaling the ſame, ſhall from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, be united to and made Part of the General or Aggregate Fund eſtabliſhed by the Act of the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, and be iſſued and applied to the Uſes to which the ſaid Fund is or ſhall be made applicable.

' XVIII. And whereas the ſaid Duties upon Low Wines, Strong Waters, Brandy, Rum, Arrack, ' and all other Spirits, whether Foreign or *Britiſh*, are amongſt other Duties and Revenues charged with ' and liable to pay ſeveral Sums of Money, as well for the Support of his Majeſty's Houſhold and Fa- ' mily, and the Honour and Dignity of the Crown, as for Payment of Annuities and other Payments to ' ſeveral Corporations, and to other Perſons intitled thereunto; and it may ſo happen, that by making

'the Alterations aforeſaid in the ſaid Duties, the Funds charged with the Payments aforeſaid may prove 'deficient: And whereas by a Medium of eight Years, computed from the Time of his Majeſty's hap-'py Acceſſion to the Throne to *Midſummer* laſt paſt, the Sum of ſeventy thouſand Pounds is taken to be 'the Medium of the annual Produce of what has been applied of the Duties aforeſaid to the Service of 'his Majeſty's Houſhold and Family:' To the end therefore that neither his Majeſty, nor any other Perſon or Perſons, Bodies Politick or Corporate, who is or are intitled to any Part, Share, or Intereſt in the Money ariſing by the ſaid Duties, may be Loſers, or receive any Prejudice by the Alterations aforeſaid; Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, there ſhall be paid to his Majeſty, during his natural Life (which God long preſerve) out of the Monies of the ſaid General or Aggregate Fund, the Sum of ſeventy thouſand Pounds *per Annum*, being the aforeſaid Medium of what has annually been applied of the Duties aforeſaid towards the Service of his Majeſty's Houſhold and Family and other his Expences and Occaſions, from his happy Acceſſion to the Throne to *Midſummer* laſt paſt.

70,000 l. per Ann. to be paid to his Majeſty out of the ſaid Fund.

XIX. And be it further enacted by the Authority aforeſaid, That when and as often as any Deficiency ſhall happen upon any other the Funds, for which the ſaid Duties were applicable, it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury now being, or the High Treaſurer, or the Commiſſioners of his Majeſty's Treaſury for the time being, to make good and ſupply the ſaid Deficiency from time to time out of the ſaid General or Aggregate Fund.

Deficiencies how to be ſupplied.

XX. And for the more eaſy Diſcovery of Perſons, who ſhall keep a Common Ale-houſe or Tippling-houſe without Licence, or who ſhall preſume to ſell any Spirituous Liquors, or any Ale, Beer, Cyder, Perry, or other Liquors by Retale, without ſuch Licence or Licences as are by Law required for vending the ſame; Be it enacted by the Authority aforeſaid, That it ſhall and may lawful to and for every Juſtice or Juſtices of the Peace to ſummon or call before him or them any Exciſe Officer or Gauger within their reſpective Diviſions, and to examine the ſaid Officer or Gauger upon Oath touching the Entry of any Spirituous Liquors, Ale, Beer, Cyder, or Perry, made by any Perſon ſuſpected to ſell the ſame without Licence, and every Perſon making ſuch Entry, ſhall be deemed a Seller of ſuch Liquors ſo entred to all Intents and Purpoſes, as if the ſame had been proved before ſuch Juſtice or Juſtices by the Oath of two Witneſſes.

Juſtices may ſummon Exciſe Officers to give an Account on Oath touching the Entries of Spirituous Liquors, &c. made by Perſons ſuſpected to ſell them without Licence.

XXI. And be it further enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, any Perſon or Perſons, who have followed and exerciſed the Art or Buſineſs of Diſtillation for ſeven Years laſt paſt, or have ſerved, or on the twenty-fifth Day of *March* one thouſand hundred and thirty-ſix, were ſerving any Apprenticeſhip to the ſame, ſhall and may have full Liberty and Authority to exerciſe and follow any other Trade, Art, Buſineſs, or Manufacture in any City, Town, or Place, within that Part of *Great Britain* called *England*; any Law, Charter, Grant, Cuſtom, or Uſage, to the contrary notwithſtanding.

Perſons who have exerciſed Diſtilling 7 Years, or on 25 March 1736, were Apprentices, &c. may follow any Trade in any City, &c.

XXII. Provided nevertheleſs, That nothing in this Act contained ſhall extend to charge with any of the Duties directed to be paid, levied or received, as aforeſaid, any Spirits made or diſtilled from Malt, and retailed and conſumed within that Part of *Great Britain* called *Scotland*, which Spirits are commonly called or known by the Name of *Aqua Vitæ* in that Part of the Kingdom, or to ſubject the Makers, Sellers or Retailers thereof within that Part of the Kingdom to take ſuch Licences as are herein before directed.

10 Geo. 2. c. 19. This Act not to extend to Aqua Vitæ retailed and conſumed in Scotland. *Concerning Spirituous Liquors* 24 Geo. 2. c. 40.

ſee farther, 10 *Geo.* 2. *c.* 17. 11 *Geo.* 2. *c.* 26. 15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

CAP. XXIV.

An Act for exhibiting a Bill in this preſent Parliament for naturalizing her Royal Highneſs the Princeſs of *Wales*.

'WHEREAS the King's moſt Excellent Majeſty (whom God long preſerve) hath been graci-'ouſly pleaſed, to the great Joy and Satisfaction of his People, and for the ſtrengthening and 'ſecuring of the Proteſtant Intereſt, to marry his eldeſt Son his Royal Highneſs the Prince of *Wales*, 'who by following the Example of his Royal Father, is poſſeſſed of Virtues and Accompliſhments, 'which render him worthy of his great Anceſtors, to a Princeſs of the higheſt perſonal Merit, and of 'the Ancient and Illuſtrious Houſe of *Saxe Gotha*, a Family remarkable for their exalted Virtues, and for 'their ſteady Adherence to the Proteſtant Religion: And whereas we are deſirous upon this Occaſion to 'expreſs our juſt Senſe of his Majeſty's great Goodneſs to us, and our Eſteem and Affection for this Ex-'cellent Princeſs, by rendring her capable of enjoying all our Rights and Privileges: And whereas by an 'Act paſſed in the firſt Year of his late Majeſty King GEORGE, it was enacted, That no Perſon ſhould 'be naturalized, unleſs in the Bill exhibited for that Purpoſe there be a Clauſe, or particular Words in-'ſerted, to declare, that ſuch Perſon ſhall not thereby be enabled to be of the Privy Council, or a Mem-'ber of either Houſe of Parliament, or to take any Office or Place of Truſt, either Civil or Military, 'or to have any Grant of Lands, Tenements or Hereditaments, from the Crown, to himſelf, or any 'Perſon in Truſt for him; and that no Bill of Naturalization ſhould from thenceforth be received in ei-'ther Houſe of Parliament, unleſs ſuch Clauſe or Words be firſt inſerted or contained therein;' We therefore your Majeſty's moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons of *Great Britain*, in Parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of

Preamble.

Recital of the Clauſe in the Act 1 Geo. 1. c. 4. concerning Bills of Naturalization.

A Bill for naturalizing the Princeſs of Wales may be exhibited without inſerting the Words directed by that Clauſe.

of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That a Bill for the Naturalization of her Royal Highneſs the Princeſs of *Wales* (without the Clauſe or particular Words directed by the ſaid recited Act to be inſerted) ſhall and may be exhibited and brought into this Parliament; the ſaid recited Act, or any other Law, Statute, Matter or Thing whatſoever, to the contrary notwithſtanding.

CAP. XXV.

An Act the more equal paying, and better collecting, certain ſmall Sums for Relief of Shipwrecked Mariners, and diſtreſſed Perſons, his Majeſty's Subjects, in the Ports of *Cadiz* and *Port Saint Mary's* in the Kingdom of *Spain*, and for other Uſes, uſually contributed to by the Merchants trading to the ſaid Ports.

Preamble.

'WHEREAS it hath long been the Cuſtom and Uſage for the Conſul appointed for his Majeſty's 'Subjects trading to *Cadiz* and *Port Saint Mary's*, with the Majority of the *Britiſh* Merchants 'and Factors there, to receive certain ſmall Sums, not exceeding one Ryal Plate *per* Ducat, upon the 'Amount of the Freight of all Merchandize not paying Freight by the Tun, and two Ryals Plate *per* 'Tun upon all Tunnage Goods imported in *Britiſh* or *Iriſh* Ships or Veſſels; which Sums have been re-'ceived by Perſons annually choſen as Treaſurers for that Purpoſe, and applied by them for the Relief of 'Shipwrecked Mariners, and other diſtreſſed Perſons his Majeſty's Subjects, and for ſuch other good and 'uſeful Purpoſes, as have been directed by the ſaid Conſul, with the Majority of the ſaid Merchants and 'Factors: And whereas ſeveral Perſons have refuſed to pay, or eluded the Payment of ſuch Sums for the 'charitable Purpoſes aforeſaid, which hath occaſioned an unequal Charge upon others of his Majeſty's 'Subjects trading to the ſaid Ports:' Now, in order to encourage and promote the good Ends and Purpoſes ſo eſtabliſhed, and to render the Contributions thereto more equal and certain, may it pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, it ſhall be lawful to and for ſuch Perſon or Perſons as ſhall be appointed by the Conſul named for his Majeſty's Subjects trading to the ſaid Ports of *Cadiz* and *Port Saint Mary's* for the time being, together with the Majority of the *Britiſh* Merchants and Factors there, to receive and recover from all Maſters and other Chief Officers and Commanders of all *Britiſh* and *Iriſh* Ships or Veſſels trading to the ſaid Ports, any Sum or Sums of Money, not exceeding one Ryal Plate *per* Ducat on the Freight of all Goods and Merchandize (except Tunnage Goods) imported into the ſaid Ports in ſuch Ships and Veſſels; and on all Tunnage Goods, any Sum or Sums of Money, not exceeding two Ryals Plate *per* Tun; and all Bills of Lading of ſuch Ships and Veſſels, ſhall ſpecify to pay the ſaid Monies accordingly, under the Denomination of *Contribution*, *as by Act of Parliament*, or to that Effect; and the Perſons paying the ſame ſhall be reimburſed by their reſpective Freighters, or by the Perſons to whom the ſaid Goods and Merchandizes ſhall be conſigned, or who ſhall receive the ſame; and in caſe the Maſter or Commander of ſuch Ship or Veſſel ſhall neglect to ſpecify the Payment of the ſaid Monies in the Bill or Bills of Lading as aforeſaid, he ſhall be anſwerable for the ſame; or in caſe no Bill of Lading ſhall appear, or no Freight or Tunnage be ſettled between the Owner or Owners of the Goods, and the Maſter or Commander of any *Britiſh* or *Iriſh* Ship or Veſſel trading as aforeſaid, then the Freight or Tunnage of ſuch Goods or Merchandize ſhall be valued by two indifferent *Britiſh* Merchants on the Place, one to be appointed by the Conſul, and the other by the Maſter or Commander of ſuch Ships or Veſſels, within ten Days next after the unloading of the ſaid Goods. And in caſe the two Perſons ſo choſen ſhall not agree and award the ſame in three Days next after ſuch Appointment, ſuch two Perſons ſhall then chooſe a third Perſon, being a *Britiſh* Merchant on the Place, as an Umpire, who ſhall decide and determine the ſaid Valuation of Freight or Tunnage in three Days; and ſuch Sums ſhall be paid in either Caſe for the Purpoſes aforeſaid, as ſhall be agreeable to this Act.

After 29 Sept. 1736, the Perſon appointed by the Conſul, with the Majority of the Britiſh Merchants there, may receive one Ryal Plate per Ducat for all Goods imported to Cadiz and Port Saint Mary's, &c.

Maſters of Veſſels, in 10 Days after Arrival, to deliver a true Manifeſt in Writing, on Oath, of their Cargoes.

II. And be it further enacted by the Authority aforeſaid, That all Maſters, Commanders, or other Chief Officers of all *Britiſh* or *Iriſh* Ships or Veſſels trading to the Ports of *Cadiz* and *Port Saint Mary's*, and unloading and delivering the Ship or Veſſel or any Part of the Cargoe there, ſhall, within ten Days after the Arrival of ſuch Ship or Veſſel deliver to the Conſul reſiding there, or to ſuch other Perſon or Perſons as ſhall be appointed for that Purpoſe by him, a true Manifeſt in Writing upon Oath ſpecifying the Particulars of the whole Cargoe of ſuch Ships or Veſſels ſo unloaded or delivered, or ſuch Part thereof as ſhall be unloaded or delivered there, and to whom conſigned; which Oath ſuch Conſul or other Perſon or Perſons to be appointed by him, is and are hereby reſpectively impowered and required to adminiſter *gratis*.

Clearances Outward to be detained on Nonpayment.

III. And for better collecting the ſaid Monies herein before directed to be paid for the charitable and other publick Uſes aforeſaid, Be it enacted, That the ſaid Conſul, or other Perſon or Perſons appointed by him, in either of the ſaid Ports of *Cadiz* or *Port Saint Mary's*, ſhall, and they are hereby reſpectively authorized and required to detain the Clearances Outward of all *Britiſh* or *Iriſh* Ships and Veſſels, and not give and deliver any Diſpatch or Bill of Health for any ſuch Ship or Veſſel, until Payment be made as aforeſaid; and in caſe the Maſter or Commander of ſuch Ship or Veſſel, in order to avoid the Payment of the ſaid Monies, ſhall at any Time think proper to depart without his ſaid Clearances Outwards, in ſuch Caſe the Conſul ſhall, upon the Return of the ſaid Maſter or Commander to any Port of his Majeſty's

Majeſty's Dominions, have a juſt Action at Law againſt him for all the Money which by virtue of this Act ought to have been paid.

Application of the Monies ſo raiſed.

IV. And be it further enacted, That all Monies to be raiſed or received as aforeſaid, ſhall be applied in the Manner above mentioned; that is to ſay, To the Succour and Relief of Shipwrecked Mariners, and other diſtreſſed Perſons his Majeſty's Subjects, and to ſuch other charitable and publick Uſes, as ſhall from time to time be appointed by the Conſul for the time being, with the Majority of *Britiſh* Merchants and Factors reſiding at the ſaid Ports of *Cadiz*, and *Port Saint Mary's*.

Conſul may ſummon General Meetings of the Britiſh Merchants to determine all Matters relating to the Premiſſes.

V. And be it further enacted by the Authority aforeſaid, That the Conſul for the time being, appointed for his Majeſty's Subjects trading to the Ports of *Cadiz* and *Port Saint Mary's*, ſhall from time to time as he ſhall ſee Occaſion for effecting the Purpoſes of this Act, call and ſummon a General Meeting of the *Britiſh* Merchants and Factors reſiding at the ſaid Ports; and he is hereby obliged and required from time to time to call and ſummon General Meetings or Aſſemblies, as often as he ſhall be deſired by Writing under the Hands of any Five or more of the *Britiſh* Merchants or Factors aforeſaid; and the Majority at ſuch Meetings or Aſſemblies ſhall from time to time order and determine all Matters and Things relating to the Premiſſes.

Publick Act.

VI. And be it enacted by the Authority aforeſaid, That this Act ſhall be eſteemed and taken in all Courts of Juſtice and elſewhere to be a Publick Act, and ſhall be taken Notice of as ſuch, without ſpecially pleading of the ſame; and if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons for any thing done in purſuance of this Act, or in relation to the Premiſſes, the Defendant or Defendants in ſuch Action may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of the ſaid Act; and if the ſame ſhall appear to have been ſo done, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Full Coſts, and ſhall have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

General Iſſue.

Full Coſts.

CAP. XXVI.

An Act for indemnifying Perſons who have omitted to qualify themſelves for Offices within the Time limited by Law, and for allowing further Time for that Purpoſe; and for amending ſo much of an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, as requires Perſons to qualify themſelves for Offices before the End of the next Term or Quarter-ſeſſions; and alſo for enlarging the Time limited by Law for making and ſubſcribing the Declaration againſt Tranſubſtantiation; and for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers, Deviſees, and Leſſees.

Preamble, reciting the Acts 1 Geo. 1. c. 13.

'WHEREAS divers Perſons, who on account of their Offices, Places, Employments or Profeſſions, or any other Cauſe or Occaſion, ought to have taken and ſubſcribed the Oaths or the Aſſurance reſpectively appointed to be taken by ſuch Perſons in and by an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, of Glorious Memory, intituled, *An Act for the further Security of his Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs* Sophia, *being Proteſtants, and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and his open and ſecret Abettors*; or to have qualified themſelves according to an Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from Popiſh Recuſants*, by receiving the Sacrament of the Lord's Supper according to the Uſage of the Church of *England*, and making and ſubſcribing the Declaration againſt Tranſubſtantiation therein mentioned; have, through Ignorance of the Law, Abſence, the Shortneſs of the Time allowed for that Purpoſe, or ſome unavoidable Accident, omitted to take and ſubſcribe the ſaid Oaths or Aſſurance, or otherwiſe to qualify themſelves as aforeſaid, within ſuch Time, and in ſuch Manner, as in and by the ſaid Acts reſpectively, or by any other Act of Parliament in that Behalf made and provided, is required, whereby they may be in Danger of incurring divers Penalties and Diſabilities:' For quieting the Minds of his Majeſty's Subjects, and for preventing any Inconveniencies that might otherwiſe happen by means of ſuch Omiſſions, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons, who ſhall on or before the firſt Day of *Auguſt* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, take and ſubſcribe the ſaid Oaths and Aſſurance reſpectively, in ſuch Caſes wherein by Law the ſaid Oaths or Aſſurance ought to have been taken and ſubſcribed, in ſuch Manner and Form, and at ſuch Place and Places, as are appointed in and by the ſaid Act made in the firſt Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, and alſo receive the Sacrament of the Lord's Supper according to the Uſage of the Church of *England*, and make and ſubſcribe the ſaid Declaration againſt Tranſubſtantiation, in ſuch Caſes wherein the ſaid Sacrament ought to have been received, and the ſaid Declaration ought to have been made and ſubſcribed, ſhall be and are hereby indemnified, freed and diſcharged,

25 Car. 2. c. 2.

Perſons taking the Oaths, receiving the Sacrament, &c. by 1 Aug. 1736, indemnified,

charged, of, from and againſt all Penalties, Forfeitures, Incapacities and Diſabilities incurred or to be incurred for or by reaſon of any former Neglect or Omiſſion of taking or ſubſcribing the ſaid Oaths or Aſſurance, or receiving the ſaid Sacrament, or making or ſubſcribing the ſaid Declaration reſpectively, according to the above mentioned Acts, or any of them, or any other Act or Acts concerning Perſons in Offices or Places of Truſt, and is and are and ſhall be fully and actually recapacitated and reſtored to the ſame State and Condition, as ſuch Perſon and Perſons were in before ſuch Neglect or Omiſſion, and ſhall be deemed and adjudged to have duly qualified, him, her or themſelves, according to the above mentioned Acts, and every of them, and that all Acts done or to be done by any ſuch Perſon or Perſons, or by Authority derived from him or them, are and ſhall be of the ſame Force and Validity as the ſame, or any of them, would have been, if ſuch Perſon or Perſons had taken and ſubſcribed the ſaid Oaths and Aſſurance, and received the Sacrament of the Lord's Supper, and made and ſubſcribed the ſaid Declaration reſpectively, according to the Direction of the ſaid Acts, and every of them; and that ſuch Perſon or Perſons qualifying themſelves in the Manner and within the Time appointed by this Act, ſhall be to all Intents and Purpoſes as effectual as if ſuch Perſon or Perſons had reſpectively taken and ſubſcribed the ſaid Oaths and Aſſurance, and received the ſaid Sacrament, and made and ſubſcribed the ſaid Declaration, within the Time and in the Manner appointed by the ſeveral Acts before mentioned.

and their Acts valid.

II. Provided always, That this Act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to reſtore or intitle any Perſon or Perſons to any Office or Employment, Benefice, Matter or Thing whatſoever, already actually avoided by Judgment of any of his Majeſty's Courts of Record, or already filled up or enjoyed by another Perſon; but ſuch Office, Employment, Benefice, Matter or Thing ſo avoided, or filled up and enjoyed as aforeſaid, ſhall be and remain in and to the Perſon or Perſons who is or are now intitled to the ſame, as if this Act had never been made.

This Act not to reſtore to any Office, &c. already vacated, or enjoyed by another Perſon.

The indemnifying Act 2 Geo. 2. c. 31.

'III. And whereas the Time for taking and ſubſcribing the Oaths appointed to be taken and ſubſcribed by Perſons on account of their Offices, Places, Employments or Profeſſions, or on any other Cauſe, in and by the ſaid Act made in the firſt Year of the Reign of his late Majeſty King GEORGE 'the Firſt, is, by an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An 'Act for indemnifying Perſons who have omitted to qualify themſelves for Offices and Employments within the 'Time limited by Law, and for allowing further Time for that Purpoſe, and for repealing ſo much of an Act 'of Parliament paſſed in the firſt Year of his late Majeſty King* GEORGE *the Firſt, as requires Perſons to 'qualify themſelves for Offices or Employments within three Months, and for limiting other Times for ſuch 'Qualifications; as alſo for the Repeal of ſo much of an Act paſſed in the thirtieth Year of the Reign of 'King* CHARLES *the Second, as relates to the ſworn Servants of the King's or Queen's Majeſty*, limited 'to any Time before the End of the next Term, after he or they ſhall be admitted into or enter upon 'any ſuch Preferment, Benefice, Office or Place, or come into any ſuch Capacity, or take upon him or 'them ſuch Practice, Employment or Buſineſs, as is therein mentioned, or to any Time before the 'End of the next Quarter-Seſſions of the County, City or Place where ſuch Perſon ſhall be or reſide, 'after he or they ſhall be admitted into, or enter upon any ſuch Preferment, Benefice, Office or 'Place, or come into any ſuch Capacity, or take upon him or them ſuch Practice, Employment or 'Buſineſs as is therein mentioned: And whereas by the ſaid Act made in the twenty-fifth Year of the 'Reign of King CHARLES the Second, the reſpective Perſons therein mentioned are required to make 'and ſubſcribe the Declaration againſt Tranſubſtantiation in the next Term, or at the Quarter-Seſſi-'ons for that County or Place where he or they ſhall reſide, next after his or their Admittance or 'Admittances into the reſpective Offices or Employments therein mentioned, which Times ſo limited 'in the ſaid ſeveral Acts are found to be too ſhort and inconvenient;' Now for Remedy thereof, and for amending the ſaid Acts by enlarging the ſaid Times, Be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons that ſhall be admitted, entred, placed or taken into any Office or Offices, Civil or Military, or ſhall receive any Pay, Salary, Fee or Wages, by reaſon of any Patent or Grant from his Majeſty, his Heirs or Succeſſors, or by his Authority, or by Authority derived from him or them within that Part of *Great Britain* called *England*, or in his Majeſty's Navy, or in the ſeveral Iſlands of *Jerſey* and *Guernſey*, or that ſhall be admitted into any Service, Office or Employment in the Houſhold or Family of his Majeſty, or her Majeſty, or of his Royal Highneſs *Frederick* Prince of *Wales*, or of any of his Majeſty's Iſſue, and all Eccleſiaſtical Perſons, Heads or Governors of what Denomination ſoever, and all other Members of Colleges and Halls within either of the Univerſities of *Oxford* or *Cambridge*, that are or ſhall be of the Foundation, or that do or ſhall enjoy any Exhibition, being of, or as ſoon as they ſhall attain the Age of eighteen Years, and all Perſons teaching or reading to Pupils in either of the aforeſaid Univerſities or elſewhere, and Schoolmaſters and Uſhers, and all Preachers and Teachers of ſeparate Congregations, high and chief Conſtables, and every Perſon who ſhall act as Serjeant at Law, Counſellor at Law, Barriſter, Advocate, Attorney, Solicitor, Proctor, Clerk or Notary, by practiſing in any Manner as ſuch in any Court or Courts whatſoever, within that Part of *Great Britain* called *England*, who ſhall at any Time after the firſt Day of *Auguſt* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, be admitted into, or enter upon, any of the aforementioned Preferments, Benefices, Offices or Places, or ſhall come into any ſuch Capacity, or ſhall take upon him or them any ſuch Practice, Employment or Buſineſs as aforeſaid, ſhall take and ſubſcribe the Oaths appointed by the Statute made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, in ſuch Form as by that Statute is directed, in his Majeſty's Court of *Chancery*, *King's Bench*, *Common Pleas* or *Exchequer*, or at the General or Quarter Seſſions of the County, City or Place where ſuch Perſon ſhall be or reſide, at any Time within ſix Calendar Months after he or they ſhall be admitted into, or enter upon any ſuch Preferment, Benefice, Office

All Perſons admitted into any Preferments or Places after 1 Aug. 1736, to take the Oaths, &c. within ſix Months after Admiſſion.

Office or Place, or come into ſuch Capacity, or take upon him or them ſuch Practice, Employment or Buſineſs as aforeſaid; and all and every Perſon or Perſons, who, by the ſaid Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, are required to make and ſubſcribe the Declaration againſt Tranſubſtantiation, ſhall make and ſubſcribe the ſaid Declaration at the ſame Places, and at the ſame Times, as are by this Act limited for taking and ſubſcribing the Oaths aforeſaid.

Perſons beyond the Seas allowed to take the ſaid Oaths, &c. 6 Months after their Return.

IV. Provided always, That nothing in this Act ſhall extend to any Perſon beyond the Seas, who by virtue of this Act ought to take and ſubſcribe the ſaid Oaths, or by virtue of the ſaid Act made in the twenty-fifth Year of King CHARLES the Second ought to make and ſubſcribe the ſaid Declaration, ſo as ſuch Perſon do within ſix Calendar Months after his Return to or Arrival in that Part of *Great Britain* called *England*, take and ſubſcribe the ſaid Oaths, in ſuch Manner and Form, and at ſuch Place and Places, as are appointed in and by the ſaid Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, and alſo receive the Sacrament of the Lord's Supper according to the Uſage of the Church of *England*, and make and ſubſcribe the ſaid Declaration againſt Tranſubſtantiation, in ſuch Caſes wherein the ſaid Sacrament ought to have been received, and the ſaid Declaration ought to have been made and ſubſcribed.

Perſons neglecting to take the Oaths, &c. in the Time herein limited, to incur the Penalties inflicted by the ſaid Acts.

V. Provided always, and it is hereby further enacted by the Authority aforeſaid, That all and every Perſon and Perſons aforeſaid that ſhall neglect or refuſe to take the ſaid Oaths, or who ſhall neglect or refuſe to make and ſubſcribe the ſaid Declaration in Caſes where the ſame ought to be made and ſubſcribed, within the Time and at the Places aforeſaid, according to the Directions of this Act, ſhall be liable unto and incur all ſuch Diſabilities, Incapacities, Forfeitures and Penalties as in and by the ſaid Act of the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt are provided and inflicted for not taking and ſubſcribing the ſaid Oaths, or are provided and inflicted by the ſaid Act made in the twenty-fifth Year of the Reign of King CHARLES the Second for not making and ſubſcribing the ſaid Declaration; and in caſe of executing any ſuch Office, Place or Employment, after ſuch Neglect or Refuſal as aforeſaid, every ſuch Perſon and Perſons being thereof lawfully convicted in ſuch Manner as by the ſaid ſeveral Acts is directed, ſhall be liable unto and incur all ſuch Diſabilities, Incapacities, Forfeitures and Penalties, as in and by the ſaid Acts are provided, to be proſecuted, ſued for and recovered in ſuch Manner as therein is preſcribed.

All the Powers in the recited Acts to continue in full Force,

except only as to the Alteration made by this Act with Regard to Time.

VI. And it is hereby further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Conditions, Directions and Proviſions in and by the ſaid Acts of the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, and of the twenty-fifth Year of the Reign of King CHARLES the Second, enacted or provided touching or relating to the taking and ſubſcribing of the ſaid Oaths, and the making and ſubſcribing the ſaid Declaration, or the Neglect or Refuſal thereof, ſhall be adjudged, deemed and taken to be in full Force, as if the ſame were herein particularly inſerted and re-enacted, except only as to the Alteration by this Act made in reſpect of the Times limited for taking and ſubſcribing the ſaid Oaths, and making and ſubſcribing the ſaid Declaration, and alſo as to the Indemnity hereby granted to ſuch who on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty-ſix, ſhall take and ſubſcribe the ſaid Oaths, and make and ſubſcribe the ſaid Declaration, and receive the Sacrament of the Lord's Supper according to the Uſage of the Church of *England*, where the ſame are reſpectively required by Law; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Recital of a Clauſe in the Act 3 Geo. 1. c. 18.

VII. And whereas by a Clauſe in an Act of Parliament paſſed in the third Year of his late Majeſty's Reign, intituled, *An Act for explaining an Act paſſed in the laſt Seſſion of Parliament, intituled*, An Act to oblige Papiſts to regiſter their Names and real Eſtates, *and for enlarging the Time for ſuch Regiſtring, and for ſecuring Purchaſes made by Proteſtants*; it was enacted, That from and after the nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and ſeventeen, no Manors, Lands, Tenements, Hereditaments, or any Intereſt therein, or Rent or Profit thereout, ſhould paſs, alter or change from any Papiſt or Perſon profeſſing the Popiſh Religion, by any Deed or Will, except ſuch Deed within ſix Months after the Date, and ſuch Will within ſix Months after the Death of the Teſtator ſhould be inrolled in one of the King's Courts of Record at *Weſtminſter*, or elſe within the ſame County or Counties wherein the Manors, Lands and Tenements lie, in ſuch Manner as therein for that Purpoſe is particularly directed: And whereas by a Clauſe in another Act of Parliament paſſed in the tenth Year of his ſaid late Majeſty's Reign, intituled, *An Act for explaining and amending an Act of the laſt Seſſion of Parliament, intituled*, An Act to oblige all Perſons being Papiſts, in that Part of *Great Britain* called *Scotland*, and all Perſons in *Great Britain*, refuſing or neglecting to take the Oaths appointed for the Security of his Majeſty's Perſon and Government by ſeveral Acts therein mentioned, to regiſter their Names and real Eſtates; *and for enlarging the Time for taking the ſaid Oaths, and making ſuch Regiſters; and for allowing further Time for the Inrolment of Deeds or Wills made by Papiſts, which have been omitted to be inrolled, purſuant to an Act of the third Year of his ſaid late Majeſty's Reign; and alſo for giving Relief to Proteſtant Leſſees*; it was enacted, for the Relief of ſuch Perſons who had neglected or omitted to inroll their Deeds or Wills, That every Deed and Will which had been then made ſince the nine and twentieth Day of *September* one thouſand ſeven hundred and ſeventeen, in order to paſs, alter or change any Manors, Lands, Tenements or Hereditaments, or any Intereſt therein, or Rent or Profit thereout, from any Perſon profeſſing the Popiſh Religion, though not then inrolled, ſhould be as good and effectual in the Law as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Time limited by the ſaid Clauſe in the ſaid former Act for Inrolment thereof, provided the ſaid Deeds and Wills ſhould be inrolled on or before the nine and twentieth Day of *September* one thouſand ſeven hundred and twenty-four, in ſuch Manner as by the ſaid former Act was directed: And whereas by a Clauſe in another Act of Parliament

12 Geo. 1. c. 4.

3 Geo. 2. c. 29.

'passed in the third Year of his preſent Majeſty's Reign, intituled, *An Act for continuing and amending an Act regulating the Price and Aſſize of Bread; for Relief of Bankrupts whoſe Certificates were not allowed before the Expiration of a late Act for the better preventing Frauds committed by Bankrupts; for allowing further Time for Inrolment of Deeds or Wills made by Papiſts, and for Relief of Proteſtant Purchaſers and Leſſees; and for making further Proviſion concerning Certificates relating to the Settlements of poor Perſons, and the Charges of maintaining and removing certificated Perſons*; it was enacted, for the Relief of ſuch Proteſtant Purchaſers and Leſſees, and ſuch other Perſons as had neglected or omitted to inroll their Deeds or Wills in due Time, that every Deed and Will then made ſince the nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and ſeventeen, in order to paſs, alter or change any Manors, Lands, Tenements or Hereditaments, or any Intereſt therein, or Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion (though not then inrolled) ſhould be as good and effectual in the Law as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited in the Clauſes in the ſaid former Acts for the Inrolment thereof, provided the ſame Deeds and Wills ſhould be inrolled on or before the nine and twentieth Day of *September* one thouſand ſeven hundred and thirty-one, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act was directed: And whereas by a Clauſe in another Act of Parliament paſſed in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act for allowing further Time for the Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers and Leſſees*; it was enacted, That every Deed and Will then made ſince the twenty-ninth Day of *September* one thouſand ſeven hundred and ſeventeen, in order to paſs, alter or change any Manors, Lands, Tenements or Hereditaments, or any Intereſt therein, or Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion (though not inrolled) ſhould be as good and effectual in the Law as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited in the ſaid Clauſes in the ſaid Acts for the Inrolment thereof; provided the ſame Deeds and Wills ſhould be inrolled on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-three, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed: And whereas ſeveral of his Majeſty's Proteſtant Subjects, ſince the nine and twentieth Day of *September* one thouſand ſeven hundred and ſeventeen, have purchaſed Lands and taken Leaſes upon Fines paid, where ſome ſmall Rents have been reſerved from Papiſts or Perſons profeſſing the Popiſh Religion, and have neglected and omitted to inroll their Purchaſe Deeds and Leaſes within the Times limited by the ſaid Clauſes in the ſaid Acts directed for the Inrolment thereof, and are in Danger of being defeated of their ſaid Purchaſes and Leaſes: And whereas ſeveral Infants and others claiming under the laſt Wills and Teſtaments of Papiſts or Perſons profeſſing the Popiſh Religion, may be defeated of their Manors, Lands, Tenements and Hereditaments, ſo deviſed to them, through the Neglect or Omiſſion of the Executors or Truſtees of ſuch Wills to inroll the ſame in due Time according to the Direction of the ſaid Clauſe in the ſaid Acts;' To relieve therefore ſuch Proteſtant Purchaſers, Deviſees and Leſſees, and ſuch other Perſons as have neglected or omitted to inroll their Deeds or Wills in due Time as aforeſaid, Be it enacted by the Authority aforeſaid, That every Deed and Will made ſince the nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and ſeventeen, in order to paſs, alter or change any Manors, Lands, Tenements or Hereditaments, or any Intereſt therein, or any Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, though not inrolled, ſhall be as good and effectual in the Law as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited by the ſaid Clauſes in the ſaid Acts for the Inrolment thereof, provided the ſame Deeds and Wills ſhall be inrolled on or before the nine and twentieth Day of *September* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed.

6 Geo. 2. c. 5. concerning Papiſts Eſtates.

Deeds and Wills made ſince 29 Sept. 1717, for Conveyance of the Lands of Papiſts, ſhall be good, if inrolled by 29 Sept. 1736.

VIII. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to make good any ſuch Deed, Will or Leaſe already made, and not inrolled, of the Want of Inrolment whereof Advantage ſhall have been taken on or before the ſecond Day of *February* in the Year of our Lord one thouſand ſeven hundred and thirty-five, but every ſuch Deed, Will and Leaſe, ſhall remain of ſuch Force and Effect only, as the ſame would have had if this Act had never been made, and of none other Force or Effect.

But not to extend to Deeds, Wills, or Leaſes, not inrolled, whereof Advantage was taken before 2 Feb. 1735.

Concerning Papiſts ſee further 11 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 13.

'IX. And whereas many Purchaſes made by Proteſtants ſince the ſaid twenty-ninth Day of *September* 'one thouſand ſeven hundred and ſeventeen, may be in Danger of being impeached or called in Queſtion, in regard that ſome Deeds or Wills through which the Title thereto is derived ought to 'have been inrolled according to the ſaid Acts, but have not been ſo inrolled by reaſon that it was 'not known to ſuch Purchaſers that the Perſons who made ſuch Deeds or Wills were Papiſts;' Be it therefore further enacted by the Authority aforeſaid, That no Purchaſe made for full and valuable Conſiderations of any Manors, Meſſuages, Lands, Tenements or Hereditaments, or of any Intereſt therein, by any Proteſtant or Proteſtants, and merely and only for the Benefit of Proteſtants, ſhall be impeached or avoided, for or by reaſon that any Deed or Will, through which the Title thereto is derived hath not been inrolled as required by the ſaid Acts, ſo as no Advantage was taken of the want of Inrolment thereof before ſuch Purchaſe was made, and ſo as ſuch Purchaſer or Purchaſers had not Notice before ſuch their Purchaſe that the Perſon or Perſons who made ſuch Deed or Will was or were a Papiſt or Papiſts, and ſo as no Decree or Judgment hath been obtained for want of the Inrolment of ſuch Deeds or Wills.

No Purchaſe of Lands, &c. made by Proteſtants for valuable Conſideration to be avoided for want of Inrolment;

Exception.

CAP.

CAP. XXVII.

An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer brewed, or brought into and ſold within the Town of *Irvine* and Liberties thereof; and for laying a Duty of one Penny *Sterling* upon every Ton or ten Horſe Loads of Coals carried to the Harbour of the ſaid Town and ſhipped there for Tranſportation. PR.

Preamble.

'WHEREAS the Town of *Irvine* lies very commodiouſly for Trade at the Mouth of the River of that Name, and for many Years hath been very uſeful in Exportation of Coals, to 'to the great Advantage of the ſaid Town and Increaſe of his Majeſty's Revenue; but of late the 'Trade of the ſaid Town has very much abated, and is in danger of being intirely loſt by the Decay 'of the Harbour there; which, by reaſon of the Water not being confined to the proper Chanel, is fre-'quently filled up with Sand Banks, ſo that the Harbour is of little Uſe, and Ships of very ſmall Bur-'then are frequently ſhut up in the ſaid River for ſeveral Months before they can ſail out to Sea; 'whereby the Trade and Navigation of the ſaid Town is greatly decreaſed: And whereas the Town-'Houſe, Church, Streets and other publick Works and Buildings of the ſaid Town, particularly the 'common Gaol and one of the Arches of the Bridge leading over the ſaid River are much out 'of Repair: And whereas the ſaid Town has, from time to time, been at conſiderable Charges in ſup-'porting their Navigation, by cleanſing the ſaid River and Pier or Harbour, and maintaining or repair-'ing the other publick Works and Buildings of the Town; yet their Revenue is, and always has been 'ſo ſmall and inconſiderable, that what they have hitherto done has proved ineffectual, *&c.*'

The Duties are granted for 19 Years from 24 *June* 1736.

CAP. XXVIII.

An Act for naturalizing her Royal Highneſs the Princeſs of *Wales*.

Preamble.

'WHEREAS the King's moſt Excellent Majeſty (whom God long preſerve) hath been gra-ciouſly pleaſed, to the great Joy and Satisfaction of his People, to marry his eldeſt Son FRE-'DERICK Prince of *Wales*, a Prince formed by his Majeſty's Royal Example, and poſſeſſed of Virtues 'and Accompliſhments which render him worthy of his great Anceſtors, to a Princeſs of the higheſt 'perſonal Merit, deſcended from the ancient and illuſtrious Houſe of *Saxe Gotha*, a Family diſtinguiſh-'ed for their Steadineſs and Sufferings in the Defence of the Proteſtant Religion and of the Rights 'and Liberties of their Country: And whereas it is juſt and reaſonable that her Royal Highneſs the 'Princeſs of *Wales* ſhould be rendered capable of partaking of thoſe Rights and Liberties which this 'Nation happily enjoys under his Majeſty's moſt auſpicious Reign, and which his Majeſty by this Mar-'riage hath endeavoured to tranſmit and ſecure to our Poſterity;' We Your Majeſty's moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, do moſt humbly beſeech Your Majeſty, that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That her Royal Highneſs the Princeſs of *Wales* be to all Intents and Purpoſes whatſoever, deemed, taken and eſteemed a natural-born Subject of this Kingdom, as if the ſaid Princeſs had been born within this Realm; any Law, Statute, Matter or Thing whatſoever to the contrary notwithſtanding.

The Princeſs of *Wales* to be deemed a natural born Subject of this Kingdom.

CAP. XXIX.

An Act for building a Bridge croſs the River *Thames*, from the *New Palace-Yard* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*. EXP.

'WHEREAS it will be advantageous, not only to the City of *Weſtminſter*, but to many other 'of his Majeſty's Subjects, and to the Publick in general, that a Bridge be built croſs the River '*Thames* from *New Palace-Yard* in the ſaid City of *Weſtminſter*, to the oppoſite Shore in the County of '*Surrey*;' May it therefore pleaſe Your moſt Excellent Majeſty, that it may be enacted, *&c.*

"Commiſſioners for building the Bridge to meet in the *Jeruſalem Chamber* 22 *June* 1736. and adjourn, "to appoint in what Manner and with what Materials the Bridge ſhall be built. No Houſes to be "erected thereon.

V. AND for the preventing wilful and malicious damaging or deſtroying the ſaid Bridge, or any Part thereof, or hindering or interrupting the building of the ſame; Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully and maliciouſly blow up, pull down or deſtroy the ſaid Bridge, or any Part thereof, or attempt ſo to do, or unlawfully and without Authority from the ſaid Commiſſioners or their Succeſſors, remove or take away any Works thereto belonging, or in any wiſe direct or procure the ſame to be done, whereby the ſaid Bridge or the Works thereof may be damaged, or the Lives of the Paſſengers endangered; ſuch Offender or Offenders being

Perſons wilfully deſtroying or damaging the Bridge, to ſuffer Death.

lawfully convicted ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as a Felon without Benefit of Clergy.

" The Commiſſioners Power of treating with the Owners of Ground, or Houſes to be pulled down, and " with Corporations, Executors, Guardians, &c. Commiſſioners to determine the Recompence to be " made for the Damage to the Horſe Ferry, and *Sunday*'s Ferry. The Loſs to the Archbiſhops of *Can-* " *tertury* to be recompenſed, as alſo the *Sunday*'s Ferry. Commiſſioners Power with regard to Juries " impanelled to aſſeſs Damages. 625,000*l.* to be raiſed by way of Lottery. The Reſidue of the Mo- " ney, after Payment of the fortunate Tickets, to be applied towards the Bridge. Commiſſioners to " appoint a Treaſurer, Clerk, &c. Treaſurer to enter all Payments and Diſburſements. The Ac- " counts to be ſtated and ſigned four Times in every Year, and delivered to the Parliament. Com- " miſſioners accepting of any Place of Profit, uncapable of acting as Commiſſioners. This Act not to " prejudice the City of *London*. The Bridge to be deemed Extraparochial. *Surrey* and *Middleſex* ex- " empted from repairing the Bridge."

See 10 *Geo.* 2. *c.* 16. 11 *Geo.* 2. *c.* 25. 12 *Geo.* 2. *c.* 33 13 *Geo.* 2. *c.* 16. 14 *Geo.* 2. *c.* 40. 15 *Geo.* 2. *c.* 26. 17 *Geo.* 2. *c.* 32. 18 *Geo.* 2. *c.* 29. 29 *Geo.* 2. *c.* 38. 30 *Geo.* 2. *c.* 34.

CAP. XXX.

An Act to prevent the liſting his Majeſty's Subjects to ſerve as Soldiers without his Majeſty's Licence.

Preamble.

For former Laws concerning Soldiers, refer to 18 *H.* 6. *c.* 18. & 19. 7 *H.* 7. *c.* 1. 2 & 3 *Ed.* 6. *c.* 2. 43 *Eliz. c.* 3. 31 *Car.* 2. *c.* 1. 12 *Ann. ſtat.* 1. *c.* 13. 1 *Geo.* 1. *c.* 47. 3 *Geo.* 1. *c.* 2.

Enliſting or procuring his Majeſty's Subjects to enliſt in foreign Service, Felony without Benefit of Clergy.

Enforced by 29 *Geo.* 2. *c.* 17. §. 4.

' WHEREAS divers of his Majeſty's Subjects have been of late ſeduced to enliſt themſelves to ' ſerve as Soldiers under foreign Princes, States or Potentates, which Practice is highly preju- ' dicial to the Safety and Welfare of this Kingdom ;' For Remedy thereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Subject of the Crown of *Great Britain*, from and after the twenty-fourth Day of *June* next, ſhall within the Kingdom of *Great Britain* or *Ireland*, or from and after the twenty-ninth Day of *September* next without the ſame, enliſt or enter himſelf, or if any Perſon ſhall procure any Subject of his Majeſty, his Heirs or Succeſſors, to enliſt or enter himſelf, or hire or retain any Perſon being a Subject of his Majeſty, his Heirs or Succeſſors, with an Intent to cauſe ſuch Perſon to enliſt or enter himſelf, or procure any Perſon being a Subject of his Majeſty, his Heirs or Succeſſors, to go beyond the Seas, or embark, with an Intent and in order to be enliſted to ſerve any foreign Prince, State or Potentate as a Soldier, without Leave or Licence of his Majeſty, his Heirs or Succeſſors, firſt had and obtained for enliſting any of the Subjects of his Majeſty, his Heirs or Succeſſors, to ſerve any ſuch foreign Prince, State or Potentate as Soldiers, under the Sign Manual of his Majeſty, his Heirs or Succeſſors, every ſuch Perſon ſo offending, being thereof lawfully convicted, ſhall be taken, deemed and adjudged to be guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy.

Offences againſt this Act committed out of the Realm, may be tried in any County of *England*.

II. And be it further enacted by the Authority aforeſaid, That where any Offence againſt this Act ſhall be committed out of this Realm, the ſame may be alledged to be committed, and may be laid, enquired of and tried in any County in *England*.

Perſons inveigled ſo to liſt themſelves, making a Diſcovery in 14 Days to a Juſtice or Magiſtrate, indemnified.

III. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe any Perſon ſo enliſted or inveigled, or enticed to go beyond the Seas in order to be enliſted, as a Non-commiſſioned Officer or private Soldier in any foreign Service, without his Majeſty's Licence firſt had and obtained as aforeſaid, ſhall, within fourteen Days after ſuch Enliſting or Agreement to go beyond the Seas, voluntarily diſcover upon Oath before any of his Majeſty's Juſtices of the Peace, or other civil Magiſtrate, the Perſon or Perſons by whom he was ſo enliſted, inveigled or enticed as aforeſaid, ſo as he or they may be apprehended and convicted of the ſaid Offence, ſuch Perſon or Perſons ſo diſcovering as aforeſaid ſhall be indemnified from the Penalty inflicted by this Act, and all other Penalties whatſoever on account of the ſaid Offence.

Concerning Soldiers ſee farther 22 *Geo.* 2. *c.* 44. 28 *Geo.* 2. *c.* 1. 33 *Geo.* 2. *c.* 6, 8, & 18. *Likewiſe the yearly Mutiny Acts.*

CAP. XXXI.

An Act for continuing the Duty of two Pennies *Scots*, or one ſixth of a Penny *Sterling*, on every Pint of Ale and Beer that ſhall be vended or ſold within the City of *Glaſgow*, and for extending the ſame over the Villages of *Gorbells* and *Port Glaſgow*, and Privileges thereof, for the Benefit of the ſaid City and Villages. P R.

Preamble, reciting the Acts.

W. & M.

' WHEREAS the annual Revenues of the City of *Glaſgow* fall very ſhort of defraying the yearly ' Expence of maintaining the Government, paying Miniſters Stipends, and repairing and pre- ' ſerving Cauſeways, Roads, Bridges, Churches, Hoſpitals, and other publick Buildings and Works ' neceſſary for the Accommodation of the numerous Inhabitants of the ſaid City, and for the Encou- ' ragement of the Trade and Commerce thereof: And whereas for the better Support of the ſaid City ' an Act paſſed in the Parliament of *Scotland*, in the fourth Year of the Reign of their late Majeſties ' King WILLIAM and Queen MARY, granting to the City an Impoſition of two Pennies *Scots* upon ' each Pint of Ale and Beer brewed, in brought, vended, tapped and ſold within the ſaid City and other ' Places therein mentioned, for the Term of ſixteen Years, which Grant was, by another Act of the

' Parliament

'Parliament of *Scotland*, in the third Year of the Reign of her late Majeſty Queen ANNE, continued for the further Term of ſixteen Years, and by an Act of the firſt Year of his late Majeſty King GEORGE the Firſt, was continued till the firſt Day of *November*, which ſhall be in the Year one thouſand ſeven hundred and thirty eight: And whereas the yearly Produce of the ſaid Impoſition ſo granted, when added to the City's annual Revenue, falls ſhort of the neceſſary annual Expence, ſo that the City muſt be obliged to leave the neceſſary Works undone, which will very much check the growing Induſtry and Commerce thereof, to contract Debts for anſwering thoſe Expences, which muſt end in the utter Deſtruction of the Government of the City, unleſs ſome Remedy is found: And whereas the Village of *Gorbells*, which is divided from *Glaſgow* only by the River *Clyde*, holds few of the ſaid City, and has its Support alone from the Trade thereof, enjoying almoſt every Privilege equal with the City, and reaping the Fruit of the Expence laid out by them in making and repairing Roads and Bridges, at the ſame Time that the City is at a conſiderable Expence in paving the Streets of the ſaid Village, though the ſaid Village is not at preſent contributary to that Expence: And whereas the City of *Glaſgow* purchaſed the Village of *Port Glaſgow* for the Accommodation of their Trade, and have at great Expence built, and are at a continual neceſſary Expence in maintaining and enlarging a very commodious Harbour there, which occaſions that Reſort and Commerce, by which they obtain conſiderable Profit and Advantage: And whereas the Extenſion of the Impoſition or Duty of two Pennies *Scots*, or one ſixth Part of a Penny *Sterling* upon Ale and Beer, over the ſaid Villages of *Gorbells* and *Port Glaſgow*, which reap the Benefit of the Commerce as well as the Expence of the ſaid City, will enlarge the Produce of the ſaid Duty granted to the City, and enable them to carry on the Government, and defray the neceſſary Expence thereof, *&c.*"

3 Annæ, 1 Geo. 1.

The Duties are further continued for 25 Years from 1 *Nov.* 1738.

CAP. XXXII.

An Act for continuing, for the Purpoſes therein mentioned, the additional Duties upon ſtamped Vellum, Parchment and Paper, laid by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt.

'WHEREAS by an Act of Parliament made and paſſed in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the Relief of the Suitors of the High Court of* Chancery, after reciting (amongſt other Things) that *Fleetwood Dormer*, and *John Borrett*, Eſquires, both deceaſed, formerly Maſters of the ſaid Court, and *Richard Godfrey*, and *Edward Conway*, Eſquires, then Maſters of the ſame Court, had been deficient in anſwering the Money and Effects ordered by the Court into their Hands, and which Deficiency, after deducting what ſhould be made and produced out of the Eſtates and Effects of the ſaid deficient Maſters, and the Sum of thirty thouſand Pounds given by his Majeſty on the Addreſs of the Houſe of Commons towards the Relief of the ſaid Suitors, amounted (according to the then Computation) to the Sum of fifty-one thouſand eight hundred and fifty-one Pounds nineteen Shillings and eleven Pence Farthing, beſides ſeveral other Claims on the Offices of four of the ſaid deficient Maſters remaining, and which (if allowed) would greatly increaſe the ſaid Deficiency; it was, for Relief of the ſaid Suitors, and the making a Proviſion for Payment of their juſt Debts and Demands, enacted, That a Duty of ſix Pence on certain Writs and other Law Proceedings therein mentioned ſhould be raiſed, levied and paid for the Term of ſixteen Years, from the ſecond Day of *Auguſt* one thouſand ſeven hundred and twenty-ſix, to be under the Direction and Management of the Commiſſioners of the Stamp Duties; and that the Money thereby to be raiſed and collected ſhould be paid into the Bank of *England*, and the ſaid Court of *Chancery* was thereby impowered to borrow any Sum of Money upon the Fund thereby granted, not exceeding in the whole the Sum of ſixty thouſand Pounds; and it was thereby enacted, That all the Money then depoſited, or thereafter to be depoſited, in the Bank, on account of the Suitors of the ſaid Court of *Chancery*, or by Order of the ſaid Court, and all the Monies ariſing by the Rates and Duties given by the ſaid Act, or borrowed thereon, and paid into the Bank, ſhould be accounted and taken to be one common and general Cath, and ſhould be promiſcuouſly iſſued and iſſuable, when and as the Court of *Chancery* ſhould direct, for the anſwering, paying and clearing the Debts and Demands of any of the Suitors of the ſaid Cou t; and the ſaid Court of *Chancery* were by the ſaid Act authorized and impowered, with all convenient Speed, to determine the Claims and Demands of the Suitors upon the Officers of the ſaid *Fleetwood Dormer*, *John Borrett*, *Richard Godfrey*, and *Edward Conway*, in a ſummary Way, and cauſe to be done therein what ſhould be equitable and juſt: And whereas upon the final ſettling and determining the Claims and Demands of the Suitors of the ſaid Court of *Chancery* upon the Offices of the ſaid four Maſters it appeared, that the total Deficiency of the ſaid four Maſters amounted to one hundred and three thouſand ſix hundred and thirty-five Pounds ſix Shillings and two Pence, and there hath reſulted and been produced from the ſaid thirty thouſand Pounds ſo given by his Majeſty, and the Intereſt attending the ſame, the Sum of thirty-nine thouſand eight hundred and thirty-four Pounds ſixteen Shillings and ſeven Pence, conſiſting of twenty thouſand five hundred and thirty-four Pounds ſixteen Shillings and ſeven Pence, Cath in the Bank, and nineteen thouſand three hundred Pounds, Land-Tax Orders depoſited alſo in the Bank, and there hath been raiſed and collected by and out of the Duties directed to be levied by the ſaid former Act, from the ſecond Day of *Auguſt* one thouſand ſeven hundred and twenty-ſix, to the third Day of *March* one thouſand ſevenhundred and thirty-five, the Sum of thirty-eight thouſand nine hun-

Preamble, reciting the Act 12 Geo. 1. c. 33.

His Majeſty's Gift of 30,000 l. Firſt Deficiency on four Maſters Account.

The Duty of 6 d. on Writs, &c. for ſupplying it.

Total Sum of the Deficiency on adjuſting the Claims of Suitors.

Sum raiſed by the ſaid Duty to ſupply the Deficiency.

'dred and eight Pounds nineteen Shillings and nine Pence, which, with the ſaid Sum of thirty-nine 'thouſand eight hundred and thirty-four Pounds ſixteen Shillings and ſeven Pence, making together 'ſeventy-eight thouſand ſeven hundred and forty-three Pounds ſixteen Shillings and four Pence, and 'being deducted out of the ſaid Sum of one hundred and three thouſand ſix hundred and thirty-five 'Pounds ſix Shillings and two Pence, the Deficiency ſtanding out on the eighth Day of *March* one 'thouſand ſeven hundred and thirty-five, on the Offices of the ſaid four Maſters, was reduced to the 'Sum of twenty-four thouſand eight hundred and ninety-one Pounds nine Shillings and ten Pence:

Deficiency of *John Bennett* Eſquire,

'And whereas there is due from *John Bennett* Eſquire, one of the Maſters of the ſaid Court, to *Hum-'phry Bell* the ſurviving Aſſignee of the Eſtate and Effects of *William Ellins* and *Edmund Farrington* 'under a Commiſſion of Bankruptcy awarded againſt them, the Sum of eleven thouſand four hundred 'and eighty-five Pounds four Shillings and five Pence, with Intereſt from the eleventh Day of *March* 'one thouſand ſeven hundred and thirty-four, and that the ſaid *John Bennett* hath no Eſtate or Effects 'left to ſatisfy the ſaid Debt or any Part thereof: And whereas it is computed that the Duties granted 'by the former Act will not be ſufficient to raiſe the ſaid Sum of twenty-four thouſand eight hundred and 'ninety-one Pounds nine Shillings and ten Pence, ſo ſtanding out on the eighth Day of *March* one 'thouſand ſeven hundred and thirty-five, and alſo the ſaid Sum of eleven thouſand four hundred and 'eighty-five Pounds four Shillings and five Pence, ſo due from the ſaid *John Bennett* to the Eſtate of 'the ſaid Bankrupts, unleſs the ſaid Duties be further continued, and the Time for raiſing the ſame be 'enlarged; and in regard the Aſſignees and Creditors of the ſaid Bankrupts were not acquainted with 'the Inſolvency of the ſaid *John Bennett*, ſo may reaſonably and within the Deſign and Meaning of 'the former Act be intitled to ſuch and the like Relief, as was given to and provided for the other 'Suitors of the Court of *Chancery*, by and under the ſame Act;' Wherefore we your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, being deſirous to provide for the Relief of the Creditors of the ſaid Bankrupts claiming under the ſaid Commiſſion, do give and grant unto your Majeſty for that Purpoſe the Sum of eleven thouſand four hundred and eighty-five Pounds four Shillings and five Pence, to be raiſed by continuing the Duties herein before-mentioned for a further Term, and therefore do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Duties granted by the ſaid former Act ſhall, by virtue of this Act, be continued, and be payable and paid upon the ſeveral Writs and Law Proceedings in the ſaid former Act mentioned, for the further Term of four Years, to be computed from the ſecond Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-two; and that the ſaid former Act, and all Powers, Proviſions, Penalties, Articles and Clauſes therein contained, for and concerning the ſaid Duties, ſhall continue and be in full Force for the further Term of four Years, to commence and be computed as aforeſaid, and ſhall be applied, practiſed and executed for raiſing, levying, collecting, paying and applying the ſame, as fully to all Intents and Purpoſes as if all and every the Clauſes, Powers, Matters and Things in the ſaid former Act contained had been or were in this Act repeated, and againſt particularly enacted.

The Duties granted by the former Act further continued for 4 Years, after 2 Aug. 1742.
'Revived and made perpetual 23 Geo. 2. c. 25.'

£11,485 4s. 5d. to be paid out of the Bank, by Direction of the Court of Chancery, on the Deficiency of John Bennett.

II. And it is hereby further enacted, That out of the before-mentioned Sum of thirty-eight thouſand nine hundred and eight Pounds nineteen Shillings and nine Pence, which has ariſen and been collected by and out of the Duties directed to be levied by the ſaid former Act, from the ſecond Day of *Auguſt* one thouſand ſeven hundred and twenty-ſix, to the third Day of *March* one thouſand ſeven hundred and thirty-five as aforeſaid, there ſhall be placed to the Credit of the Account, *Ex parte Meyer*, in the Books of the Accountant General of the Court of *Chancery*, and of the Bank, the Sum of eleven thouſand four hundred eighty-five Pounds four Shillings and five Pence, and that the ſame ſhall be iſſued and paid out of the General and Common Caſh of the Bank, when and as the Court of *Chancery* ſhall direct, in Satisfaction of the ſaid Debt due from the ſaid *John Bennett* to the Aſſignee of the ſaid Bankrupts Eſtate.

Surplus Monies reſerved to the Diſpoſition of Parliament.
Concerning Stamp Duties ſee farther 16 *Geo.* 2. *c.* 26. 29 *Geo.* 2. *c.* 12. & 13. & *Geo.* 2. *c.* 19. & 32 *Geo.* 2. *c.* 35.

III. Provided always, and it is hereby declared and enacted, That when and as ſoon as the Deficiency of the Suitors Money directed and appointed to be anſwered and paid by the former and this preſent Act, and all the Money to be borrowed on the Credit of the ſame, if neceſſary, ſhall have been fully paid and ſatisfied, then and from thenceforth all the Surplus Monies, which ſhall have been raiſed out of the ſaid Duties given, granted and continued by the ſaid former and this preſent Act, over and beyond what ſhall be ſufficient for anſwering ſuch Deficiency and Money lent, ſhall be reſerved for the Benefit of the Publick, and ſhall not be applied to any other Uſe or Uſes than ſuch as ſhall be hereafter directed by Parliament.

CAP. XXXIII.

An Act to render the Law more effectual for preventing the Importation of freſh Fiſh taken by Foreigners, and to explain ſo much of an Act made in the thirteenth and fourteenth Year of the Reign of King CHARLES the Second, as relates to Ships exporting Fiſh to the Ports of the *Mediterranean Sea*, and for the better Preſervation of the Fry of Lobſters on the Coaſts of *Scotland*.

Preamble, reciting the Act 1 Geo. 1. c. 18.

'WHEREAS by an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE 'the Firſt, intituled, *An Act for the better preventing freſh Fiſh taken by Foreigners being imported*

'into

'*into this Kingdom, and for the Preſervation of the Fry of Fiſh, and for the giving leave to import Lobſters* '*and Turbets in foreign Bottoms, and for the better Preſervation of Salmon within ſeveral Rivers in that* '*Part of this Kingdom called* England, it is (amongſt other Things) enacted, That from and after the 'twenty-ninth Day of *September* one thouſand ſeven hundred and fifteen, no Herring, Cod, Pilchards, 'Salmon, or Ling, freſh or ſalted, dried or bloated, nor any Grill, Mackrel, Whiting, Haddock, 'Sprats, Coal Fiſh, Gull Fiſh, Congers, or any Sort of flat Fiſh, nor any other Sort of freſh Fiſh 'whatſoever, ſhall be imported into, ſold, or expoſed to Sale, in that Part of this Kingdom called *Eng-* '*land*, which ſhall be taken by, bought of, or received from, any Foreigner or Foreigners, or out of 'any Stranger or Strangers Bottom (except Proteſtant Strangers inhabiting within this Kingdom) nor 'ſhall any Perſon or Perſons give or exchange any Goods or other Things in exchange for any Sort of 'Fiſh ſo taken as aforeſaid: And it is thereby further enacted, That every Maſter or Commander for 'the time being of any Smack, Hoy, Yager, Boat or other Veſſel in which any Fiſh ſhall be imported 'or brought to Shore contrary to the true Intent and Meaning of the ſaid Act, and being thereof law- 'fully convicted in the Manner thereby directed, ſhall forfeit for every ſuch Offence the Sum therein 'mentioned, to be levied and diſpoſed of in ſuch Manner as by the ſaid Act is directed, or in Default 'of Payment of the ſaid Sum or ſufficient Diſtreſs, ſhall be committed to the Common Gaol as in the 'ſaid Act is directed: And whereas it is by the ſaid Act provided, That no Perſon ſhall ſuffer any 'Puniſhment for any Offence committed againſt the ſaid Act, unleſs the Proſecution for the ſame be 'commenced within one Month after ſuch Offence committed: And whereas the Penalties inflicted by 'the recited Clauſe of the ſaid Act herein before recited are not ſufficient to deter Perſons from offend- 'ing againſt the ſame: And whereas by reaſon of the ſhort Time limited for Proſecution of Offences 'committed againſt the ſaid Act many Offenders againſt the ſame eſcape Puniſhment;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, every Perſon offending againſt the Clauſe of the ſaid Act herein before recited ſhall forfeit and pay the Sum of one hundred Pounds, to be recovered by any Informer in any of the Courts in *Weſtminſter-Hall*, and to be diſtributed and diſpoſed of in the Manner following; that is to ſay, one Moiety thereof to the Informer, and the other Moiety thereof to the Poor of the Pariſh where ſuch Offence ſhall be committed; and the Maſter or Commander of every Smack, Hoy, Yager, Boat, Ship or other Veſſel in which any Fiſh ſhall be imported or brought to Shore, contrary to the true Intent and Meaning of the ſaid Act herein before recited, and of this preſent Act, ſhall forfeit and pay the Sum of fifty Pounds, to be recovered by any Informer, and to be diſpoſed of in like Manner as before recited.

After 24 June 1736, every Perſon importing Fiſh contrary to the Act 1 Geo. 1. to forfeit 100 l. and the Maſter of the Veſſel 50 l.

II. Provided always, That no Perſon ſhall incur any Penalty or Forfeiture for any Offence committed againſt this Act, unleſs the Proſecution for the ſame be commenced within twelve Months after ſuch Offence committed.

Proſecution to be commenced in 12 Months after the Fact.

'III. And whereas by an Act of Parliament made in the thirteenth and fourteenth Year of the Reign 'of King CHARLES the Second, intituled, *An Act for preventing Frauds and regulating Abuſes in his* '*Majeſty's Cuſtoms*, it is for the better Increaſe of good and ſerviceable Shipping, and ſecuring the pub- 'lick Trade and Commerce enacted, That all and every Merchant or other Perſon, that ſhould after 'the twenty-ninth Day of *September* one thouſand ſix hundred and ſixty-two, export any Goods or 'Merchandizes from any Port of this Kingdom capable of a Ship or Veſſel of two hundred Tons 'upon an ordinary full Sea to any Port or Place of the *Mediterranean Sea* beyond the Port of *Malaga*, 'or import any Goods or Merchandize from the Ports or Places aforeſaid to any Port of this King- 'dom, in any Ship or Veſſel that ſhould not have two Decks and ſhould carry leſs than ſixteen Pieces 'of Ordnance mounted, together with two Men for each Gun and other Ammunition proportionably, 'ſhould pay a Duty of one *per Centum* for all and every the Wares ſo exported or imported, over and 'above the Rates and Duties of Subſidy of Tunnage and Poundage otherwiſe due and payable for 'the ſame; and in the ſame Act it is provided, That it ſhould and might be lawful to export from 'any of his ſaid Majeſty's Dominions Fiſh into any of the Ports of the *Mediterranean Sea* aforeſaid in 'any *Engliſh* Ship or Veſſel whatſoever, provided one Moiety of her full Loading ſhould be Fiſh only, 'and in ſuch Caſe to import any Wares or Merchandizes in the ſame Ship for that Voyage, without 'paying any other Rates or Duties for the ſame than were then before accuſtomed: And whereas ſome 'Doubts and Diſputes have ariſen, whether the Exemption granted by the ſaid Act in Favour of any '*Engliſh* Ship or Veſſel, whereof one Moiety of her full Loading ſhould be Fiſh only, ſhould be con- 'ſtrued to extend to the Benefit and Advantage of the Owner or Owners of ſuch Ship or Veſſel, in 'caſe one Moiety of her full Loading ſhould conſiſt of foreign Fiſh:' To prevent therefore the ſaid Doubts and Diſputes for the future, and for the greater Encouragement of the *Britiſh* Fiſheries, Be it further enacted by the Authority aforeſaid, That no *Britiſh* Ship or Veſſel trading to any Port or Place of the *Mediterranean Sea* beyond the Port of *Malaga* in Manner aforeſaid, ſhall be intitled to the Benefit and Advantage of the Exemption granted to ſuch Ship or Veſſel in the ſaid Act, for or by reaſon that one Moiety of the full Loading of ſuch Ship or Veſſel ſhall or may conſiſt of Fiſh, unleſs ſuch Moiety of the full Loading of ſuch Ship or Veſſel do conſiſt of Fiſh taken and cured by his Majeſty's Subjects only.

A Clauſe in the Act 13 & 14 Car. 2. c. 11. for preventing Frauds in the Cuſtoms, explained.

'IV. And whereas the deſtroying the Fry or Spawn of any Fiſh is highly prejudicial, eſpecially ſuch Fiſh 'as do not wander, but keep about the Coaſts: And whereas the principal Time for the ſpawning of 'Lobſters is from the Beginning of *June* to the firſt of *September*, in which three Months the Lobſters 'crawl cloſe to the Shore to leave their Spawn in the Chinks of the Rocks, and as much under the 'Influence of the Sun as poſſible;' Be it therefore enacted by the Authority aforeſaid, That from and

'after

5l. Penalty on taking or killing Lobsters on the Coast of Scotland between 1 June and 1 Sept. yearly.

after the first Day of *June* one thousand seven hundred and thirty-six, no Fisherman or other Person or Persons whatsoever shall with Trunks, Hoop Nets, or any other Way, take, kill or destroy, any Lobsters on the Sea Coast of that Part of *Great Britain* called *Scotland*, from the first Day of *June* to the first Day of *September* yearly, under the Penalties of five Pounds *Sterling* for each Offence, to be recovered by any Person who shall inform and sue for the same upon a summary Complaint before any Two or more of his Majesty's Justices of the Peace of the Shire on the Coast where any such Offence shall happen to be committed.

Concerning Fishery see further 22 *Geo.* 2. *c.* 49. 23 *Geo.* 2. *c.* 24 & 26. 26 *Geo.* 2. *c.* 9. 28 *Geo.* 2. *c.* 14. 29 *Geo.* 2. *c.* 23 & 39. 30 *Geo.* 2. *c.* 21 & 30. 33 *Geo.* 2. *c.* 27.

CAP. XXXIV.

An Act for enabling his Majesty to borrow any Sum or Sums of Money not exceeding six hundred thousand Pounds, to be charged upon the Surplusses, Excesses, or Overplus Monies, commonly called the *Sinking Fund*, redeemable by Parliament; and for the further Disposition of the said Fund, by paying off one million of *South Sea* Annuities; and for appropriating the Supplies granted in this Session of Parliament.

Most Gracious Sovereign,

Preamble.

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have cheerfully granted to your Majesty, in the easiest Manner we are able for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majesty the Sum of six hundred thousand Pounds, to be raised in such Manner and Form as is herein after directed; and to that End do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the Annuities which by this Act shall be granted and made payable in respect of the said principal Sum of six hundred thousand Pounds until Redemption thereof by Parliament, in Manner herein after mentioned, shall from and after the Feast Day of Saint *John* Baptist one thousand seven hundred and thirty-six, be charged and chargeable upon, and payable out of, the Monies, which from and after the said Feast Day shall from time to time arise and be remaining in the Receipt of his Majesty's Exchequer of or for the Surplusses, Excesses or Overplus Monies of the Fund commonly called the *Sinking Fund*, and the said Surplusses, Excesses or Overplus Monies, are hereby appropriated for that Purpose accordingly.

600,000 l. granted to his Majesty out of the Sinking Fund.

Annuities at 3 l. per Cent.

II. And for or towards raising the said Sum or Sums of Money not exceeding in the Whole the said Sum of six hundred thousand Pounds; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay into the Receipt of his Majesty's Exchequer, for his Majesty's Use, at such Time or Times as shall be appointed by the Commissioners of the Treasury, or any three or more of them now being, or by the High Treasurer, or by any three or more of the Commissioners of the Treasury for the time being, any Sum or Sums of Money not exceeding the said Sum of six hundred thousand Pounds, for the absolute Purchase of any certain Annuity or Annuities, to commence from the said Feast Day of Saint *John* Baptist one thousand seven hundred and thirty-six, and to be paid and payable to such Contributor or Contributors, or such as he, she or they shall nominate his, her or their Executors, Administrators, Successors and Assigns respectively, until the Redemption thereof by Parliament, in Manner herein after contained in that Behalf; which certain Annuities shall be computed at the Rate of three Pounds *per Annum* for every one hundred Pounds, and proportionably for any greater Sum so to be advanced and paid, and the Purchase Money so paid for every such Annuity at the Rate aforesaid, is hereby appointed to be paid into the said Receipt of Exchequer at the Time or Times to be appointed as aforesaid; all which Annuities so to be purchased shall be paid and payable at two of the most usual Feasts or Days of Payment in the Year (that is to say) The Feast of the Birth of our Lord Christ, and Saint *John* Baptist, by even and equal Portions; the first Payment thereof to be due and payable at the Feast of the Birth of our Lord Christ which shall be in the Year of our Lord one thousand seven hundred and thirty-six.

Proprietors of these Annuities may subscribe into the joint Stock, 25 *Geo.* 2. *c.* 27. §. 6.

payable at Christmas and Midsummer.

The Names of the Contributors to be entred.

III. And it is hereby enacted, That in the Offices of the Auditor of the Receipt and Clerk of the Pells, there shall be provided and kept a Book or Books, in which there shall be fairly entred the Names of all Persons who shall be Contributors for such certain Annuities as aforesaid, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the Sums paid for such Annuities; to which Book it shall be lawful for the said respective Contributors, their Executors, Administrators and Assigns, from Time to Time, and at all seasonable Times, to have Resort, and to inspect the same without Fee or Reward.

The Annuities to be deemed a Personal Estate,

IV. And be it further enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Contribution or Purchase Money at the Rate aforesaid at the Time or Times in this Act limited in that Behalf for any such Annuity or Annuities as aforesaid, or such as he, she or they shall appoint, his, her or their respective Executors, Administrators, Successors and Assigns, shall have, receive and enjoy, and be intitled by virtue of this Act to have, receive and enjoy, the respective Annuity and Annuities so to be purchased out of the Monies by this Act appropriated as aforesaid, until the Redemption thereof by Parliament according to the Proviso herein after contained in

in that Behalf; and that all and every ſuch Purchaſers, their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, ſhall have good, ſure, abſolute and indefeazible Eſtates and Intereſts in the ſeveral Annuities ſo by them reſpectively to be purchaſed according to the Tenor and true Meaning of this Act; and that all ſuch Eſtates and Intereſts of and in the ſaid Annuities, and every of them, ſhall be and be adjudged, taken and accepted in Conſtruction of Law, and in all Courts of Law and Equity whatſoever, to be a Perſonal and not a Real Eſtate, and ſhall go to the Executors or Adminiſtrators of the Perſon or Perſons dying poſſeſſed thereof, intereſted therein, or intitled thereunto, and not to the Heirs of ſuch Perſon or Perſons; any Law, Cuſtom or Uſage to the contrary notwithſtanding; and that all the ſaid Annuities to be purchaſed on this Act as aforeſaid, and every of them, ſhall be free from all Taxes, Charges and Impoſitions whatſoever. and be free from Taxes.

V. And be it further enacted by the Authority aforeſaid, That every Contributor upon this Act for any ſuch Annuity or Annuities as aforeſaid, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, upon Payment of the Conſideration or Purchaſe Money for the ſame at the Rate aforeſaid into the ſaid Receipt of Exchequer at the Time or Times in this Act limited in that Behalf, ſhall immediately have one or more Tally or Tallies levied, importing the Receipt of the Purchaſe Money as ſhall be ſo paid for any ſuch Annuity or Annuities at the Rate aforeſaid; and every ſuch Contributor, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, ſhall have an Order for paying the ſaid Annuity or Annuities, until Redemption thereof by Parliament according to the Proviſo herein after contained in that Behalf; which Order ſhall be ſigned by the Treaſurer and the Under-treaſurer of the Exchequer, or any three or more of the Commiſſioners of the Treaſury for the time being; and after ſigning thereof the ſame ſhall be firm, good, valid and effectual in Law, according to the Purport and true Meaning thereof and of this Act; and ſhall not be determinable by or upon the Deaths or Removal of any Treaſurer or Under-treaſurer of the Exchequer, or any Commiſſioner or Commiſſioners of the Treaſury, or by or upon the Determination of the Power, Office or Offices of them or any of them; nor ſhall any Lord High Treaſurer of *Great Britain*, Treaſurer of the Exchequer, or any Commiſſioners of the Treaſury now or for the Time being, have Power to revoke, countermand, determine or make void ſuch Orders ſo ſigned as aforeſaid, or any of them. Tallies and Orders to be delivered to the Contributors.

VI. And be it further enacted, That the Proprietors of the Orders to be made forth for the ſaid Annuities in purſuance of this Act ſhall or may from Time to Time by proper Words of Aſſignment to be indorſed on his, her or their Order, aſſign or transfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order or Orders, to any other Perſon or Perſons; which being notified in the Office of the Auditor of the Receipt, the Officers there ſhall cauſe an Entry or Memorial thereof to be be made in the Book of Regiſtry for ſuch Orders without Fee or Charge; and after ſuch Entry made ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who ſhall make ſuch Aſſignments, to make void, releaſe or diſchargee the ſame, or any Monies thereby due, or any Part thereof. Orders aſſignable.

'VII. And whereas it may ſo happen, that in Proceſs of Time ſeveral of the ſaid ſtanding Orders 'may become defaced, obliterated or incumbred with many Aſſignments indorſed thereon, or by Rea-'ſon thereof or ſome other Defects therein it may become neceſſary that the ſaid defaced, obliterated, in-'cumbred or otherwiſe defective Orders, ſhould be taken in and cancelled, and new Orders made 'forth and delivered to the Owners and Proprietors of the Orders ſo to be cancelled in lieu thereof;' Be it therefore enacted by the Authority aforeſaid, That in all or any of the ſaid Caſes any three or more of the ſaid Commiſſioners of the Treaſury now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, may, if he or they ſhall ſo think fit, from time to time, cauſe to be made forth new ſtanding Orders for and in lieu of ſuch defaced, obliterated, incumbred or otherwiſe defective Orders, ſo as ſuch defaced, obliterated, incumbred or otherwiſe defective Order or Orders be at the ſame Time delivered up and cancelled, and the new Order or Orders to be made out in lieu thereof be made payable to the Perſon or Perſons who ſhall appear to be the Proprietor or Proprietors of the ſaid Order or Orders ſo delivered up and cancelled at the Time of ſuch Delivery up as aforeſaid; and the Auditor of the ſaid Receipt aforeſaid ſhall always take care, that ſuch Entries or Memorandums be made upon the ſaid new Orders, as may denote their being made out in lieu of ſuch defaced, obliterated, incumbred or otherwiſe defective Orders cancelled, as may ſecure the Publick againſt any double Payments for or by reaſon of the making out or iſſuing ſuch new Orders in Manner aforeſaid. New Orders to be made forth in lieu of ſuch as are defaced, &c.

VIII. And, for the preventing of all Frauds and Abuſes in or about the ſaid ſtanding Orders, or any Aſſignments thereof, or the receiving the Annuities due or to grow due thereon; Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act and aſſiſt in the forging or counterfeiting any Order or Orders made forth or to be made forth in purſuance of this Act, or any Aſſignment or Aſſignments of ſuch Order or Orders, or of the Annuities payable thereon, or of any Receipt or Diſcharge to the Exchequer for the Annuities due or to grow due on any ſuch Order or Orders, or of any Letter of Attorney or other Authority or Inſtrument to transfer, aſſign, alien or convey, any ſuch Order or Orders, or to receive the Annuities due or to grow due thereon, or any Part thereof, or ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act or aſſiſt in the forging or counterfeiting any the Name or Names of any of the Proprietors of any ſuch Order or Orders in or to any ſuch pretended Aſſignment, Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall knowingly or fraudulently demand or endeavour to have or receive any ſuch Annuity or Annuities, or any Part there-of, Forging or counterfeiting Orders, Felony without Benefit of Clergy.

of, by virtue of any ſuch forged or counterfeited Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall falſely and deceitfully perſonate any true and real Proprietor or Proprietors of any of the ſaid Order or Orders, and thereby aſſigning, or endeavouring to aſſign, any of the ſaid Order or Orders, or receiving, or endeavouring to receive, the Money of ſuch true and lawful Proprietor, as if ſuch Offender were the true and lawful Owner thereof; then, and in every ſuch Caſe, all and every Perſon and Perſons, being thereof lawfully convicted in due Form of Law, ſhall be adjudged guilty of Felony, and ſhall ſuffer as in Caſes of Felony without Benefit of Clergy.

Penalty on Officers demanding Fees or Gratuities.

IX. And be it further enacted, for the better encouraging Perſons to advance the ſaid Sum of ſix hundred thouſand Pounds upon the Credit of this Act, That all Receipts and Iſſues, and all other Things directed by this Act to be performed in the Exchequer, ſhall be done and performed by the Officers there without demanding or receiving, directly or indirectly, any Fee, Reward or Gratuity for the ſame; and in caſe the Officers of the Exchequer ſhall take or demand any ſuch Fee or Reward, or ſhall not keep Books or Regiſters, and make Entries, and do and perform all other Things which by this Act they are required to perform, every ſuch Officer ſhall forfeit his Office, and be for the future incapable of any Office or Place of Truſt whatſoever, and ſhall anſwer and pay Treble Damages and Coſts of Suit to any Contributor, or Perſon claiming under him, that will ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law, Injunction or Order of Reſtraint, or more than one Imparlance, ſhall be granted or allowed; and in the ſaid Action the Plaintiff upon Recovery ſhall have Full Coſts of Suit, one Third of which Sum ſo to be recovered ſhall be paid into the Receipt of the Exchequer for the Benefit of his Majeſty, his Heirs and Succeſſors, and the other two Thirds ſhall be to and for the Uſe of the Proſecutor.

Treaſury to pay the Officers and Clerks out of the ſaid Fund.

X. Provided always, and it is hereby enacted by the Authority aforeſaid, That out of the Monies from time to time ariſing at the ſaid Receipt of Exchequer, of or for the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called the *Sinking Fund*, hereby appropriated as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, to reward the Officers and Clerks in the Exchequer, and others that ſhall or may be any way employed in the Execution of this Act in relation to the ſaid Annuities to be payable thereupon, for their Labour, Pains and Service therein reſpectively, and to diſcharge and ſatisfy ſuch incident Charges as ſhall neceſſarily attend the Execution of the ſame, in ſuch Manner as the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, ſhall from time to time think fit and reaſonable in that Behalf; any thing in this Act contained to the contrary notwithſtanding.

When the ſaid Annuities ſhall ceaſe.

XI. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the half-yearly Feaſt Days for Payment of the ſaid Annuities, and upon Repayment by Parliament of the principal Sums for which the ſaid Annuities ſhall be payable, to ſuch reſpective Perſons or Corporations as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities, then, and not till then, the ſaid Annuities ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch Redemption, the Monies ariſing by the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called the *Sinking Fund*, ſhall not be iſſued or applied to any Uſe or Purpoſe but as ſhall be directed by future Act or Acts of Parliament; any thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding: And that any Vote or Reſolution of the Houſe of Commons, ſignified by the Speaker in Writing to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice within the Words and Meaning of this Act.

One million of new South-Sea Annuities to be paid off.

Farther Proviſions concerning this Company,
10 *Geo.* 2. *c.* 17.
20 *Geo.* 2. *c.* 3. § 60.
24 *Geo.* 2. *c.* 2 & 11.
26 *Geo.* 2. *c.* 16.

XII. And be it further enacted by the Authority aforeſaid, That by or out of ſuch Monies as are or ſhall be in the Receipt of the Exchequer of the Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called the *Sinking Fund*, ariſen or to ariſe at or from the Feaſt Day of the Birth of our Lord Chriſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix (after Payment of, or reſerving ſufficient to pay, ſuch Monies as have been or ſhall be directed by this or any former Act or Acts of Parliament to be paid out of the ſame) there ſhall be iſſued and applied to the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas*, and other Parts of *America*, and for encouraging the Fiſhery, at the ſaid Feaſt Day, and afterwards quarterly from Time to Time, as the ſame ſhall ariſe, ſuch Sum or Sums of Money as ſhall on ſuch Quarter Day or Days be in the ſaid Receipt of Exchequer, for or towards redeeming Part of the Annuities attending on the Capital Stock of Annuities commonly called new *South-Sea Annuities*, remaining due to the ſaid Company, until the ſaid Payments ſhall in the Whole amount to the Sum of one million Sterling; and that as the ſaid Payments of Principal Money ſhall be from Time to Time made, a proportionable Part of their ſaid Capital Stock of Annuities, and of the Annuities attending thereon, and of the Allowance for Charges of Management, ſhall alſo from Time to Time ceaſe and determine for the Benefit of the Publick.

The Monies to be equally diſtributed amongſt the Proprietors.

XIII. And be it enacted by the Authority aforeſaid, That the ſaid *South Sea* Company ſhall forthwith, upon the Receipt of the ſaid Sum of one million, or as ſoon after as conveniently may be, divide out and diſtribute as near as conveniently may be done, amongſt all the ſeveral Proprietors of their ſaid Capital Stock of Annuities, towards ſinking and diſcharging ſo much of their Shares or Intereſts in the ſaid Capital Stock of Annuities, by even and equal Dividends amongſt them all, in Proportion to their reſpective Shares or Intereſts therein.

XIV. And to the End, Intent and Purpoſe that all truſt Eſtates and Intereſts in the ſaid Capital Stock of Annuities of the *South-Sea* Company may be preſerved and improved for the Benefit of the Perſons concerned therein, with the leaſt Expence and Inconvenience to them; Be it enacted by the Authority aforeſaid, That in all and every Caſe and Caſes where, in purſuance of this Act, any Payments or Dividends ſhall be made of the Capital of any ſuch Annuity Stock, as ſhall be veſted in any Perſon or Perſons in Truſt for other Perſons, who have or claim diſtinct or different Intereſts therein, or for any other Ends or Purpoſes, for which the Capital Sum or Annuity ought to be preſerved intire, ſuch Payments or Dividends of the Capital Stock of Annuities ſhall not be paid or applied as Dividends of Profit, Annuity or Intereſt, but ſhall remain in the Hands of ſuch Truſtees reſpectively, till otherwiſe diſpoſed of at Intereſt; and for that Purpoſe it ſhall and may be lawful to and for the Truſtee or Truſtees, who ſhall receive the ſame, at his or their Diſcretion, to lay out or diſpoſe of the ſame or any Part thereof, in the Purchaſe of ſo much other Capital Stock of the ſame Kind, as at the current Market Price of ſuch Annuity Stock the Monies received for ſuch Dividends ſhall, as near as conveniently may be, extend to purchaſe; which new purchaſed Stock of Annuities ſhall be transferred to ſuch Truſtee or Truſtees, and a Receipt or Receipts ſhall be given and ſigned by the Perſon or Perſons transferring the ſame, for the Monies paid for the ſame; and in caſe ſuch Truſtees reſpectively, by Writing indorſed on or annexed to ſuch Receipts, and ſigned and acknowledged before one of the Maſters of the High Court of Chancery, ſhall declare that the Money in the ſaid Receipts were the Produce of the ſaid Dividends of the ſaid Capital Stock of Annuities, (which Signing or Acknowledgment ſuch Maſters in Chancery are hereby required to accept or take, and each and every ſuch Maſter before whom the ſame ſhall be done, ſhall at the ſame time certify the ſame, by ſubſcribing his Name thereto, for doing whereof ſuch Maſter ſhall be paid for each Certificate one Shilling and no more) then and in every ſuch Caſe, the Annuity Stock mentioned in ſuch Receipts to be transferred, ſhall reſpectively go and be deemed ſubject and liable to the ſame Truſts, for the Benefit of the ſame Perſons, and for the ſame Uſes, Ends, Intents and Purpoſes, as the reſt of the truſt Annuity Stock remaining in ſuch Truſtees reſpectively will or ought to be ſubject and liable to; and ſuch Truſtees reſpectively ſhall from thenceforth be indemnified from any Loſs, Charges or Damages, on account of their ſo doing, at the Expences of the ſaid truſt Eſtates.

Dividends of Truſt Eſtates not to be paid as Dividends of Profit.

XV. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to reſtrain or prohibit any ſuch Truſtees from laying out or diſpoſing of any of the ſaid truſt Monies in any other Purchaſes or any other Securities, whether publick or private, if they ſhall ſo think fit, in the ſame Manner and with the ſame Freedom and Security to themſelves as they might have done if this Act had not been made.

Truſt Monies may be laid out in any other Purchaſes.

'XVI. And whereas it may ſo happen, that the ſaid Sum of ſix hundred thouſand Pounds, or ſome 'Part thereof, may not be contributed and paid into the Receipt of his Majeſty's Exchequer for the Pur-'chaſe of the ſaid Annuities, on or before the Feaſt Day of Saint *Michael* the Archangel one thouſand 'ſeven hundred and thirty-ſix; and it may likewiſe happen, that on the ſaid Feaſt Day of the Birth of 'our Lord Chriſt one thouſand ſeven hundred and thirty-ſix, there may not be ſufficient Money in the 'Exchequer ariſen from the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called 'the *Sinking Fund*, to ſatisfy and pay the ſaid intire Sum of one million, and the ſaid *South-Sea* Com-'pany may deſire then to receive the whole Sum in one intire Payment, in order to make one Diſtribu-'tion of the Whole amongſt all the Proprietors of their ſaid capital Stock of Annuities at one Time;' Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, by Warrant under their Hands, either to iſſue and apply ſuch Sum or Sums of Money as ſhall then remain in the Receipt of the Exchequer of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called the *Sinking Fund*, or to permit and ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance and lend to his Majeſty at the ſaid Receipt of the Exchequer, at any Time after the ſaid Feaſt Day of Saint *Michael* the Archangel one thouſand ſeven hundred and thirty-ſix, the ſaid Sum of ſix hundred thouſand Pounds, or ſo much as ſhall be wanting of the ſaid Contributions to compleat the ſaid Sum of ſix hundred thouſand Pounds as aforeſaid; and upon Application made by the ſaid *South-Sea* Company to the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, and giving them Notice of ſuch their Deſire to have and receive the ſaid Sum of one million in one intire Payment, ten Days at leaſt before the ſaid Feaſt Day of the Birth of our Lord Chriſt one thouſand ſeven hundred and thirty-ſix, it ſhall and may be lawful to and for the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, by like Warrant under their Hands to permit and ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance and lend to his Majeſty at the ſaid Receipt of the Exchequer, ſuch further Sum and Sums of Money, as together with the Monies then remaining in the ſaid Exchequer of the ſaid Surpluſſes, Exceſſes or Overplus Monies, ſhall be wanting to compleat the ſaid Sum of one million; which ſaid ſeveral and reſpective Sum and Sums of Money, ſo to be advanced or lent in purſuance of this Act for the Purpoſes aforeſaid, ſhall be, and are hereby charged and chargeable upon the growing Produce of the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called the *Sinking Fund*, and ſhall be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with an Intereſt for the Forbearance thereof in the mean Time, not exceeding the Rate of three Pounds *per Centum per Annum*; any thing herein before contained to the contrary notwithſtanding.

Clauſe of Loan at 3 l. per Cent.

Application of the Money granted this Seſſion.

XVII. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty-ſix*, and ſo much Money (if any ſuch be) of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and thirty-ſix*, and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and the Sum of ſix hundred thouſand Pounds by this Act granted out of the Surpluſſes, Exceſſes, or Overplus Monies, commonly called the *Sinking Fund*, ſhall be appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay,

1,027,436 l. 4 s. 10 d. for Naval Services.

XVIII. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million twenty ſeven thouſand four hundred thirty-ſix Pounds four Shillings and ten Pence, for or towards the naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards the Buildings, Rebuildings, and Repairs of his Majeſty's Ships, and for or towards other Services of the Navy, performed and to be performed.

10,000 l. to Greenwich Hoſpital.

XIX. And it is hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for or towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

84,350 l. 17 s. 5 d. for the Office of Ordnance.

XX. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding eighty-four thouſand three hundred and fifty Pounds ſeventeen Shillings and five Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

1,004,020 l. 2 s. 10 d. Farthing for the Land Forces, viz.

649,270 l. 2 s. for Guards and Gariſons.

216,218 l. 10 s. 11 d. for the Plantations.

24,518 l. 10 s. for Chelſea Hoſpital.

7,144 l. 1 s. 11 d. Farthing, for extraordinary Expences.

46,780 l. 18 s. for Half-pay.

3,828 l. for Half-pay Officers Widows.

XXI. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million four thouſand twenty Pounds two Shillings and ten Pence Farthing, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding ſix hundred forty-nine thouſand two hundred ſeventy Pounds and two Shillings, for defraying the Charge of ſeventeen thouſand ſeven hundred and four Men, including Commiſſion and Non-commiſſion Officers and Invalids, for Guards, Gariſons, and ſix independent Companies for the Service of the Highlands, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, and other Services relating to the Forces, for the Year one thouſand ſeven hundred and thirty-ſix; and any Sum or Sums of Money not exceeding two hundred and ſixteen thouſand two hundred twenty-eight Pounds ten Shillings and eleven Pence, for maintaining his Majeſty's Forces and Gariſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Gariſons at *Annapolis Royal*, *Canſo*, *Placentia* and *Gibraltar*, for the Year one thouſand ſeven hundred and thirty-ſix; and any Sum or Sums of Money not exceeding twenty-four thouſand five hundred and eighteen Pounds ten Shillings, upon Account, for Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty-ſix; and any Sum or Sums of Money not exceeding ſeven thouſand one hundred forty-four Pounds one Shilling and eleven Pence Farthing, for defraying ſeveral extraordinary Expences and Services incurred, and not provided for by Parliament; and any Sum or Sums of Money not exceeding forty-ſix thouſand ſeven hundred and eighty Pounds eighteen Shillings, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and thirty-ſix, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding three thouſand eight hundred and twenty-eight Pounds, for paying of Penſions to Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and thirty-ſix; which ſaid Sum of three thouſand eight hundred and twenty-eight Pounds, ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions, or other Allowances for the ſame, as his Majeſty, by ſuch or the like Warrant or Warrants

Warrants, ſhall be graciouſly pleaſed to direct or appoint; and any Sum or Sums of Money, not exceeding fifty-ſix thouſand two hundred and fifty Pounds, on Account of the Subſidy payable to the King of *Denmark*, purſuant to the Treaty bearing Date the nineteenth Day of *September* one thouſand ſeven hundred and thirty-four, for the Year one thouſand ſeven hundred and thirty-ſix. 56,250 l. to the King of Denmark.

XXII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding twenty-one thouſand ninety-ſix Pounds nine Shillings and eight Pence, towards making good the Deficiency of the Grants for the Year one thouſand ſeven hundred and thirty-five. 21,096 l. 9 s. 8 d. for Deficiencies of the Grants 1735.

XXIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding twenty-two thouſand nine hundred forty-four Pounds fourteen Shillings, for making good the Deficiency of the Fund commonly called the *General Fund*, for raiſing ſeven hundred twenty-four thouſand eight hundred forty-nine Pounds ſix Shillings and ten Pence and one fifth Part of a Penny, for the Year ending at *Michaelmas* one thouſand ſeven hundred and thirty-five; and any Sum or Sums of Money not exceeding twenty-four thouſand five hundred and ſeventy Pounds two Shillings and ſeven Pence, to make good to the Sinking Fund the like Sum paid out of the ſame, for Intereſt on the million lent on Credit of the Salt Duties, for the Supply of the Year one thouſand ſeven hundred and thirty-four, purſuant to a Clauſe in an Act of Parliament paſſed in the ſeventh Year of his Majeſty's Reign; and any Sum or Sums of Money not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coaſt of *Africa*; and there ſhall and may be iſſued to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, any Sum or Sums of Money not exceeding ten thouſand Pounds, by them to be applied towards ſettling and ſecuring the ſaid Colony. 22,944 l. 14 s. for Deficiency of the General Fund. 24,570 l. 2 s. 7 d. to the Sinking Fund. 10,000 l. to the African Company. 10,000 l. to the Colony of Georgia.

XXIV. And be it enacted, That the ſaid Aids or Supplies provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament. The Money to be iſſued only as herein directed.

XXV. And as to the ſaid Sum of forty-ſix thouſand ſeven hundred and eighty Pounds eighteen Shillings, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; That no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and hath had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*. Rules to be obſerved in the Application of Half-pay.

'XXVI. And whereas by an Act of Parliament made in the eighth Year of his Majeſty's Reign, 'intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the 'Service of the Year one thouſand ſeven hundred and thirty-five*, ſeveral Supplies which had been granted to 'his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, 'amongſt which, any Sum or Sums of Money not exceeding forty-nine thouſand eight hundred thirty-'four Pounds thirteen Shillings and four Pence, was appropriated to be paid to the reduced Officers of 'his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Appli-'cation of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of forty-nine thouſand eight hundred thirty-four Pounds thirteen Shillings and four Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act to the contrary notwithſtanding. Surplus Money granted to reduced Officers for the Year 1735, how to be diſpoſed of.

CAP. XXXV.

An Act for indemnifying Perſons who have been guilty of Offences againſt the Laws made for ſecuring the Revenues of Cuſtoms and Exciſe, and for enforcing thoſe Laws for the future.

'WHEREAS, notwithſtanding the ſeveral Laws already made to prevent the unlawful importing 'and clandeſtine landing and running of probibited and uncuſtomed Goods, divers wicked and 'evil diſpoſed Perſons have of late not only carried on, and do ſtill continue, ſuch pernicious and illegal Preamble. *For former Laws concerning Cuſtoms, refer to* 12 *Car.* 2. *c.* 4.

13 & 14 *Car.* 2. *c.* 11.
25 *Car.* 2. *c.* 6.
2 *W.* & *M. ſt.* 2. *c.* 4. & 10.
4 & 5 *W.* & *M. c.* 5. & 15.
6 *W.* & *M. c.* 1.
6 & 7 *W.* & *M. c.* 7.
5 *Geo.* 1. *c.* 11.
6 *Geo.* 1. *c.* 21.
7 *Geo.* 1. *ſt.* 1. *c.* 21.
8 *Geo.* 1. *c.* 15, 18, & 31.
9 *Geo.* 1. *c.* 21.
11 *Geo.* 1. *c.* 7. & 30.
12 *Geo.* 1. *c.* 28.
1 *Geo.* 2. *ſt.* 2. *c.* 17.

Offences againſt this Act are excepted out of the general Pardon, 20 *Geo.* 2. *c.* 52.

Perſons having incurred any Penalty by clandeſtine running of Goods, &c. before 27 April 1736,

making falſe Entries of Goods,

or abuſing Officers, &c. indemnified,

'Practices, in open Defiance of the Laws, to the great Diminution of the publick Revenue, and to the 'manifeſt Prejudice of the fair Traders, and likewiſe ſeduced great Numbers of other Perſons to join 'with them in the ſaid wicked Practices, whereby the evil is become ſo general, that it is neceſſary that 'ſome further Proviſion ſhould be made for effectually preventing the ſame; yet nevertheleſs as there 'may be ſome Hope that many of the ſaid Perſons who have been unwarily ſeduced as aforeſaid, may 'be reclaimed by Grace and Clemency from offending in the like Manner for the future;' Therefore, for the Quiet and Eaſe of his Majeſty's Subjects, who may have been guilty of ſuch Offences, and that ſuch of them as are not yet become incorrigible, being freed from their Fears and Apprehenſions, may be induced to leave off their illegal Practices, and to return to their lawful Callings and Occupations, and that ſuch Perſons as ſhall after ſuch an Act of Indulgence, and ſo publick a Warning, preſume to commit any of the ſaid Offences, may be left without Excuſe, and be brought to Juſtice, and duly puniſhed, as their Crimes ſhall deſerve, May it pleaſe your Majeſty that it may be it enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every His Majeſty's Subjects of this his Majeſty's Realm of *Great Britain*, their Heirs, Executors, and Adminiſtrators, and every of them, who before the twenty-ſeventh Day of *April* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, have incurred any Penalty or Forfeiture in, by, or for the clandeſtine running, landing, unſhipping, concealing, or receiving any prohibited Goods, Wares, or Merchandizes, or any foreign Goods liable to the Payment of the Duties of Cuſtoms and Exciſe, or either of them, and who are or may be ſubject to any Information or other Proſecution whatſoever for the Duties of ſuch Goods, or for the Penalties for the running, landing, unſhipping, concealing, or receiving thereof, or for the making of any falſe Report or Entry of the Loading of any Ship or Veſſel inwards or outwards, or for making any Report or Entry in a wrong Name or Names, or for not reporting any ſuch Ship or Veſſel, or for breaking Bulk before making ſuch Report or Reports, or for altering the Package of any Goods on Board any Ship or Veſſel, or for landing of any Goods without the Preſence of an Officer, or for ſtaving or otherwiſe deſtroying or ſpoiling any Goods at or after the Seizure thereof by any Officer of the Cuſtoms or Exciſe, or other Perſon duly authorized to make ſuch Seizure; and any Perſons who have beat, abuſed, obſtructed, or hindered, any Officer of the Cuſtoms or Exciſe in the due Execution of their Duty, or who have given or offered a Bribe to any Officer of the Cuſtoms or Exciſe; and all Perſons aiding, aſſiſting, and abetting in the committing any of the ſaid Offences; ſhall be and are by the Authority of this preſent Act acquitted, indemnified, releaſed, and diſcharged, againſt the King's Majeſty, his Heirs, and Succeſſors, and againſt all and every other Perſon and Perſons, Bodies Politick and Corporate, and any Officer or Officers of the Cuſtoms or Exciſe, and every of them, of and from all the ſaid Offences (not in this preſent Act hereafter excepted and foreprized) and of and from all Penalties, Forfeitures, Indictments, Outlawries, Convictions, and Judgments, not herein after excepted, incurred, had, or given, or that may or might ariſe or accrue for or by Reaſon or Means of any of the ſaid Offences or other Matters or Things herein before-mentioned and expreſſed.

and may plead this Act for their Diſcharge, paying only 1 s. 4 d. for entering the Plea,

II. And be it further enacted, That all and every of his Majeſty's Subjects may by him, her or themſelves, or by his, her or their Deputy or Deputies, Attorney or Attornies, according to the Laws of this Realm, plead and inſiſt on this Act of Indemnity for his, her or their Diſcharge, of or for any Thing that is by virtue of this Act acquitted, releaſed, or diſcharged, without any Fee or Payment to any Perſon or Perſons for the writing or entring of ſuch Plea, or the Judgments thereupon, but only ſixteen Pence to the Clerk or Officer who ſhall enter ſuch Plea or Matter for Judgment or the Party's Diſcharge in that Behalf; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

and ſtopping all Proceedings brought againſt Officers or their Aſſiſtants concerning the ſame.

III. Provided always, and be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who ſhall take, receive, or be intitled to any Benefit or Advantage by virtue of this preſent Act of Indemnity, either by pleading or inſiſting on the ſame in any Court of Juſtice or otherwiſe, and who hath, or before he, ſhe, or they ſhall claim the Benefit of this preſent Act, ſhall have brought, commenced, or proſecuted any Action, Plaint, or Information, Indictment, or other Proſecution whatſoever, againſt any Officer of his Majeſty's Cuſtoms or Exciſe, or againſt any Perſon or Perſons who ſhall or may have been aiding or aſſiſting to any ſuch Officer, for or concerning any Matter, Cauſe, or Thing done or committed by ſuch Officer, or by any Perſon or Perſons aiding or aſſiſting him, on Occaſion, or for or by Reaſon or Means of any of the Offences, Treſpaſſes, Frauds, Miſdemeanors, or other Matters or Things by this Act intended to be releaſed and diſcharged, ſhall, before ſuch Time as he, ſhe or they ſhall be admitted to make ſuch Plea as aforeſaid, or to take any Benefit or Advantage of this Act, abſolutely releaſe and diſcharge ſuch Action or Actions, diſcontinue and cauſe all Proceedings to be ſtaid in all and every ſuch Informations, Indictments, and other Proſecution and Proſecutions brought or commenced as aforeſaid.

Officers diſcharged, and may recover Coſts againſt Perſons claiming the Benefit of this Act, and afterwards proſecuting them.

IV. And be it further enacted, That if any Perſon or Perſons, who ſhall claim the Benefit of this Act, ſhall after ſuch Claim bring or commence, or cauſe to be brought or commenced, any Action, Plaint, Information, or other Proſecution whatſoever, againſt any Officer of his Majeſty's Cuſtoms, or Exciſe, or other Perſon who ſhall have aided or aſſiſted any ſuch Officer, for or concerning any Act, Matter or Thing done or committed by them, or any of them, on Occaſion of, or for, or by Reaſon or Means of any of the Offences, Frauds, Miſdemeanors, or other Matters or Things intended to be releaſed and diſcharged by this Act, ſuch Claim is and ſhall be deemed to be an abſolute Diſcharge and Releaſe to ſuch Officer or other Perſons of and from all and every ſuch Actions, Suits, and Proſecutions; and ſuch Officer or other Perſons may plead the General Iſſue, and give the Special Matter in Evidence;

Evidence; and the ſaid Officer or other Perſon ſhall recover his Coſts of Suit againſt the Perſon or Perſons ſo bringing or commencing ſuch Action or Proſecution.

Perſons having the Benefit of this Act, being afterwards guilty of the like Offences, liable to be proſecuted for both former and new Offence, and for Smuggling Bonds, &c.

V. Provided alſo, and be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who ſhall take, receive, or be intitled to the Benefit of this preſent Act of Indemnity, and ſhall afterwards be guilty of, or commit any of the Offences, Treſpaſſes, Frauds, or Miſdemeanors, as are herein before-mentioned, or hereby intended to be acquitted, releaſed, or diſcharged, or any of the Offences hereafter in this Act to be mentioned or expreſſed, ſhall be ſubject and liable to be proſecuted, not only for or in reſpect of ſuch new Offence by him, her or them committed, but ſhall alſo for and in reſpect of the ſaid Offences committed before the making this Act, and for and in reſpect of all Bonds and Securities by them or any of them given to his Majeſty, or to any Perſon or Perſons for his Majeſty's Uſe, commonly called *Smugling Bonds*, be ſubject and liable to all and every the ſame Pains, Penalties, Forfeitures and Actions, for Duties of Cuſtoms or Exciſe, and Actions upon the ſaid Bonds and Securities, as he, ſhe, or they would have incurred or been ſubject or liable to, in caſe this Act had never been made; any thing herein contained to the contrary thereof notwithſtanding.

This Act not to diſcharge any Judgment for Monies actually levied,

nor the Informer's Part of the Penalty.

VI. Provided alſo, That this Act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to acquit, releaſe or diſcharge any Judgment or Judgments, where the Monies or other Things recovered have been actually levied or taken in Execution before the making of this Act; nor ſhall the ſame extend, or be conſtrued to extend, to acquit, releaſe, or diſcharge any Judgment or Judgments, in reſpect to ſuch Part thereof as belongs to the Informer, or ſuch Perſon or Perſons who hath or have joined with his Majeſty in ſuch Suit or Suits, wherein ſuch Judgment or Judgments hath or have been obtained, unleſs and until ſuch Perſon or Perſons who would take the Benefit of this Act ſhall pay to ſuch Informer or other Perſon or Perſons the Full Coſts of ſuch Suit or Suits, in which ſuch Judgment or Judgments ſhall have been obtained.

Perſons now liable to be tranſported for any ſuch Offences, committing the like after claiming the Benefit of this Act, to ſuffer Death.

VII. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons who hath committed or been guilty of any of the Offence or Offences herein before mentioned, for which any ſuch Perſon or Perſons is or are by any Law or Statute now in being liable to be tranſported as a Felon or Felons, ſhall for any of the ſaid Offences take or receive the Benefit of this preſent Act, and ſhall afterwards be guilty of, or commit any of the ſaid Offences, for which he, ſhe, or they is or are now liable to be tranſported as aforeſaid; then all and every ſuch Perſon and Perſons (being duly convicted of or for any of the ſaid Offences hereafter to be committed as aforeſaid, and upon due Proof made that ſuch Perſon or Perſons had committed any of the ſaid Offences before the making of this Act, and had taken or received the Benefit thereof for his, her or their Diſcharge) ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy.

Perſons neglecting to pay Compoſition Money, excluded from the Benefit of this Act.

VIII. Provided alſo, That all Perſons, who have compounded with or agreed to pay any Sum of Money by way of Compoſition to his Majeſty, or to the Lords Commiſſioners of his Majeſty's Treaſury, or to any of the Barons of the Exchequer, or to the Commiſſioners of the Cuſtoms or Exciſe reſpectively for the time being, on his Majeſty's Behalf, for or in reſpect of any of the above mentioned Offences, or for the Forfeitures or Penalties ariſing thereby, ſhall make good ſuch Compoſitions and Agreements as have been by them reſpectively made, or in Default thereof all and every ſuch Perſons ſhall be excluded and deprived of and from all Benefit and Advantage of this Act. EXCEPTED and foreprized out of this Act, all Seizures of prohibited or uncuſtomed Goods and other Goods, and all Seizures of Ships, Veſſels, Boats, Horſes, or other Cattle or Carriages, liable to be ſeized and forfeited by any Law in Being relating to his Majeſty's Revenues of Cuſtom or Exciſe, for or in reſpect of the Forfeiture and Condemnation of ſuch Goods only; and alſo ſaving and excepted out of this preſent Act unto his Majeſty, his Heirs and Succeſſors, all Cuſtoms, Duties, and Sums of Money due and owing from any Perſon or Perſons, for or upon the Entry or lawful Importation of any Goods, Wares, or Merchandizes; and all and every Debts and Sums of Money due to his Majeſty from any Perſon or Perſons upon any Bond, Obligation, or other Contract or Agreement whatſoever, touching or concerning the lawful landing or importing any Goods, Wares, or Merchandizes, or the Cuſtoms or other Duties due or payable for the ſame; and all Bonds and Obligations given by any Officer or Officers of the Cuſtoms or Exciſe to his Majeſty, or any of his Predeceſſors, or to any other Perſon or Perſons for the Uſe of or in Truſt for his ſaid Majeſty or his Predeceſſors; and alſo ſaving to his ſaid Majeſty, his Heirs and Succeſſors, all Debts, Dues, and Demands, due or owing to his ſaid Majeſty for or in reſpect of any Sum or Sums of Money by him or any of his Royal Predeceſſors at any Time paid upon any Debenture or Debentures, Certificate or Certificates, where any ſuch Debenture or Certificate was wrongfully or fraudulently obtained, or where the ſame Debenture afterwards became void by any relanding of the Goods therein mentioned, or by any other Way or Means whatſoever; and all other Debts, Dues, and Demands, for and in reſpect of the Cuſtoms, Exciſe, and other Duties chargeable on any Goods, Wares, or Merchandizes, concerning which there is any Action, Information, Suit, or Proſecution now depending in any of his Majeſty's Courts at *Weſtminſter* or elſewhere.

Excepted out of this Act, all Seizures of Goods, Veſſels, &c.

Money due on Entry of Goods, or Bond;

Debentures fraudulently obtained,

and Actions now depending.

Treaſury may compound in Caſes where Judgment was given for his Majeſty in Suits depending on 11 May 1736, relating to Debentures, &c.

IX. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That in caſe any Judgment ſhall be given for his Majeſty, his Heirs or Succeſſors, in any Suit or Suits depending in any of his Majeſty's Courts at *Weſtminſter* or elſewhere, on the Eleventh Day of *May* one thouſand ſeven hundred and thirty-ſix, for the Recovery of any Debts, Dues, or Demands, due or owing to his ſaid Majeſty for or in reſpect of any Money paid by him or his Royal Predeceſſors upon any Debenture or Debentures, or Certificate or Certificates, where any ſuch Debenture or Certificate was wrongfully or fradulently obtained, or where the ſame became void by relanding the Goods therein mentioned, or by any other Ways or Means whatſoever; it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the Lord High Treaſurer for the time being, in caſe he or they

ſhall

ſhall think fit, to compound for, releaſe, or diſcharge the ſame, notwithſtanding any Appropriation thereof by any Act or Acts of Parliament, but ſo as all ſuch Monies which ſhall ariſe or be received by virtue of any ſuch Compoſition, ſhall be applied in ſuch Manner, and to ſuch Uſes, as the original Debts, Dues, or Demands recovered by ſuch Judgments are or would be applicable, if this Act had not been made, or in a rateable Proportion where the ſame Debts, Dues, and Demands are applicable to different Uſes.

'X. And whereas divers diſſolute and diſorderly Perſons frequently appear in great Gangs near the 'Sea Coaſts and the Shores of navigable Rivers, and in and about the Towns and Villages adjacent 'thereto, and in divers other Parts of this Kingdom, carrying Fire-arms or other offenſive Weapons, to 'the great Terror of his Majeſty's Subjects, and the Hindrance of the Civil Officers, and the Officers 'of the Cuſtoms and Exciſe, in the Execution and Diſcharge of their Duty, and during their Abode 'there commit great Spoil and Devaſtation to the Eſtates thereabouts, in order to be aiding and aſſiſt-'ing in the clandeſtine running, landing, or carrying away prohibited and uncuſtomed Goods, and to 'reſcue the ſame after Seizure from the Officers of the Cuſtoms or Exciſe, and to watch for proper Op-'portunities for that Purpoſe: And whereas ſeveral Officers of the Revenue and others their Aſſiſtants 'have been wounded, maimed, and ſome of them murdered in the Execution of their Office, and great 'Quantities of run Goods have been reſcued after Seizure, and Sheriffs and other Civil Officers have 'been forcibly hindered from the Execution of Proceſs;' For preventing thereof be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, upon Information to be given upon Oath before any one or more of his Majeſty's Juſtices of the Peace in any County, City or Liberty whatſoever, that any Perſons to the Number of three or more are or have been after the ſaid Twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, aſſembled for any of the Purpoſes aforeſaid, and are or have been after the ſaid twenty-fourth Day of *June* armed with Fire-arms or other offenſive Arms or Weapons; ſuch Juſtice or Juſtices of the Peace ſhall and may grant his or their Warrant to the Conſtables, Headboroughs, and other Peace Officers whatſoever, or any of them, requiring ſuch Officer and Officers reſpectively, to take to his and their Aſſiſtance as many of his Majeſty's Subjects as may be thought neceſſary for the apprehending all and every Perſon and Perſons, againſt whom ſuch Information ſhall be given as aforeſaid, and ſuch Juſtice or Juſtices of the Peace ſhall and may (if upon due Examination he or they find Cauſe) commit all and every or any of the ſaid Perſon and Perſons to the next County Gaol, there to remain without Bail or Mainprize until he, ſhe or they ſhall be diſcharged by due Courſe of Law; and all and every ſuch Perſon and Perſons upon due Proof of his, her or their being aſſembled and armed as aforeſaid, in order to be aiding and aſſiſting in the clandeſtine running, landing, reſcuing, or carrying away prohibited or uncuſtomed Goods, and upon Conviction of and for ſuch Offence, ſhall be adjudged guilty of Felony, and ſhall be tranſported as a Felon or Felons to ſome or one of his Majeſty's Colonies or Plantations in *America*, there to remain for the Space of ſeven Years, in the ſame Manner as Felons are appointed to be tranſported by an Act made in the fourth Year of the Reign of his late Majeſty King GEORGE the Firſt, of glorious Memory, intituled, *An Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Tranſportation of Felons, and unlawful Exporters of Wooll, and for declaring the Law upon ſome Points relating to Pirates*, and by another Act made in the ſixth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for the better preventing Robbery, Burglary, and other Felonies, and for the more effectual Tranſportation of Felons*; and if any ſuch Offender or Offenders ſhall return into *Great Britain* or *Ireland* before the Expiration of the ſaid Term, contrary to the Intent and Meaning hereof, he or they ſo returning ſhall ſuffer as Felons, and have Execution awarded againſt them as Perſons attainted of Felony without Benefit of the Clergy.

After 24 June 1736, any Juſtice, on Information upon Oath, that 3 or more Perſons are aſſembled together, armed with Fire-arms, &c. may grant a Warrant for apprehending them,

and commit them to the County Gaol;

upon Conviction of their being aſſembled to aſſiſt in the running of Goods, they ſhall be tranſported for 7 Years, as other Felons by the Acts 4 & 6 Geo. 1.

4 Geo. 1. c. 11. 6 Geo. 1. c. 23. Perſons returning before the Expiration of ſuch Term, to ſuffer Death.

XI. And for the better Diſcovery and apprehending all and every the ſaid Offender and Offenders, be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, all and every Perſon or Perſons, who ſhall apprehend and take any Perſon or Perſons guilty of any of the Offences laſt before-mentioned, ſhall have and receive for every ſuch Offender who ſhall be convicted of any ſuch Offence, the Sum of fifty Pounds, to be paid in ſuch Manner as herein after is mentioned, immediately after ſuch Conviction and Demand thereof made by tendring a Certificate under the Hand or Hands of the Judge or Judges before whom ſuch Offender or Offenders ſhall be convicted, certifying the Conviction of ſuch Offender or Offenders, and that he, ſhe or they were taken by the Perſon or Perſons claiming the ſaid Reward; and that if any Perſon or Perſons ſhall happen to loſe any Limb, or an Eye, or be otherwiſe maimed or dangerouſly wounded, in the apprehending, or in the endeavouring to apprehend, or making purſuit after, any ſuch Offender or Offenders, all and every Perſon and Perſons ſo maimed or wounded as aforeſaid ſhall upon ſuch Conviction as aforeſaid have and receive the Sum of fifty Pounds, over and above any other Reward that he or they ſhall be intitled to by virtue of this Act; and that in caſe any Perſon or Perſons ſhall happen to be killed in the taking or apprehending, or endeavouring to apprehend, or in making purſuit after, any ſuch Offender or Offenders, that then the Executors or Adminiſtrators of ſuch Perſon or Perſons ſo killed as aforeſaid (upon Certificate delivered under the Hands and Seals of the Juſtice or Juſtices of Aſſize for the County where the Fact was done, or the two next Juſtices of the Peace, of ſuch Perſon or Perſons being ſo killed, which Certificate the ſaid Juſtice or Juſtices, upon ſufficient Proof before him or them made, is and are hereby required immediately to give without Fee or Reward) ſhall have and receive the Sum of fifty Pounds, over and above any other Reward that the Perſon or Perſons ſo killed, his or their Executors or Adminiſtrators, ſhall or may be intitled to by virtue of this Act.

50 l. Reward for apprehending,

50 l. to Perſons maimed in apprehending,

and 50 l. to the Executors of Perſons killed in apprehending ſuch Offenders.

XII. And be it further enacted, That if any of the ſaid Offender or Offenders ſhall within three Months after ſuch his, her or their Offence, and before his, her or their Conviction, diſcover two or more

Offenders diſcovering 2 or more Accomplices,

more of his, her or their Accomplices therein to the Commiſſioners of the Cuſtoms or Exciſe in *England* or *Scotland* reſpectively, ſo as they or two of them at leaſt be convicted of ſuch Offence, the Offender or Offenders ſo diſcovering ſhall have and receive the Sum of fifty Pounds for every ſuch Offender ſo diſcovered and convicted, as a Reward for ſuch his, her or their Diſcovery, and every ſuch Perſon ſo diſcovering ſhall be clearly acquitted and diſcharged of ſuch his, her or their Offence; all which ſaid Rewards ſhall be paid in ſuch Manner as herein after is mentioned.

3 Months after the Offence, to the Commiſſioners of the Cuſtoms, &c. to be diſcharged, and intitled to 50 l. Reward.

'XIII. And whereas the Laws in Being have hitherto proved inſufficient for preventing the carrying 'prohibited and uncuſtomed Goods through the Country with an armed Force;' For Remedy thereof, be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* on thouſand ſeven hundred and thirty-ſix, all Perſons who to the Number of two or more in Company ſhall be found paſſing within five Miles from the Sea Coaſts, or from any navigable River, with one or more Horſe or Horſes, or with any Cart or Carriage, whereon there ſhall be laden or put more than ſix Pounds of Tea, or Brandy or other Spirits exceeding the Quantity of five Gallons, not having paid the Duties by Law charged thereon, and not having a Permit for the ſame, or any other foreign Goods or Commodities above the Value of thirty Pounds *Sterling* landed from any Ship or Veſſel without the due Entry and Payment of the Duties by Law charged thereon, and ſhall carry any offenſive Arms or Weapons, or wear any Vizard, Maſk, or other Diſguiſe, when paſſing with ſuch Goods and Commodities as aforeſaid, or ſhall forcibly hinder, obſtruct, aſſault, oppoſe or reſiſt any of the Officers of the Cuſtoms or Exciſe in the ſeizing or ſecuring any Sort of prohibited, uncuſtomed or run Goods or Commodities, or other the Execution of their Office, ſhall be deemed and taken to be Runners of foreign Goods and Commodities within the Intent and Meaning of one Act of Parliament made in the eighth Year of the Reign of his ſaid late Majeſty GEORGE the Firſt, intituled, *An Act to prevent the clandeſtine running of Goods, and the Danger of Infection thereby, and to prevent Ships breaking their Quarentine; and to ſubject Copper Ore of the Production of the* Britiſh *Plantations to ſuch Regulations as other enumerated Commodities of the like Production are ſubject*, although no Proof ſhall be given or made that ſuch Tea, Brandy, Spirits or other Goods or Commodities were run, or had not been duly entred and paid the Duties chargeable thereon; but the Proof of ſuch Entry and Payment of the Duties, and of the Manner how the ſaid Perſons ſo found with the ſaid Goods and Commodities came by the ſame, ſhall wholly lie on ſuch Perſon and Perſons; and all and every Perſon and Perſons being convicted of or for any of the ſaid Offences ſhall be adjudged guilty of Felony, and ſhall for his, her or their Offence, be tranſported as a Felon or Felons to ſome one of his Majeſty's Colonies or Plantations in *America*, there to remain for the Space of ſeven Years, in ſuch Manner as Felons are appointed to be tranſported by the ſaid two Acts made for that Purpoſe in the fourth and ſixth Years of the Reign of his Majeſty King GEORGE the Firſt, herein before particularly mentioned; and if any ſuch Offender or Offenders ſhall return into *Great Britain* or *Ireland* before the Expiration of the ſaid ſeven Years, he or they ſo returning ſhall ſuffer as Felons, and have Execution awarded againſt him, her or them, as Perſons attainted of Felony without Benefit of Clergy.

Two or more Perſons found paſſing together, within 5 Miles of the Sea, or a navigable River, with Horſe, Cart, &c. loaden with 6 lb. of Tea, 5 Gallons of Brandy or other Spirits, &c. not having paid the Duty, and bearing offenſive Arms, or being maſked, &c. to be deemed Runners of foreign Goods.

1 Geo. 1. c. 18.

The Proof of Entry and Payment of Duties to lie on the Perſons found with the Goods.

XIV. And be it further enacted by the Authority aforeſaid, That all the Goods, Wares and Merchandizes, ſo found as aforeſaid, and all Weapons and Arms, as well offenſive as defenſive, found upon or with ſuch Perſon or Perſons as aforeſaid, and all the Furniture of their and every of their Horſe and Horſes, and other Cattle and Carriages, and the Cheſts, Boxes, Bags, Caſks and other Package of all Goods ſo found as aforeſaid, ſhall be forfeited and loſt.

All Goods, Weapons, Furniture, and Package of Goods ſo found, forfeited.

XV. And be it further enacted by the Authority aforeſaid, That if any Officer of the Cuſtoms or Exciſe ſhall loſe any Limb or an Eye, or be otherwiſe maimed, or dangerouſly wounded, by any Offender or Offenders herein laſt mentioned, in the Execution of the Duty of his Office, or if any ſuch Officer or other Perſon whatſoever ſhall be ſo maimed or wounded as aforeſaid, in the apprehending, or endeavouring to apprehend, or making Purſuit after any ſuch Offender or Offenders, all and every ſuch Officer and Officers, Perſon and Perſons, ſo maimed and wounded as aforeſaid, ſhall upon the Conviction of ſuch Offender or Offenders have and receive as a Reward the Sum of fifty Pounds, over and above any other Reward that he or they ſhall be intitled to by virtue of this Act; and in caſe any Perſon or Perſons ſhall happen to be killed in the taking or apprehending, or endeavouring to apprehend, or in making Purſuit after, any ſuch Offender or Offenders, that then the Executors or Adminiſtrators of ſuch Perſon or Perſons ſo killed as aforeſaid (upon Certificate under the Hands and Seals of the Juſtice or Juſtices of Aſſize for the County where the Fact was done, or the two next Juſtices of the Peace, of ſuch Perſon or Perſons being ſo killed, which Certificate the ſaid Juſtice or Juſtices, upon ſufficient Proof before him or them made, is and are hereby required immediately to give without Fee or Reward) ſhall have and receive the Sum of fifty Pounds over and above any other Reward that the Perſon or Perſons ſo killed, his, her or their Executors or Adminiſtrators, ſhall or may be intitled to by virtue of this Act.

The 50 l. Reward to Perſons wounded in apprehending,

and to the Executors of Perſons killed in apprehending,

XVI. And be it further enacted, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, if any Perſon or Perſons ſhall, within three Months after any of the ſaid Offences herein laſt before mentioned ſhall have been committed, diſcover to the Commiſſioners of the Cuſtoms or Exciſe in *England* or *Scotland* reſpectively, any Perſon or Perſons who ſhall have been guilty of any ſuch Offence, ſo as ſuch Offender or Offenders be convicted thereof, ſuch Diſcoverer or Diſcoverers ſhall have and receive the Sum of fifty Pounds for every ſuch Offender ſo diſcovered and convicted, over and above any other Reward or Recompence which he, ſhe or they may be intitled to by any Law or Statute now in being.

and to the Diſcoverers of their Accomplices,

XVII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of the Cuſtoms and Exciſe in *England* and *Scotland* reſpectively ſhall cauſe the ſeveral Rewards in this Act before reſpectively mentioned to be paid to the ſeveral and reſpective Perſons who ſhall become intitled thereto

to be paid by the reſpective Receivers General, by Order of Commiſſioners,

On Certificate of the Judge of the Offender's Conviction.

thereto as aforesaid, by the respective Receiver General or Cashier, or other proper Officer of the Customs and Excise for the time being, out of any publick Money in his or their Hands under the Management of the said Commissioners, upon producing to them a Certificate or Certificates under the Hand or Hands of the Judge or Judges of the Court before whom such Offender or Offenders shall be tried, certifying his, her or their Conviction, or upon producing such Certificate of any such Persons being so killed as aforesaid, as is herein before mentioned; and that if any Dispute shall arise between the Persons so intitled to the said Rewards, or any of them, about their respective Shares and Proportions thereof, the same shall be divided to and amongst such Persons as aforesaid, in such Shares and Proportions as to the said Commissioners of the Customs or Excise respectively, or to the major Part of them shall seem just and reasonable; and the Money paid by any Receiver General, Cashier or other Officer as aforesaid, shall be accepted of, and allowed in his Accounts, as so much Money paid to his Majesty, and every such Officer is and shall be hereby discharged thereof accordingly; any Law, Custom or Usage to the contrary notwithstanding.

Commissioners to adjust the Shares in case of Difference.

Persons lurking within 5 Miles of the Sea, or a navigable River,

not giving a satisfactory Account to the Justice, to be sent to the House of Correction, whipt, and kept to hard Labour.

20s. Reward per Head to the Informer of such Offenders, to be paid by the Commissioners.

XVIII. And be it further enacted by the Authority aforesaid, That upon Information to be given upon Oath before any one or more of his Majesty's Justices of the Peace in any County, City or Liberty whatsoever, that any Person or Persons are or shall be lurking, waiting or loitering within five Miles from the Sea Coast, or from any navigable River, and that there is Reason to suspect that they wait with Intent to be aiding and assisting in the running, landing or carrying away, any prohibited or uncustomed Goods, it shall and may be lawful to and for every such Justice or Justices to cause all such Persons to come and be brought before him or them, and to grant his or their Warrant or Warrants for the apprehending such Offender, and bringing him or them before any of his Majesty's said Justices of the Peace; and if such Persons shall not give a satisfactory Account of themselves, and their Callings and Employments, or otherwise make it appear to the Satisfaction of such Justice or Justices that they are not to be employed or concerned in, or to be aiding or assisting in the carrying on any fradulent or clandestine Trade, or unlawful Business or Occupation, and are not at such Place as aforesaid with Intent to carry on the said clandestine Practices, then every Person who shall not give such Account and Satisfaction to such Justice or Justices shall be committed to the House of Correction, there to be whipt and kept to hard Labour for any Time which such Justice or Justices shall in his or their Discretion think meet, not exceeding one Month, and that the Commissioners of the Customs or Excise respectively shall cause to be paid to the Person or Persons informing of such Offender or Offenders a Reward of twenty Shillings *per* Head for every such Offender so taken as aforesaid.

Persons so apprehended desiring Time to clear themselves of the Accusation, to be only committed to Prison, till Satisfaction or Security given, not to be guilty of the like Offences.

XIX. Provided always, and be it further enacted by the Authority aforesaid, That if any such Person so brought before such Justice or Justices shall desire Time for the making it appear that he or they is or are not concerned in any of the fraudulent or clandestine Practices above mentioned, such Person or Persons shall not be punished by whipping or other Correction; but that then, and in every such Case, it shall and may be lawful to and for every such Justice and Justices to commit such Person and Persons to the common Gaol, there to remain and continue until he or they shall give such Account of him or themselves, or make Proof of the Matters aforesaid to the Satisfaction of such Justice or Justices, or until such Person or Persons shall give and find good and sufficient Security to the Approbation and Satisfaction of the said Justice or Justices, not to be guilty of any of the said Offences, or fraudulent, clandestine or indirect Practices.

Tea, Brandy, &c. offered to Sale, with or without a Permit, may be stopped on Suspicion.

XX. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-six, if any Person shall offer any Tea, Brandy, Arrack, Rum, or other Strong Waters or Spirits to Sale, not having a Permit for the same, or if any Hawker, Pedlar, Petty Chapman or any other trading Person or Persons going from Town to Town, or to other Mens Houses, and trading either on Foot, or with any Horse or Horses, or other Cattle, or otherwise, within the Kingdom of *Great Britain*, shall offer any such Tea, Brandy or other Spirits to Sale, although such Hawker, Pedlar or trading Person or Persons, shall have a Permit for the same, it shall and may be lawful to and for every Person and Persons to whom the same shall be so offered to Sale, to stop, arrest, seize and detain all such Tea, Brandy or Spirits, and carry the same to the next Warehouse belonging to the Customs or Excise, and to bring the Person and Persons so offering the same to Sale before any one of his Majesty's Justices of the Peace, to be by him committed to Prison, and prosecuted for the Penalties and Forfeitures incurred for such Offence; and such Tea, Brandy or other Spirits shall and may be prosecuted in the Name of such Person or Persons who stopped or seized the same, in like Manner as if the said Goods had been seized by any Officer of the Customs or Excise; and after Condemnation of the Goods, and Commitment of the Persons so offending as aforesaid, the Persons so seizing the same as aforesaid shall be intitled to one third Part of the gross Produce of the Sale of such Goods, which the Commissioners of the Customs and Excise respectively are to cause to be paid accordingly; and in case such Person or Persons, so seizing the said Goods, shall desire it, the said Commissioners shall in the mean Time, till the said Goods can be publickly sold, cause one Shilling for every Pound of Tea, and one Shilling for every Gallon of Brandy so seized, to be paid or advanced to such Person or Persons, upon a Certificate under the Hand of such Justice or Justices of such Offender or Offenders being committed to Prison, and after the Sale of such Goods the Monies so paid or advanced shall be replaced out of the Produce of such Sale; any Law, Custom or Usage to the contrary notwithstanding.

The Person stopping such Goods may prosecute in his own Name, and on Recovery be intitled to a Third part of the Produce at Sale.

Commissioners to advance 1s. per Pound for Tea, and 1s. per Gallon for Brandy, so seized, to the Prosecutor, till Sale.

After 24 June 1736, Watermen, Porters, &c. found with prohibited or run Goods, to forfeit treble the Value.

XXI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-six, all Watermen, Carmen, Porters and other Persons whatsoever, employed in carrying any Goods, Wares or Merchandizes prohibited, run or clandestinely imported, upon whom, or in whose Custody, the same shall be found or seized, knowing the same Goods to be prohibited, or to have been clandestinely run or imported without Payment of the Duties

ties of Customs or Excise respectively, and who shall be thereof lawfully convicted upon his, her or their Appearance or Default upon the Oath or Oaths of one or more credible Witness or Witnesses, or by the Confession of the Party before one or more Justice or Justices of the Peace of the County, Division, or Liberty where such Offence shall be committed or the Offender found (which Oath such Justice or Justices of the Peace are hereby authorized and required to administer) shall forfeit treble the Value of all such Goods so found and seized, one Moiety thereof to the Informer, the other Moiety thereof to the Poor of the Parish where such Offence shall be committed; the same to be levied by Distress and Sale of the Offender's Goods or Chattles, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted as aforesaid; and for want of such Distress every such Offender shall by such Justice or Justices be committed to the House of Correction, there to be whipt and kept to hard Labour for any Time that such Justice or Justices of the Peace shall in his or their Discretion judge meet, not exceeding three Months.

XXII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-six, where any Ship or Vessel whatsoever coming or arriving from Foreign Parts, and having on Board six Pounds of Tea, or any Foreign Brandy, Arrack, Rum, Strong Waters, or other Spirits whatsoever, in Casks under sixty Gallons (except only for the Use of the Seamen then belonging to and on Board such Ship or Vessel, not exceeding two Gallons for each Seaman) shall be found at Anchor, or hovering within the Limits of any of the Ports of this Kingdom, or within two Leagues of the Shore, or shall be discovered to have been within the Limits of any Port, and not proceeding on her Voyage, Wind and Weather permitting (unless in case of unavoidable Necessity, and Distress of Weather, of which Necessity and Distress the Master, Purser or other Person having or taking the Charge or Command of such Ship or Vessel, shall give Notice to, and make Proof of before the Collector or other Chief Officer of the Customs of such Port as aforesaid immediately after the Arrival of such Ship or Vessel into the said Port) all such Tea, Foreign Brandy, Arrack, Rum, Strong Waters and Spirits, together with the Chests, Boxes, Casks, and other Package whatsoever, containing the same Goods, or the Value thereof, shall be forfeited and lost (whether Bulk shall then have been broken or not) and the same Goods and Package shall and may be seized and prosecuted, or the Value thereof sued for by any Officer or Officers of the Customs or Excise in such Manner and Form as herein after is expressed; any Law, Statute or Custom to the contrary notwithstanding.

Vessels arriving from Foreign Parts with 6 Pounds of Tea on Board, or Brandy, &c. in Casks under 6 Gallons (except for the Use of the Seamen) hovering within two Leagues of the Shore, all such Goods with the Package to be forfeited.

'XXIII. And whereas Foreign Goods are frequently taken out of Ships at Sea without the Limits of 'any Port, with Intent to be fraudulently landed in this Kingdom;' For preventing thereof, be it further enacted by the Authority aforesaid, That in case any Foreign Goods, Wares or Merchandizes, shall after the twenty-ninth Day of *September* one thousand seven hundred and thirty-six, by any Ship, Boat or Vessel whatsoever, be taken in at Sea, or put out of any Ship or Vessel whatsoever, within the Distance of four Leagues from any of the Coasts of this Kingdom (whether the same be within or without the Limits of any of the Ports thereof) without Payment of the Customs and other Duties due and payable for the same (unless in case of apparent Necessity or some other lawful Reason, of which the Master or other Person having Charge of such Ship, Vessel or Boat, so taking in the same, shall give immediate Notice to, and make Proof before the Chief Officer or Officers of the Customs of the first Port of this Kingdom where he shall arrive) such Goods, Wares and Merchandizes, shall be forfeited and lost, and the Master or other Person having Charge of such Ship, Vessel or Boat so taking in the same, and all such Persons who shall be aiding, assisting or otherwise concerned in the unshipping or receiving of the said Goods, Wares or Merchandizes, shall forfeit Treble the Value thereof; and the Ships, Boats and Vessels, into which the said Goods, Wares and Merchandizes shall be unshipped and taken in, shall also be forfeited and lost, any Ship, Boat or Vessel, so to be forfeited and lost, not exceeding the Burthen of one hundred Tuns; and the Master, Purser or other Person taking Charge of such Ship or Vessel out of which such Goods shall be taken (unless in case of such apparent Necessity or other lawful Reason, where of Notice shall be given by him, and Proof be made as aforesaid) shall also forfeit Treble the Value of the Goods so unshipped as aforesaid; which Forfeitures shall be divided and recovered in such Manner as is herein after mentioned.

After 29 Sept. 1736, Foreign Goods taken in or put out of any Vessel within four Leagues of the British Coasts without Payment of Customs (unless in case of apparent Necessity) to be forfeited, and the Master, &c. to forfeit Treble the Value, and the Vessel forfeited, if not above 100 Tuns.

XXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall offer any Bribe, Recompence or Reward whatsoever, to any Officer or Officers of the Customs or Excise, to connive at or permit any customable or prohibited Goods to be run on Shore, or to connive at any false or short Entry of any such Goods, or to do any other Act whereby his Majesty might be defrauded in his said Revenues, every such Person and Persons shall for every such Offence (whether the same Offer or Proposal shall be accepted or not) forfeit the Sum of fifty Pounds, to be recovered and divided in such Manner as herein after is mentioned.

50 l. Penalty on offering to bribe an Officer to Connivance, &c.

XXV. And be it further enacted by the Authority aforesaid, That one Moiety of the several Penalties and Forfeitures in this Act mentioned shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety shall be to the Use of such Person and Persons as shall inform, prosecute or sue for the same (except in such Cases where any other Appropriation or Distribution of the said Penalties is made by this Act, or by any other Act or Acts) and that all the same Penalties and Forfeitures shall and may be prosecuted and sued for, and the Causes and Controversies arising thereupon, tried, heard, and determined, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer at *Edinburgh* respectively (except where any Provision to the contrary is made by this or any other Law or Statute now in Force) wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed.

Forfeitures how to be recovered and distributed.

XXVI. And, for the better and more impartial Trial of any Indictment or Information which shall be found, commenced or prosecuted, for any Assault made or committed upon any of the Officers of the Customs

Actions of Assault upon Officers may be tried in any County of England.

Customs or Excise; Be it further enacted by the Authority aforesaid, That all and every the said Offence and Offences shall and may be enquired of, examined, tried and determined in any County within that Part of the Kingdom of *Great Britain* called *England*, in such Manner and Form as if the same Offence had been therein committed.

'XXVII. And whereas in Ships from Foreign Parts Goods are often concealed in false Bulk Heads, 'between the Linings and false Knees, or in concealed Lockers, or in the Ballast or false Package, 'and other Places, which the Officers of the Customs cannot easily find out or discover, in order to their 'being landed without Payment of Duties, and such Goods are not by any Law liable to Forfeiture, 'unless the same be found after clearing the Ship by the proper Officer or Officers of the Customs;'

All Goods found concealed after the Master's Report at the Custom-house, forfeited, and the Master, &c. to forfeit Treble the Value.

For Remedy whereof be it enacted by the Authority aforesaid, That all Goods which shall be found concealed as aforesaid, or concealed in any other Place on board any Ship or Vessel at any time after the Master thereof shall have made his Report at the Custom-house, and which shall not be comprized or mentioned in the said Report, shall be forfeited and lost, and shall and may be seized and prosecuted by any Officer or Officers of the Customs, and the Master, Purser or other Person having the Charge or Command of such Ship or Vessel (in case it can be made appear that he was any ways consenting or privy to such Fraud or Concealment) shall forfeit Treble the Value of the Goods so found, to be divided and recovered in such Manner as herein before is mentioned.

'XXVIII. And whereas the Punishment to which such Persons as shall forcibly obstruct or hinder 'any Officer of the Customs or Excise, being on board any Ship, Boat or Vessel within the Limits of 'any of the Ports of this Kingdom, are liable by Law, hath proved insufficient:' For preventing the

Persons forcibly obstructing or wounding Officers on board in the Execution of their Offices, to be transported, not exceeding 7 Years,

said Offences, be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-six, if any Officer or Officers of the Customs or Excise, being on board any Ship, Boat or Vessel within the Limits of any of the Ports of this Kingdom, be forcibly hindred, opposed, obstructed, wounded or beaten, in the due Execution of his or their Office or Duty, by any Person or Persons whatsoever, either in the Day or Night, all and every Person and Persons so forcibly hindring, opposing, obstructing, wounding or beating the said Officer or Officers in the Execution of his or their Office, and all such as shall act in their Aid or Assistance, being convicted thereof, shall by Order of the Court before whom such Offender or Offenders shall be convicted, be transported to some of his Majesty's Colonies and Plantations in *America*, for such Term as such Court shall think fit, not exceeding seven Years, in the same Manner as by one Act made in the fourth Year of the Reign of his late Majesty King GEORGE the First, of Glorious Memory, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Transportation of Felons, and unlawful Exporters of Wool, and for declaring the Law upon some Points relating to Pirates*; and by one other Act made in the sixth Year of the Reign of his said late Majesty, intituled, *An Act for the better preventing Robbery, Burglary and other Felonies, and for the more effectual Transportation of Felons*; the Offenders therein mentioned are to be transported to the said Colonies and Plantations; and if any such Offender or Offenders shall return into *Great Britain* or *Ireland* before the Expiration of the said Term, contrary to the Intent and Meaning hereof, he or they so returning shall suffer as Felons, and have Execution awarded against them as Persons attainted of Felony, without Benefit of Clergy.

as other Felons by the Acts 4 & 6 Geo. 1.

Officers may go on board Coasting Vessels, and search for prohibited Goods,

XXIX. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-six, it shall and may be lawful to and for any Officer or Officers of the Customs or Excise, producing his or their Warrant or Deputation, Warrants or Deputations (if required) to go on board and enter into any Coasting Ship or Vessel, which shall be within the Limits of any of the Ports of this Kingdom, and to rummage and search the Cabbin and all other Parts of all such Coasting Ships or Vessels, for prohibited and uncustomed Goods, and such Officer and Officers is and are hereby authorized and impowered to stay and remain on board all such Ships and Vessels, during the whole Time that the same shall continue within the Limits of any such Port as aforesaid; and if any Person or Persons whatsoever shall obstruct, oppose, molest, let or hinder any Officer or Officers of the Customs or Excise, in going or remaining on Board any such Coasting Ship or Vessel, or in the entring or searching the Cabbin, or any other Part thereof, every such Person and Persons shall for every such Offence, forfeit and lose the Sum of one hundred Pounds, to be divided and recovered in such Manner as herein before is expressed.

and continue on board during the Vessel's Stay in the Port.

100 l. Penalty on obstructing Officers.

100 l. Penalty on Alehouse Men, &c. knowingly harbouring any Person against whom Process hath issued for obstructing Officers, &c.

XXX. And be it further enacted by the Authority aforesaid, That if any Person or Persons who keep or shall keep any Tavern, Alehouse, Victualling-House, or other House where Ale, Wine, Brandy or other strong Liquors shall be sold by Retale, shall after the twenty-ninth Day of *September* one thousand seven hundred and thirty-six, knowingly receive, harbour or entertain any Person or Persons against whom any *Capias* or other Process of Arrest shall have issued, for having beat, abused or obstructed any Officer or Officers of the Customs or Excise in the Execution of their Office, or for any Offence or Offences that are or shall be committed against any of the Laws now in being for preventing Frauds in relation to the Revenues of Customs or Excise, or for any Crime or Crimes whatsoever that shall be committed or done in Prejudice of the said Revenue, and to which *Capias* or other Process the Sheriff or other Officer having Execution of the said Process shall have returned, that such Person or Persons cannot be found, and which Person or Persons shall not have appeared to the said Process, or for any other Offence, Fraud or Misdemeanor in this Act mentioned, or to the Prejudice of his Majesty's Customs or Excise, or shall knowingly harbour, receive or entertain any Person or Persons, who having been in Prison for any of the said Offences shall have escaped, or who shall have been convicted for the same, and shall fly from Justice, shall forfeit one hundred Pounds, to be recovered and divided in such Manner as is herein before expressed, and be rendred incapable of having a Licence for keeping or of keeping any Tavern, Alehouse or Victualling-House, or selling Wine, Ale, Brandy or other strong Liquors by Retale, for the future.

XXXI. Provided nevertheleſs, That no Perſons ſhall ſuffer any Penalty or Diſability for ſuch receiving, harbouring or entertaining, unleſs publick Notice ſhall have been firſt given ſix Days before in two ſucceſſive *Gazettes*, of the abſconding of the Perſon or Perſons who ſhall be ſo received, harboured or entertained, and alſo by Writing to be fixed to the Door of the Pariſh Church where ſuch Perſon or Perſons laſt dwelt before his abſconding.

after 6 Days Notice in the Gazette of ſuch Perſon's abſconding, and Writing fixed to the Door of the Church.

'XXXII. And whereas it hath been found by Experience, that the Bailiffs and other Officers having the Execution of Proceſs in the ſeveral Counties, Cities and Liberties of this Kingdom, often hold 'Correſpondence with the Perſons guilty of the ſeveral illegal Practices herein before mentioned, and 'give them Notice when any Writ or Proceſs iſſues againſt them, whereby they eſcape from Juſtice;' For Remedy thereof, be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, where any Writ of *Capias*, or other Proceſs, ſhall iſſue out of any Court, directed to any Sheriff, Mayor, Bailiff or other Perſon having the Execution of Proceſs in any County, City or Liberty, againſt any Perſon who ſhall be guilty of, or proſecuted for, any Offence whatſoever contrary to any of the Laws or Statutes now in being relating to his Majeſty's ſaid Revenues of Cuſtoms or Exciſe, every ſuch Sheriff, Mayor or Bailiff, and other Perſons having Execution of Proceſs as aforeſaid, and their and every of their Under-ſheriffs, Deputies and other Perſons acting for them in the ſaid Office and Offices reſpectively, ſhall, and are hereby enjoined and required, upon the Requeſt or Application of any one of the known Solicitors for the Cuſtoms or Exciſe (ſuch Requeſt to be in Writing indorſed upon the Back of the ſaid Proceſs, and ſigned by ſuch Solicitor with his Name and Addition of *Solicitor for the Cuſtoms* or *Exciſe*, as the Caſe ſhall happen to be) to grant a ſpecial Warrant or Warrants to ſuch Perſon or Perſons as ſhall be named to them by ſuch Solicitor, for the apprehending ſuch Offender and Offenders, or in Default thereof, every ſuch Sheriff, Mayor, Bailiff, Under-ſheriff and other Perſon acting in the ſaid Office or Offices reſpectively, ſhall be ſubject and liable to ſuch Proceſs of Contempt, Fines, Amerciaments, Penalties and Forfeitures, as they or any of them are now by any Law, Cuſtom or Uſage liable to in caſe of refuſing or neglecting to execute the like Proceſs, where the Defendant might have been taken thereupon, in the common and uſual Method of Proceeding.

Sheriffs, Mayors, &c. on Requeſt in Writing of a known Solicitor for the Cuſtoms or Exciſe, to grant ſpecial Warrants for apprehending Offenders.

XXXIII. And it is hereby declared and enacted, That all and every ſuch Sheriff, Mayor, Bailiff, Under-ſheriff and other Perſon ſo granting or making out ſuch ſpecial Warrant as aforeſaid, ſhall be and they are hereby ſaved harmleſs and indemnified againſt his Majeſty, his Heirs and Succeſſors, and againſt all and every other Perſon and Perſons whomſoever, of and from all Eſcapes of any Perſon or Perſons who ſhall or may be taken by virtue of any ſuch Warrant as aforeſaid, which ſhall or may happen from the Time of the taking ſuch Offender or Offenders, till he, ſhe or they ſhall be committed to the proper Gaol or Priſon, or offered and tendered to the Gaol-keeper or other Perſon having Charge of ſuch Gaol or Priſon (who is hereby enjoined and required to receive every ſuch Perſon or Perſons ſo apprehended as aforeſaid, and give a Receipt for his and their Body and Bodies) and of and from all Actions, Proſecutions, Proceſs of Contempt, and other Proceedings whatſoever, for or by reaſon of any ſuch Eſcape; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

Sheriffs, Mayors, &c. granting ſuch ſpecial Warrants, ſaved harmleſs from Eſcapes.

'XXXIV. And whereas by the preſent Practice of the Court of Exchequer, and elſewhere, it is become neceſſary for all Officers of the Cuſtoms and Exciſe, and other Officers of the Revenue, upon the 'Trial of any Information of Seizure, to give Proof of the exact Method and Manner of making the 'Seizure, with an Account of the Form of Words uſed on that Occaſion, notwithſtanding the Defendant 'in ſuch Cauſe does, on the claiming of ſuch Goods, acknowledge that a Seizure of them hath been 'made, whereby there often happens a Failure of Juſtice, and his Majeſty, and the Officer making the 'Seizure, and proſecuting the ſame, are frequently defeated of their Right without entering into the Merits of the Cauſe;' For Remedy thereof be it further enacted by the Authority aforeſaid, That on all Trials of Seizures whatſoever in the Court of Exchequer, or elſewhere, the Seizure, together with the Method and Form of making it, ſhall be taken to have been made by the Perſon or Perſons who ſhall inform and ſue for the ſame, and to be done in the Manner as ſet forth in the Information, without any Evidence thereof; and all Judges and Juſtices of the Peace, before whom any ſuch Seizures ſhall be brought to Trial or Hearing, are hereby required to proceed to the Trial of the Merits of the Cauſe, without inquiring into the Fact, Form or Manner of making the Seizure.

In Trials of Seizures, Judges to proceed to the Merits of the Cauſe, without inquiring into the Fact or Form of making the Seizure.

'XXXV. And whereas it frequently happens that ſeveral evil-minded and deſperate Perſons, in order 'to carry on without Controul the wicked Practices aforeſaid, do in a publick and avowed Manner, and 'with an armed Force, paſs and repaſs through ſeveral Countries with large Quantities of Tea, Brandy, 'and other prohibited and uncuſtomed Goods, whereby the Officers of his Majeſty's Cuſtoms and Exciſe 'are either deterred from doing their Duty, or in doing it are beat, wounded, maimed and frequently 'murdered;' For Remedy whereof be it enacted by the Authority aforeſaid, That if any Perſon or Perſons paſſing as aforeſaid with prohibited or uncuſtomed Goods, and armed with Guns, Piſtols, Cutlaſſes, or other offenſive Weapons, ſhall hinder, moleſt or reſiſt, any Officer or Officers of the Cuſtoms or Exciſe, who in the Execution of his or their Duty ſhall endeavour or offer to ſearch for, take or ſeize, any prohibited or uncuſtomed Goods from any Perſon or Perſons ſo paſſing with ſuch Goods, and armed as aforeſaid, by beating, maiming or wounding any of the Officers above-mentioned, or other Perſons acting in their Aſſiſtance, that then and in every ſuch Caſe it ſhall and may be lawful for all Officers of his Majeſty's Cuſtoms or Exciſe, and all Perſons by them called to their Aſſiſtance, who are ſo reſiſted, to oppoſe Force to Force, and to endeavour by the ſame Methods that are violently uſed againſt them, and by which their Lives are endangered, to defend themſelves, and execute the Duty of their Office; and if any Perſon ſo hindering, moleſting or reſiſting the Officers aforeſaid or their Aſſiſtants, ſhall in ſo doing be wounded, maimed or killed, and the ſaid Officers and their Aſſiſtants ſhall be ſued, moleſted or proſecuted for the ſaid beating, maiming or killing; ſuch Officer and Officers, and Perſon and Perſons acting

Officers and their Aſſiſtants may oppoſe Force to Force,

and when carried before a Juſtice for wounding or killing any Perſon in ſuch Caſes, ſhall be admitted to Bail.

acting in their Aſſiſtance, ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter thereof in Evidence in his and their Defence; and all his Majeſty's Juſtices of the Peace, and other Juſtices and Perſons before whom any ſuch Officer or Officers or other Perſons acting in their Aſſiſtance ſhall or may be brought for or on Account of any ſuch wounding, maiming or killing as aforeſaid, are hereby authorized and impowered, enjoined and required, to admit every ſuch Perſon and Perſons ſo brought before him or them as aforeſaid to Bail; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

This Act not to indemnify any Perſon proſecuted by the East-India Company.

XXXVI. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to indemnify, releaſe or diſcharge any Perſon or Perſons from or againſt any Suit, Information or Proſecution, by or on the Behalf of the United Company of Merchants of *England* trading to the *Eaſt Indies*, commenced or to be commenced, as well for his Majeſty, his Heirs or Succeſſors, as for themſelves, or for themſelves only, or from or againſt any Penalty, Forfeiture or Demand, or Right of Suit for the ſame, which the ſaid United Company are by Law intitled unto; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

General Iſſue.

XXXVII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as Defendants have in other Caſes by Law.

Treble Coſts.

The Court of King's Bench, or Juſticiary in Scotland, not reſtrained from bailing Perſons committed on this Act. 4, 18 & 29.

XXXVIII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to reſtrain his Majeſty's Court of King's Bench, or any of the Judges thereof, or the Court of Juſticiary in *Scotland* reſpectively, from bailing any Perſon committed for Felony by virtue of this Act, in ſuch Manner as they may by Law do in other Caſes of Felony.

Concerning Cuſtoms ſee further 15 *Geo.* 2. *c.* 31. 18 *Geo.* 2. *c.* 28. 19 *Geo.* 2. *c.* 34. 21 *Geo.* 2. *c.* 2. 28 *Geo.* 2. *c.* 21. 30 *Geo.* 2. 32 *Geo.* 2. *c.* 10.

CAP. XXXVI.

An Act to reſtrain the Diſpoſition of Lands, whereby the ſame become unalienable.

Preamble.

For former Laws concerning Mortmain, refer to
9 *H.* 3. *ſt.* 1. *c.* 36.
7 *Ed.* 1. *ſtat.* 2.
13 *Ed.* 1. *ſtat.* 1. *c.* 32.
18 *Ed.* 1. *ſtat.* 1. *c.* 3.
27 *Ed.* 1. *ſtat.* 2.
18 *Ed.* 3. *ſtat.* 3. *c.* 3.
15 *R.* 2. *c.* 5.
23 *H.* 8. *c.* 10.
1 & 2 *P.* & *M.* *c.* 8.
39 *Eliz.* *c.* 5.
21 *Jac.* 1. *c.* 1.
13 & 14 *Car.* 2. *c.* 12.
7 & 8 *W.* 3. *c.* 37.

WHEREAS Gifts or Alienations of Lands, Tenements or Hereditaments, in *Mortmain*, are prohibited or reſtrained by *Magna Charta*, and divers other wholſome Laws, as prejudicial to and againſt the common Utility; nevertheleſs this publick Miſchief has of late greatly increaſed by many large and improvident Alienations or Diſpoſitions made by languiſhing or dying Perſons, or by other Perſons, to Uſes called *Charitable Uſes*, to take Place after their Deaths, to the Diſheriſon of their lawful Heirs;' For Remedy whereof be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, no Manors, Lands, Tenements, Rents, Advowſons or other Hereditaments, Corporeal or Incorporeal whatſoever, nor any Sum or Sums of Money, Goods, Chattles, Stocks in the publick Funds, Securities for Money, or any other Perſonal Eſtate whatſoever, to be laid out or diſpoſed of in the Purchaſe of any Lands, Tenements or Hereditaments, ſhall be given, granted, aliened, limited, releaſed, transferred, aſſigned or appointed, or any ways conveyed or ſettled to or upon any Perſon or Perſons, Bodies Politick or Corporate, or otherwiſe, for any Eſtate or Intereſt whatſoever, or any ways charged or incumbered by any Perſon or Perſons whatſoever, in Truſt, or for the Benefit of any charitable Uſes whatſoever; unleſs ſuch Gift, Conveyance, Appointment or Settlement of any ſuch Lands, Tenements or Hereditaments, Sum or Sums of Money, or Perſonal Eſtate (other than Stocks in the publick Funds) be and be made by Deed indented, ſealed and delivered in the Preſence of two or more credible Witneſſes twelve Calendar Months at leaſt before the Death of ſuch Donor or Grantor (including the Days of the Execution and Death) and be inrolled in his Majeſty's High Court of Chancery, within ſix Calendar Months next after the Execution thereof; and unleſs ſuch Stocks be transferred in the publick Books uſually kept for the Transfer of Stocks ſix Calendar Months at leaſt before the Death of ſuch Donor or Grantor (including the Days of the Transfer and Death) and unleſs the ſame be made to take Effect in Poſſeſſion for the charitable Uſe intended, immediately from the making thereof, and be without any Power of Revocation, Reſervation, Truſt, Condition, Limitation, Clauſe or Agreement whatſoever, for the Benefit of the Donor or Grantor, or of any Perſon or Perſons claiming under him.

After 24 June 1736, no Manors, Lands, &c. nor Money to be laid out in Lands, to be given for charitable Uſes, unleſs by Deed indented, and executed before 2 Witneſſes 12 Months before the Death of the Donor, and inrolled, &c.

II. Provided always, That nothing herein before-mentioned relating to the ſealing and delivering of any Deed or Deeds twelve Calendar Months at leaſt before the Death of the Grantor, or to the Transfer of any Stock ſix Calendar Months before the Death of the Grantor or Perſon making ſuch Transfer, ſhall extend, or be conſtrued to extend, to any Purchaſe of any Eſtate or Intereſt in Lands, Tenements or Hereditaments, or any Transfer of any Stock, to be made really and *bona fide* for a full and valuable Conſideration actually paid at or before the making ſuch Conveyance or Transfer without Fraud or Colluſion.

The ſaid Limitations not to extend to Purchaſes or Transfers made for valuable Conſiderations.

Gifts, &c. made after 24 June 1736, otherwiſe than directed by this Act, to be abſolutely void.

III. And be it further enacted by the Authority aforeſaid, That all Gifts, Grants, Conveyances, Appointments, Aſſurances, Transfers and Settlements whatſoever, of any Lands, Tenements or other Hereditaments,

reditaments, or of any Eſtate or Intereſt therein, or of any Charge or Incumbrance affecting or to affect any Lands, Tenements or Hereditaments, or of any Stock, Money, Goods, Chattles or other Perſonal Eſtate, or Securities for Money to be laid out or diſpoſed of in the Purchaſe of any Lands, Tenements or Hereditaments, or of any Eſtate or Intereſt therein, or of any Charge or Incumbrance affecting or to affect the ſame, to or in Truſt for any charitable Uſes whatſoever, which ſhall at any Time from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, be made in any other Manner or Form than by this Act is directed and appointed, ſhall be abſolutely, and to all Intents and Purpoſes, null and void.

IV. Provided always, That this Act ſhall not extend, or be conſtrued to extend, to make void the Diſpoſitions of any Lands, Tenements or Hereditaments, or of any Perſonal Eſtate to be laid out in the Purchaſe of any Lands, Tenements or Hereditaments, which ſhall be made in any other Manner or Form than by this Act is directed, to or in Truſt for either of the two Univerſities within that Part of *Great Britain* called *England*, or any of the Colleges or Houſes of Learning within either of the ſaid Univerſities, or to or in Truſt for the Colleges of *Eton*, *Wincheſter*, or *Weſtminſter*, or any or either of them, for the better Support and Maintenance of the Scholars only upon the Foundations of the ſaid Colleges of *Eton*, *Wincheſter*, and *Weſtminſter*.

But not to Prejudice the 2 Univerſities, or the Colleges of Eton, Wincheſter, or Weſtminſter.

V. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That no ſuch College or Houſe of Learning, which doth or ſhall hold or enjoy ſo many Advowſons of Eccleſiaſtical Benefices as are or ſhall be equal in Number to one Moiety of the Fellows or Perſons uſually ſtiled or reputed as Fellows, or, where there are or ſhall be no Fellows or Perſons uſually ſtiled or reputed as Fellows, to one Moiety of the Students upon the Foundation, whereof any ſuch College or Houſe of Learning doth or may by the preſent Conſtitution of ſuch College or Houſe of Learning conſiſt, ſhall from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, be capable of purchaſing, acquiring, receiving, taking, holding or enjoying any other Advowſons of Eccleſiaſtical Benefices by any Means whatſoever; the Advowſons of ſuch Eccleſiaſtical Benefices as are annexed to, or given for the Benefit or better Support of the Headſhips of any of the ſaid Colleges or Houſes of Learning, not being computed in the Number of Advowſons hereby limited.

No College to hold more Advowſons than ſhall be equal to a Moiety of their Fellows, &c.

VI. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to the Diſpoſition, Grant or Settlement of any Eſtate real or perſonal, lying or being within that Part of *Great Britain* called *Scotland*.

This Act not to extend to Eſtates in Scotland.

CAP. XXXVII.

An Act for further Encouraging and Regulating the Manufacture of *Britiſh* Sail Cloth, and for the more effectual ſecuring the Duties now payable on foreign Sail Cloth imported into this Kingdom.

Preamble.

'WHEREAS the making of Sail Cloth in *Great Britain* hath been found of great Uſe and Benefit to this Nation, by having given a comfortable Support and Maintenance to many of his Majeſty's Subjects employed in the manufacturing thereof; and there is Reaſon to believe, that if the Duties payable on foreign made Sail Cloth imported into this Kingdom were more effectually ſecured and enforced, and a further Encouragement given to the making of Sail Cloth therein, this Manufacture would be greatly improved, and many more of his Majeſty's Subjects comfortably ſupported and maintained by the ſame;' Therefore may it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, all foreign made Sail Cloth or Canvas uſually entered as Hollands Duck, or Vitry Canvas, which ſhall be fit and proper to be made uſe of for the making of Sails for navigating Ships and Veſſels, and which ſhall be imported into *Great Britain* by way of Merchandize, and for which any Duties have been granted, or are made payable, or which ought to be paid to his Majeſty, ſhall be ſtamped at the Time of landing thereof at or in the Port or Place where the ſame ſhall be imported or landed, as hereafter mentioned.

Former Proviſions relating hereto, 1 *Jac.* 1. *c.* 24. 7 & 8 *W.* 3. *c.* 10, & 39. 12 *Ann. ſtat.* 1. *c.* 16. 4 *Geo.* 2. *c.* 27.

After 24 June 1736, all Foreign made Sail Cloth imported as Merchandize, to be ſtamped at the Port of landing.

II. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of the Cuſtoms in *Great Britain* ſhall, on or before the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, provide or cauſe to be provided ſuch or ſo many Stamps, with which all the ſaid imported foreign made Sail Cloth or Canvas, upon or after the Duty paid, ſhall be ſtamped; and ſhall for that Purpoſe cauſe ſuch reſpective Stamps to be diſtributed to the reſpective proper Officers of the Cuſtoms of all and every the Port and Ports where ſuch foreign made Sail Cloth or Canvas ſhall be imported or landed; which ſaid Officers are hereby enjoined and required to ſtamp every ſuch Piece and Parcel of foreign made Sail Cloth or Canvas, which ſaid Stamp ſhall expreſs or denote the Place or Country from whence the ſaid foreign made Cloth or Canvas was imported; and the ſaid Commiſſioners in providing the ſaid Stamps for the Purpoſes aforeſaid ſhall take care that they be ſo contrived, that the Impreſſion thereof may be durable, and ſo as the ſame may be the leaſt liable to be forged or counterfeited; and that the ſaid Stamps ſhall or may be altered or renewed from time to time as his Majeſty, his Heirs or Succeſſors ſhall think fit; and if any Perſon or Perſons whatſoever ſhall at any time or times from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and thirty-ſix, counterfeit or forge any Stamp which ſhall be provided or made in purſuance of this Act for the Purpoſes aforeſaid, or ſhall counterfeit or reſemble the Impreſſion of the ſame upon any of the ſaid foreign made Sail Cloth or Canvas chargeable with any Duty by virtue of any Act or Acts of Parliament made on that Behalf, thereby

Commiſſioners of the Cuſtoms to provide the Stamps.

Col. Penalty on counterfeiting the Stamps,

for selling with a counterfeit Stamp.

thereby to defraud his Majesty, his Heirs or Successors, of any of the said Duties thereby granted; then every such Person so offending, and duly convicted thereof, shall forfeit the Sum of fifty Pounds; and if any Person or Persons shall, at any time or times after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-six, sell or expose to Sale any such foreign made Sail Cloth or Canvas with a counterfeit Stamp thereon, knowing the same to be counterfeit, and with an Intent to defraud his Majesty, his Heirs and Successors, all and every such Offender and Offenders, being duly convicted thereof as aforesaid, shall forfeit the Sum of fifty Pounds.

After 29 Sept. 1736, Makers of British Sail Cloth to stamp their Names and Places of Abode on every Piece,

III. And, for the better ascertaining and distinguishing the Sail Cloth of the *British* Manufacture from such foreign Sail Cloth as aforesaid, Be it enacted by the Authority aforesaid, That every Manufacturer or Maker of Sail Cloth in *Great Britain* shall, from and after the twenty-ninth Day of *September* one thousand seven hundred and thirty-six, affix or impress, or cause to be affixed or impressed, on every Piece of Sail Cloth by him manufactured or made, a Stamp containing the Name and Place of Abode of such Manufacturer or Maker, in plain distinct Letters and Words at length; and if any Manufacturer or Maker of Sail Cloth or other Person shall sell or expose to Sale, or work up into Sails, any Piece or Bolt of *British* Sail Cloth without being stamped as aforesaid, such Manufacturer or Maker or other Person so offending, and being thereof lawfully convicted upon the Oath of one or more credible Witness or Witnesses, before any one or more Justice or Justices of the Peace for the County, City or Town where the said Offence shall be committed (which Oath the said Justice or Justices is and are hereby impowered and required to administer) shall forfeit the Sum of ten Pounds for each and every Piece of Sail Cloth by him or them sold or exposed to Sale, or worked up into Sails, not being stamped as aforesaid; and if any Person or Persons whatsoever shall wilfully or maliciously cut off, destroy or obliterate any Stamp so affixed or impressed as aforesaid (except in the tarring or working up the same) or shall affix or impress any Stamp, on which shall be stamped the Name or Place of Abode of any other Person or Persons, and not his or their real Name or Names and Place or Places of Abode; such Person or Persons being convicted of any of the Offences aforesaid shall for every such Offence forfeit the Sum of five Pounds; which said last mentioned Forfeiture shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of two or more Justices of the Peace for the County, Riding, City or Place where the Offence shall be committed, and shall go and be applied to the Use of the Informer or Informers.

on Penalty of 10*l.* for each Piece.

5*l.* Penalty on wilfully obliterating the Stamp, or affixing another Person's Stamp.

5*l.* Penalty on every Ship built in Great Britain, or British Plantations in America, not having a compleat Set of Sails of British Sail Cloth.

IV. And for the better encouraging the Use and Consumption of the said Manufacture of *British* Sail Cloth, Be it enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and thirty-six, every Ship or Vessel which shall be built in *Great Britain*, and from and after the twenty-fifth Day of *December* one thousand seven hundred and thirty-six, every Ship or Vessel which shall be built in any of his Majesty's Plantations in *America*, shall upon her first setting out or being first navigated at Sea have or be furnished with one full and compleat Set of Sails made up of Sail Cloth manufactured in *Great Britain*; and in case such Ship or Vessel shall not on her first setting out be fitted and furnished as aforesaid, that then and for every such Neglect or Default the Master of such Ship or Vessel shall forfeit the Sum of fifty Pounds.

20*l.* Penalty on working up Foreign made Sail Cloth not stamped.

V. And it is hereby enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and thirty-six, no Sail Maker or other Person in this Kingdom shall make or work up into Sails or Tarpawlins any foreign made Sail Cloth or Canvas, which shall be imported after the said twenty-fourth Day of *June*, not stamped according to the Directions of this Act; and in case any Sail Maker or any other Person shall make or work up into Sails or Tarpawlins any foreign made Sail Cloth or Canvas, other than as aforesaid, such Sails and Tarpawlins shall be forfeited, and such Sail Maker or such other Person shall likewise forfeit the Sum of twenty Pounds.

The Dimensions and Weight of British made Sail Cloth, after 29 Sept. 1736.

VI. And be it enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September*, which shall be in the Year of our Lord one thousand seven hundred and thirty-six, all Sail Cloth which shall be made in *Great Britain*, shall be made and manufactured in the Manner and according to the Directions herein after mentioned; that is to say, Every Piece or Bolt of *British* Sail Cloth that shall be twenty-four Inches in Breadth and thirty-eight Yards in Length, shall respectively weigh according to the respective Numbers and Weights hereafter mentioned; that is to say,

Number		
1	44	Pounds each Bolt.
2	41	
3	38	
4	35	
5	32	
6	29	
7	24	
8	21	
9	18	
10	15	

VII. And in case any Piece or Bolt of any or either of such respective Numbers, Kinds or Sorts of *British* Sail Cloth shall be made of a different Breadth or Length than before mentioned; such Piece or Bolt of *British* Sail Cloth shall be increased or diminished in Weight in Proportion to the Difference in such Length or Breadth as aforesaid, and shall be marked or stamped with such respective Number as shall be agreeable to the Weight thereof; and the Wharp or Chain of each and every Piece or Bolt of the first six Numbers of such *British* Sail Cloth; that is to say, from Number 1. to Number 6. inclusive, shall be wholly wrought and made of double Yarn, and shall contain in every Piece or Bolt of such

ſuch Sail Cloth, that ſhall be twenty-four Inches in Breadth, at leaſt five hundred and ſixty double Threads of Yarn, and in every Piece or Bolt of ſuch Sail Cloth that ſhall be thirty Inches in Breadth, at leaſt ſeven hundred double Threads of Yarn; and in every Piece or Bolt of ſuch Sail Cloth that ſhall be of any other Breadths than as aforeſaid, a certain Number or Quantity of double Threads of Yarn in Proportion to the Number of double Threads of Yarn expreſſed to be contained in the Breadth as aforeſaid; and the Wharp and ſhoot Yarn which ſhall be wrought in every Piece or Bolt of the firſt four Numbers of ſuch Sail Cloth; that is to ſay, from Number 1. to Number 4. incluſive, ſhall be made of long Flax, without any Mixture of ſhort or barr Flax, or of long Flax, or *Italian* Hemp or *Braack* Hemp; and all the Flax and Hemp that ſhall be uſed in making the Wharp and ſhoot Yarn of ſuch Sail Cloth of the aforeſaid four Numbers, ſhall be of a ſtrong Staple, freſh, ſound, and good in its Kind, and well dreſſed; and the ſaid Yarn ſhall be well cleanſed, even ſpun and well twiſted; and all the ſhoot Yarn of each Piece or Bolt of ſuch Sail Cloth of the aforeſaid four Numbers ſhall be full as ſtrong as the Wharp Yarn, and cloſe ſtruck with four Shoots of treble Threads at the Diſtance of every two Feet or thereabouts; and both the Wharp and ſhoot Yarn ſhall be as ſtrong as the Wharp and ſhoot Yarn that are uſually wrought in the Sail Cloth of thoſe four Numbers that are made for and uſed in his Majeſty's Navy; and no Flax Yarn uſed or wrought in any *Britiſh* Sail Cloth ſhall be whitened with Lime, on Forfeiture of ſix Pence *per* Yard for every Yard of *Britiſh* Sail Cloth that ſhall, from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, be ſo whitened with Lime as aforeſaid, or be made, ſold or worked up into new Sails in *Great Britain*, any Ways eſſentially different, lighter or inferior in Strength or Goodneſs to any of the aforeſaid Directions or Reſtrictions.

6 d. per Yard Penalty on whitening Flax Yarn for Sail Cloth with Lime.

VIII. And for the better Obſervance of this Act, and the ſeveral Matters and Things herein before directed and required by all Perſons concerned in the ſaid *Britiſh* Manufacture of Sail Cloth, it is hereby enacted by the Authority aforeſaid, That every Sail Maker in this Kingdom, and all and every other Perſon or Perſons who ſhall make or work up Sail Cloth into Sails or Tarpawlins, ſhall cauſe this Act, or an Abſtract thereof, to be put up or affixed, and there to continue from time to time ſo put up and affixed, in ſome publick Part or Place of the Loft, Shop, Warehouſe or Workhouſe where his ſaid Trade is carried on, or his Workmen employed, under the Penalty of forty Shillings.

This Act, or an Abſtract of it, to be put up in Shops and Warehouſes, on Penalty of 40 s.

IX. And it is hereby further enacted by the Authority aforeſaid, That the ſeveral Penalties and Forfeitures herein before enacted and impoſed on Perſons offending contrary to this Act (not otherwiſe directed and applied) ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record in *Great Britain*, or in ſuch of his Majeſty's Plantations wherein ſuch Offence ſhall be committed; in which Suit no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; which ſaid Forfeitures ſhall be applied, one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to the Perſon who ſhall ſue for the ſame.

Penalties how to be recovered and diſtributed.

X. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for the Term of five Years, to commence from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, and from thence to the End of the then next Seſſion of Parliament, and no longer.

Continuance. 'Farther continued by 24 Geo. 2. c. 52.' *And again by* 26 *Geo.* 2. *c.* 32.

31 *Geo.* 2. *c.* 36. *See farther* 10 *Geo.* 2. *c.* 27. 19 *Geo.* 2. *c.* 27. 23 *Geo.* 2. *c.* 21 & 32.

CAP. XXXVIII.

An Act to explain and amend ſo much of an Act made in the ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Elections of Members to ſerve in Parliament*, as relates to the commencing and carrying on of Proſecutions grounded upon the ſaid Act.

'WHEREAS by an Act of Parliament made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Elections of Members to ſerve in Parliament*, it is enacted, That no Perſon ſhall be made liable to any Incapacity, Diſability, Forfeiture or Penalty by the ſaid Act laid or impoſed, unleſs Proſecution be commenced within two Years after ſuch Incapacity, Diſability, Forfeiture or Penalty ſhall be incurred, or in caſe of a Proſecution the ſame be carried on without wilful Delay: And whereas Proſecutions may have been or may be commenced againſt Perſons offending againſt the ſaid Act, by ſuing out original or other Writs or Proceſſes againſt ſuch Perſons ſo offending within two Years after the incurring any Incapacity, Diſability, Forfeiture or Penalty laid or impoſed by the ſaid Act, and Perſons ſo ſuing out ſuch original or other Writs or Proceſſes may have delayed, or may delay, to ſerve the ſame, without giving the Perſons againſt whom ſuch original or other Writs or Proceſſes may have been or may be ſued out any Notice thereof, by reaſon of which Practice the ſaid Proviſion for limiting the Time for the Proſecution of Perſons offending againſt the ſaid Act is or may be evaded;' Now for explaining and amending the ſaid Proviſion, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon ſhall be made liable to any Incapacity, Diſability, Forfeiture or Penalty by the ſaid Act laid or impoſed, unleſs ſuch Perſon has been or ſhall be actually and legally arreſted, ſummoned or otherwiſe ſerved with any ſuch original or other Writ or Proceſs, within the Space of two Years after any Offence againſt the ſaid Act has been or ſhall be committed, ſo as the Service of any ſuch original or other Writ or Proceſs hath not been or ſhall not be prevented by ſuch Perſon abſconding or withdrawing out of this Kingdom.

Preamble, reciting the Act 2 Geo. 2. c. 24.

No Perſon liable to any Penalty by the ſaid Act, unleſs perſonally ſerved with the Proceſs in two Years after the Fact.

See farther 11 *Geo.* 2. *c.* 24. 13 *Geo.* 2. *c.* 20. 15 *Geo.* 2. *c.* 22. 18 *Geo.* 2. *c.* 18. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

CAP. XXXIX.

3 Geo. 1. c. 18. An Act for making more effectual two Acts of Parliament, one of the tenth Year of the Reign of her late Majesty Queen ANNE, and the other of the seventh Year of the Reign of his late Majesty King GEORGE the First, for repairing the Road from *Highgate Gate-house* in the County of *Middlesex*, to *Barnet Block-house* in the County of *Hertford*; and the Road from the *Bear Inn* in *Hadley*, to the *Angel* in *Enfield Chace*; and for amending *Cane-wood Lane*, leading from *Highgate* to *Hampstead* in the said County of *Middlesex*.

The Tolls are further continued for 21 Years.

Anno decimo GEORGII II.

[a] In Recordo, *Tent' primo die Febr. anno Regni, &c. decimo; Continuat. usque ad et in* Jovis *octavum diem* Decembris, *anno, &c. undecimo.*

'AT the Parliament begun and holden at *Westminster*, the fourteenth Day of *January*, *Anno Dom.* one thousand seven hundred and thirty-four, in the eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And from thence continued by several Prorogations to the first Day of *February* 1736[a], being the Third Session of this present Parliament.

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thousand seven hundred and thirty-seven. EXP.

CAP. II.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and thirty-seven. EXP. 2 s. in the Pound.

CAP. IV.

An Act for continuing an Act passed in the fifth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for laying a Duty of Two Pennies* Scots *or One Sixth Part of a Penny* Sterling, *upon every Pint of Ale or Beer that shall be vended or sold within the Town of* Dunbar, *for improving and preserving the Harbour, and repairing the Town House, and building a School, and other publick Buildings there, and for supplying the said Town with Fresh Water.* PR.

Preamble, reciting the Act 5 Geo. 1. c. 16.

'WHEREAS by an Act passed in the fifth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for laying a Duty of Two Pennies* Scots, *or One Sixth Part of a Penny* Sterling, *upon every Pint of Ale or Beer that shall be vended or sold within the Town of* Dunbar, *for improving and preserving the Harbour, and repairing the Town House, and building a School, and other publick Buildings there, and for supplying the said Town with Fresh Water*; it was enacted, That from and after the first Day of *June* one thousand seven hundred and nineteen, for the Term of nineteen Years, and to the End of the then next Session of Parliament, there should be laid an Imposition or a Duty of Two Penny *Scots* or One Sixth Part of a Penny *Sterling*, over and above the Duty of Excise paid or payable to his then Majesty, his Heirs and Successors, upon every *Scots* Pints of Ale and Beer that should be for Sale, either brewed, brought in, vended, tapt, or sold within the said Town, and Privileges thereof; and that the said Imposition or Duty should be paid and made payable by the Brewers, Vintners, Sellers, and Tapsters, of the said Ale and Beer, for and during the Term aforesaid, to the Magistrates and Town Council, and their Successors in Office for the time being, and their Assigns or Collectors, for the Uses and Purposes mentioned in the said Act: And whereas the said Imposition or Duty has been of very great Use to the said Town, by enabling them to carry on many and considerable publick Works, for which the annual Revenue of the said Town was not sufficient: And whereas the Money arising from the Imposition or Duty so laid and granted by the said Act, was intended to be laid out to defray the Expence of digging up Part of the Rock at the Bottom of the Harbour, and in carrying out the great Pier to the Rock called *The Beacon Rock*, and in cutting the Slope of the Island down to a Perpendicular, in order to make and render the Entry into the said Harbour more safe and secure, and in supplying the Town with Fresh Water; but neither of the said Works are yet so much as begun, and the Revenue of the said Town, and also the said Duty granted by the

'said Act, are very much incumbred and burthened by the Works already done, insomuch that in the 'Year one thousand seven hundred and thirty-four, the Debts of the said Town amounted to six hun- 'dred Pounds Sterling, or thereabouts; and the said recited Act expiring in the Year one thousand 'seven hundred and thirty eight, the respective Works directed to be done by the said Act, for the 'Service of the said Town, and for the publick Good, must remain unfinished, and what has already 'been done will soon go to Decay, unless the Term and Powers granted and given by the said former Act 'be enlarged, *&c.*'

The Duty is further continued for 25 Years.

CAP. V.

An Act for enlarging the Term granted by an Act passed in the twelfth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for repairing several Roads therein mentioned, leading into the City of* Worcester; and for repairing several other Roads lying contiguous to the same; and for reducing the Toll or Duties granted on Sheep and Lambs by the said Act. P R. 12 Geo. 1. c. 14.

The Tolls are farther continued for 21 Years, and to the End of the next Session of Parliament.

CAP. VI.

An Act for the better repairing and paving the Highways, Streets, and Watercourses within the City of *New Sarum*, and for enlightning the Streets, Lanes, and Passages, and better regulating the Nightly Watch within the said City. P R.

'WHEREAS the City of *New Sarum* in the County of *Wilts*, is a City of considerable Trade in 'the Woollen Manufacture, and is very populous, wherein several Fairs, and the Assizes for the 'said County, are kept and held yearly, and through which the main *Western* Road from the City of '*London* to *Exeter*, *Cornwall*, and the Towns and Places adjacent, directly leads, which, together with 'the pleasant Situation of the Place and Country thereabout, occasions great Numbers of Gentry and 'other Persons to resort to, and reside in the said City: And whereas the Streets, Highways, Bridges, 'and Watercourses, within the said City, are so very much out of Repair, that the Inhabitants thereof 'cannot by the Laws now in being (for the repairing the Highways) raise Money sufficient for amending 'the same; nor can the said Laws be put in Execution without great Hardships to the poorer Sort of 'Inhabitants there: And whereas the cleansing the Streets and Watercourses, the enlightning the Streets, 'and keeping a strong and well regulated Watch in the Night-time, within the said City, will be of 'great Importance, and tend to the Preservation of the Persons and Properties of the Inhabitants there- 'of, and other Persons resorting thereto;' Now to the End that Provision may be made to answer the good Purposes aforesaid, may it please your most Excellent Majesty, that it may be enacted, *&c.*

"Trustees to be chosen. Watchmen, Lamp-lighter, and Scavenger appointed. Inhabitants to clean "before their Houses twice a Week; and to throw no Filth into the Streets, *&c.* on Forfeiture of 1 *s.* "Trustees to have the ordering of Lamps, and Watchmen. Copy of Orders to be delivered to the "Sub-constables. Money lent for carrying on the Works to be repaid out of the Rates. Collectors to "give an Account upon Oath of the Monies received, and pay it unto Persons appointed, otherwise to "be imprisoned. The Mayor to have the Property of the Lamps. Inhabitants not rated, to do 3 "Days Work, or forfeit 1 *s.* 6 *d. per* Day. Trustees to appoint a Clerk who is to summon the Trustees. "Payers of the Rates not liable to watch. This Act not to affect the Bishop of *Salisbury*, nor to affect "any Hamlet or Tything out of the City."

CAP. VII.

An Act for continuing an Act passed in the third Year of the Reign of his late Majesty King GEORGE the First, *For laying a Duty of Two Pennies* Scots, *or One Sixth Part of a Penny* Sterling, *on every Pint of Ale or Beer that shall be vended or sold within the Town of* Dumfreis, *and Privileges thereof, for paying the Debts of the said Town, and for building a Church, and making a Harbour there*; and for laying a Duty on the Tonnage of Shipping, and a Duty on Goods imported and exported into and out of the Port of the said Town, for the better repairing of the said Harbour. P R.

The Duty is further continued for 25 Years. *Farther continued and amended by 2 Geo. 3. c. 55.*

CAP. VIII.

An Act to make perpetual an Act made in the seventh Year of the Reign of his present Majesty, intituled, *An Act to prevent the infamous Practice of Stock-jobbing.*

'WHEREAS an Act was passed in the seventh Year of his present Majesty's Reign, intituled, Preamble, re- '*An Act to prevent the infamous Practice of Stock-jobbing*; which Act was to continue and be in citing the Act 'Force from the first Day of *June* one thousand seven hundred and thirty-four, for the Term of three 7 Geo. 2. c. 8. 'Years, and from thence to the End of the then next Session of Parliament, and no longer: And 'whereas the said Act hath been found useful and beneficial, and will in a short Time expire,' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Author- which is made perpetual. rity of the same, That the said Act shall be, and is hereby made perpetual.

CAP. IX.

An Act for making navigable the River or Brook, called *Worſley* Brook, from *Worſley* Mill in the Townſhip of *Worſley*, in the County Palatine of *Lancaſter*, to the River *Irwell* in the ſaid County. P R.

Preamble.

'WHEREAS the making and keeping the River or Brook called *Worſley* Brook, in the County Palatine of *Lancaſter*, navigable and paſſable for Boats, Barges, Lighters, and other Veſſels, from *Worſley* Mill, in the ſaid County of *Lancaſter*, to the River *Irwell*, in the ſaid County of *Lancaſter*, will be very beneficial to Trade, advantageous to the Poor, and convenient for the Carriage of Coals, Stone, Timber, and other Goods, Wares and Merchandizes, to and from the ſaid Places and Parts adjacent, and will very much tend to the Employing and Increaſe of Watermen and Seamen, and be a Means to preſerve the Highways;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"Undertakers appointed, with Power of doing any Thing neceſſary for the Purpoſes of this Act, at their own Charge. Undertakers to make Satisfaction for Damages. Flood-gates for overflowing of Grounds to be made. Commiſſioners appointed for determining Differences. If Perſons decline ſuch Determination, and do not agree with the Undertakers, a Jury is to be impanelled to aſſeſs Damages, and the Commiſſioners to give Judgment accordingly, which ſhall be final. Proceedings to be kept among the Records of Quarter-Seſſions of *Lancaſter*. Duties to be paid to the Undertakers for Goods, not exceeding 9 *d. per* Ton. Conveniencies of Gates, *&c.* belonging to Occupiers of Lands, *&c.* to be preſerved, at the Undertakers Charge. If the Level of the Water be raiſed, the Banks muſt be ſo too, and kept in Repair. Flood-gates to be made for the Benefit of contiguous Grounds. The Brook declared navigable. Royalties not affected by this Act. No Duty payable for Manure for Grounds within 4 Miles from the River. The Brook not to be under the Survey of any Commiſſion of Sewers. Locks to be opened to Pleaſure Boats, *&c.* without any Duty."

CAP. X.

An Act to impower the Juſtices of the Peace for the County of *Bucks*, to raiſe Money to diſcharge the Debts incurred on account of building a Gaol and Court Rooms, and for finiſhing the ſame for the Uſe of the County. P R.

'WHEREAS for Want of a convenient common Gaol for the County of *Bucks* (which is large and populous) a Houſe in the Town of *Aylesbury*, being a Market Town and ſituate near the Middle of the ſaid County, was for many Years rented and uſed for that Purpoſe, and the ſame becoming inſufficient for the ſafe keeping of Priſoners, the Grand Jury at the Aſſizes held for the ſaid County preſented the ſame; whereupon the Juſtices of the Peace aſſembled at their General Quarter-Seſſions agreed and ordered, That a Publick County Gaol ſhould be built at *Aylesbury* aforeſaid, and that the ſaid Houſe ſo rented and uſed, with the Ground and Soil thereto belonging, ſhould be purchaſed (being moſt commodiouſly and conveniently ſituated for that Purpoſe) and that a Gaol and Court Rooms or Shire Hall for the publick Service of the ſaid County ſhould be thereon erected, which ſaid Houſe, Ground, and Soil have been purchaſed accordingly, and the Freehold and Inheritance thereof has been conveyed to Truſtees for the Uſe of the ſaid County, and in order for raiſing Money to pay for the the ſaid Purchaſe, and alſo for defraying the neceſſary Charges of ſuch Buildings for the Purpoſes aforeſaid, ſeveral Aſſeſſments were made by the ſaid Juſtices at their Quarter-Seſſions, to be raiſed and paid by the ſaid County, and a very conſiderable Progreſs hath been made in ſuch Buildings, but the ſame not having been perfected and finiſhed, the ſaid Buildings have not only thereby ſuſtained great Damage, but the greateſt Part thereof remains unſerviceable: And whereas ſeveral Sums of Money are juſtly due to ſeveral Workmen, poor Labourers, and others who were employed in and furniſhed Materials for the ſaid Buildings, for Want of which Money they and their Families are much impoveriſhed; and a further Sum is alſo wanting, and neceſſary to finiſh and compleat the ſaid Buildings for the Uſe and Accommodation of the ſaid County, all which Monies cannot be raiſed without the Aſſiſtance of Parliament;' Be it therefore enacted, &c.

"Juſtices of Peace, after 24 *June* 1737, to make a General Aſſeſſment in *Com' Bucks*, not exceeding 4 *d.* in the Pound, to be collected by the Conſtables. The Ground and Buildings thereon the Property of the County. Juſtices to contract with Builders, *&c.* Surplus to be paid into the Publick Stock. Town of *Buckingham* exempted from the Rates. Perſons aggrieved are to appeal to the Juſtices.

CAP. XI.

An Act for making more effectual two Acts of Parliament, one of the ſixth Year of the Reign of her late Majeſty Queen ANNE, and the other of the eleventh Year of the Reign of his late Majeſty King GEORGE, *For repairing the Highways from* Old Stratford *in the County of* Northampton *to* Dunchurch *in the County of* Warwick. P R.

The Tolls are farther continued for 21 Years. 13 Geo. 2. c. 5.

CAP.

CAP. XII.

An Act for repairing the Road from *Hertford Bridge* Hill, to the Town of *Baſingſtoke*, and alſo the Road from *Hertford Bridge* Hill aforeſaid, to the Town of *Odiham* in the County of *Southampton*. P R.

Certain Tolls are granted for 21 Years, from 1 *June* 1737. Continued by 21 Geo. 2. c. 16.

CAP. XIII.

An Act for indemnifying Perſons who have omitted to qualify themſelves for Offices, or to take the Oaths required within the Time limited by Law, and for allowing further Time for thoſe Purpoſes. E X P.

CAP. XIV.

An Act for collecting at the Port of *Leghorn* certain ſmall Sums of Money, to which the Merchants trading there have uſually contributed, for the Relief of Shipwrecked Mariners, Captives, and other diſtreſſed Perſons, his Majeſty's Subjects, and for other charitable and publick Uſes.

Preamble.

'WHEREAS it was uſual for the Conſul appointed for his Majeſty's Subjects trading to *Leghorn*, with the Majority of the *Britiſh* Merchants and Factors reſiding there, to receive certain ſmall Sums, not exceeding one Livre *per* Ton on all Tonnage Goods, and one Third of a Livre *per* Bale or Parcel on all Bale Goods, imported in *Britiſh* Ships or Veſſels; which Sums were received by Perſons annually choſe as Treaſurers for that Purpoſe, and applied for the Relief of Mariners Shipwrecked and taken in War, and other diſtreſſed Perſons his Majeſty's Subjects, and to ſuch other charitable and publick Uſes, as were directed by the ſaid Conſul, with the Majority of the ſaid Merchants and Factors: And whereas notwithſtanding the Benefit and Uſefulneſs of this Deſign had been experienced, yet the Payment of the ſaid cuſtomary Sums hath of late Years not been complied with, there being no Authority to inforce ſuch Compliance; by reaſon whereof ſeveral of his Majeſty's Subjects in Diſtreſs have been reduced to great Extremities for want of the Aſſiſtance which they otherwiſe would have received, had ſuch Contribution been continued:' Therefore to promote ſuch good Intentions, and to continue the ſaid Contributions for the ſame; may it pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſeven, it ſhall be lawful to and for ſuch Perſon or Perſons as ſhall be appointed by the Conſul named for his Majeſty's Subjects trading to the ſaid Port of *Leghorn*, for the time being, together with the Majority of the *Britiſh* Merchants and Factors there, to receive and recover from all Maſters or other Chief Officers and Commanders of all *Britiſh* or *Iriſh* Ships or Veſſels trading from *Great Britain* or *Ireland*, or any other Part of his Majeſty's Dominions, to the ſaid Port, any Sum or Sums of Money, not exceeding one Livre *per* Ton on all Tonnage Goods imported into the ſaid Port in ſuch Ships and Veſſels; and on all Bale Goods any Sum or Sums of Money, not exceeding one Third of a Livre *per* Bale or Parcel; and all Bills of Lading of ſuch Ships and Veſſels, ſhall ſpecify to pay the ſaid Monies accordingly, under the Denomination of *Contribution, as by Act of Parliament*, or to that Effect; and the Perſons paying the ſame ſhall be reimburſed by their reſpective Freighters, or by the Perſons to whom the ſaid Goods and Merchandizes ſhall be conſigned, or who ſhall receive the ſame; and in caſe the Maſter or Commander of ſuch Ship or Veſſel ſhall neglect to ſpecify the Payment of the ſaid Monies in the Bill or Bills of Lading as aforeſaid, he ſhall be anſwerable for the ſame; and in caſe no Bill of Lading ſhall appear, or no Tonnage be ſettled between the Owner or Owners of the Goods and the Maſter or Commander of any *Britiſh* or *Iriſh* Ship or Veſſel trading as aforeſaid, then the Tonnage of ſuch Goods or Merchandize ſhall be valued by Two indifferent *Britiſh* Merchants on the Place; one to be appointed by the Conſul, and the other by the Maſter or Commander of ſuch Ships or Veſſels, within ten Days next after the unlading of the ſaid Goods; and in caſe the two Perſons ſo choſen ſhall not agree and award the ſame in three Days next after ſuch Appointment, ſuch two Perſons ſhall then chooſe a third Perſon, being a *Britiſh* Merchant on the Place, as an Umpire, who ſhall decide and determine the ſaid Valuation of Tonnage in three Days; and ſuch Sums ſhall be paid in ſuch Caſe for the Purpoſes aforeſaid, as ſhall be agreeable to this Act.

Britiſh or *Iriſh* Ships trading to Leghorn, to pay for Goods imported there one third of a Livre per Ton or Bale; to be ſpecified in Bills of Lading and allowed by Freighters or Receivers of the ſaid Goods.

Goods to be valued, where there is no Bill of Lading.

II. And be it enacted by the Authority aforeſaid, That all Maſters, Commanders, or other Chief Officers of all *Britiſh* or *Iriſh* Ships or Veſſels trading from *Great Britain* or *Ireland*, or any other Part of his Majeſty's Dominions, to the Port of *Leghorn*, and unloading and delivering the Ship or Veſſel, or any Part of the Cargoe there, ſhall, within ten Days after the Arrival of ſuch Ship or Veſſel deliver to the Conſul reſiding there, or to ſuch other Perſon or Perſons as ſhall be appointed for that Purpoſe by him, a true Manifeſt in Writing upon Oath, ſpecifying the Particulars of the whole Cargoe of ſuch Ships or Veſſels ſo unloaded or delivered, or ſuch Part thereof as ſhall be unloaded or delivered there, and to whom conſigned; which Oath ſuch Conſul, or other Perſon or Perſons to be appointed by him, is and are hereby reſpectively impowered and required to adminiſter *gratis*.

A Manifeſt of every Veſſel's Cargo to be given upon Oath.

III. And

Veſſels not to be diſcharged till Payment of the Duties be made.

III. And for the better collecting the ſaid Money herein before directed to be paid for the charitable and other publick Uſes aforeſaid, Be it enacted, That the ſaid Conſul or other Perſon or Perſons appointed by him, in the ſaid Port of *Leghorn*, ſhall, and they are hereby reſpectively authorized and required to detain the Clearances Outward of all *Britiſh* or *Iriſh* Ships and Veſſels, and not give or deliver any Diſpatch or Bill of Health for any ſuch Ship or Veſſel, until Payment be made as aforeſaid; and in caſe the Maſter or Commander of ſuch Ship or Veſſel, in order to avoid the Payment of the ſaid Monies, ſhall at any Time think proper to depart without his ſaid Clearances Outward, then and in ſuch Caſe the Conſul ſhall, upon the Return of the ſaid Maſter or Commander to any Port of his Majeſty's Dominions, have a juſt Action at Law againſt him for all the Money which by virtue of this Act ought to have been paid.

Application of the Monies.

IV. And be it further enacted, That all Monies to be raiſed or received as aforeſaid, ſhall be applied in the Manner hereafter mentioned; that is to ſay, To the Succour and Relief of Mariners Shipwrecked and taken in War, and other diſtreſſed Perſons his Majeſty's Subjects, and to ſuch other charitable and publick Uſes as ſhall from time to time be appointed by the Conſul for the time being, with the Majority of the *Britiſh* Merchants and Factors reſiding at the ſaid Port of *Leghorn*.

The Conſul to ſummon Meetings of the Merchants and Factors.

V. And be it enacted by the Authority aforeſaid, That the Conſul for the time being, appointed for his Majeſty's Subjects trading to the Port of *Leghorn*, ſhall from time to time, as he ſhall ſee Occaſion for effecting the Purpoſes of this Act, call and ſummon a general Meeting of the *Britiſh* Merchants and Factors reſiding at the ſaid Port; and he is hereby obliged and required from time to time to call and ſummon general Meetings or Aſſemblies as often as he ſhall be deſired, by Writing under the Hands of any five or more of the *Britiſh* Merchants or Factors aforeſaid; and the Majority at ſuch Meetings or Aſſemblies ſhall from time to time order and determine all Matters and Things relating to the Premiſſes.

Publick Act.

VI. And be it enacted by the Authority aforeſaid, That this Act ſhall be eſteemed and taken in all Courts of Juſtice and elſewhere to be a publick Act, and ſhall be taken Notice of as ſuch, without ſpecially pleading the ſame; and if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons for any thing done in purſuance of this Act, or in relation to the Premiſſes, the Defendant

General Iſſue.

or Defendants in ſuch Action may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of the ſaid Act; and if the ſame ſhall appear to have been ſo done, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the De-

Full Coſts.

fendant or Defendants ſhall have full Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

CAP. XV.

An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Red Lion Square*, in the County of *Middleſex*, to make a Rate on themſelves, for raiſing Money ſufficient to incloſe, pave, watch, clean and adorn the ſaid Square. P R.

Preamble.

'WHEREAS the Square called *Red Lion Square*, in the Pariſh of Saint *George the Martyr*, in the County of *Middleſex*, hath for ſome Time paſt lain in great Diſorder, and the Pales which incloſe the Area thereof are ſo ruinous, that the ſaid Area is become a Receptacle for Rubbiſh, Dirt and Naſtineſs of all Kinds, and an Encouragement to common Beggars, Vagabonds and other diſorderly Perſons to reſort thither for the Exerciſe of their idle Diverſions and other unwarrantable Purpoſes: To prevent all which Miſchiefs, and to the end the ſaid Square may be kept clean and in good Order, the Owners, Proprietors and Inhabitants thereof, are deſirous that the ſaid Square may be incloſed, or otherwiſe made commodious, paved, watched and properly adorned, and kept in good Repair for the future, and are willing that an adequate Contribution may for that Purpoſe be raiſed by and amongſt themſelves;' Wherefore the ſaid Proprietors and Inhabitants moſt humbly beſeech Your moſt Excellent Majeſty, that it may be enacted, *&c.*

" Proprietors to meet on 15 *July*, in *Grey's Inn*, to chooſe Truſtees, who are to direct the adorning of the " Square. 20 *s.* Penalty on Perſons annoying the Square. Offender to be ſent to the Houſe of Correc- " tion till he removes ſuch Nuſance. Perſons gaming in or breaking the Fences of the Square, ſhall for- " feit 40 *s.* or be ſent to the Houſe of Correction for 1 Month. Truſtees impowered to aſſeſs 1 *s.* 6 *d.* " in the Pound on the Inhabitants, according to the Land-tax Aſſeſſment for 1736. After 24 *June* 1737, " Owners to pay for untenanted Houſes, *&c.* Perſons refuſing to pay what they are rated at, their Goods " may be diſtrained, and if not replevied in 5 Days, be appraiſed and ſold. After 24 *June* 1737, the " Square, *&c.* to be deemed a diſtinct Ward, and not liable to Scavenger's Rate, *&c.* and from that " Time St. *Andrew*'s Pariſh *Holborn*, diſcharged from cleaning it, *&c.* Truſtees may grant Annuities " on 1000 *l.* for 32 Years, after the Rate of 6 *l. per Cent. per Ann.* and for one Life at the Rate of " 8 *l. per Cent. per Ann.* Truſtees may raiſe the Monies in the Way they think moſt proper, but ſhall " not pay more than 4 *l. per Cent. per Ann.* Publick Act.

CAP.

CAP. XVI.

An Act for explaining and amending an Act paſſed in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for building a Bridge croſs the River* Thames, *from the* New Palace-Yard *in the City of* Weſtminſter, *to the oppoſite Shore in the County of* Surrey. PR. & EXP.

Preamble, reciting the Act 9 Geo. 2. c. 29.

'WHEREAS an Act was made in the laſt Seſſion of this preſent Parliament, *For building a Bridge croſs the River* Thames, *from the* New Palace-Yard *in the City of* Weſtminſter, *to the oppoſite Shore in the County of* Surrey, and certain Commiſſioners therein named were by the ſaid Act appointed and impowered to deſign, aſſign and lay out, how and in what Manner, and with what Materials the ſaid intended Bridge ſhould be made, erected and built, and the Ways and Paſſages to and from the ſame, and to preſerve and keep in Repair ſuch Ways and Paſſages, from time to time, and to make Contracts, and do all Matters and Things for carrying on and effecting the Purpoſes aforeſaid, and to cauſe the ſame to be effectually done and perfected accordingly; and for enabling the Commiſſioners to execute the Powers, and effect the Purpoſes of the ſaid Act, Authority was given for raiſing a Sum not exceeding ſix hundred and twenty-five thouſand Pounds, by way of Lottery, to be drawn within ſuch Time, and in ſuch Manner, and under ſuch Management and Regulations, as in and by the ſaid Act is in that Behalf ordered, directed and preſcribed; which Money ſo to be raiſed, was thereby directed to be paid by the Contributors to, and Adventurers in, ſuch Lottery, into the Bank of *England*, or to ſuch Caſhier or Caſhiers as the Directors of the Bank ſhould appoint, on or before the firſt Day of *February* one thouſand ſeven hundred and thirty-ſix; and the Reſidue and Surplus of the Money ſo to be advanced and contributed, after Payment of the Prizes in the ſaid Lottery, and the Charges and Expences incident to, and attending the Execution of the ſaid Act, was thereby directed to be iſſued, paid and applied for and towards the erecting and building the ſaid Bridge, and repairing, preſerving and ſupporting the ſame when built, and for other the Purpoſes therein mentioned, as the ſaid Commiſſioners, or any nine or more of them, ſhould, from time to time, direct: And whereas there was contributed and paid in on the Credit of the ſaid Act, on the firſt Day of *February* one thouſand ſeven hundred and thirty-ſix, only the Sum of forty-three thouſand one hundred and ſixteen Pounds, and the Time limited and appointed by the ſaid Act for executing ſeveral of the Powers and Authorities thereby given, is elapſed, and thereby the ſame Act is rendered ineffectual to anſwer the Purpoſes thereby intended;' Wherefore to the End and Intent that a Deſign ſo uſeful to his Majeſty's Subjects, and the Publick in general, may be effectually carried into Execution; may it pleaſe Your moſt Excellent Majeſty, that it may be enacted, *&c.*

" 700,000 *l.* to be raiſed by way of Lottery. The Reſidue of the Money, after Payment of the Fortunate " Tickets, to be applied towards the Bridge. If ſufficient Money be not raiſed by the Methods preſcri- " bed, his Majeſty may, after 29 *Sept.* 1737, by Letters Patents, incorporate the Truſtees. Such Corpo- " rations may not take up any Money payable under 6 Months, or diſcount any Bills, *&c.* And there " ſhall be paid for Pontage, For every Coach, *&c.* drawn by 6 Horſes, 2 *s.* by 4 Horſes, 1 *s.* 6 *d.* by leſs " than 4 Horſes, 1 *s.* For every Waggon, *&c.* drawn by 4 Horſes, 1 *s.* 6 *d.* and by leſs than 4 Horſes, 1 *s.* " For every Horſe, *&c.* not drawing, 2 *d.* For every Foot Paſſenger on *Sundays*, 1 *d.* and on every other " Day, ½ *d.* For every Drove of Oxen, 1 *s. per* Score. For every Drove of Calves, Hogs, Sheep, or " Lambs, 6 *d. per* Score. Truſtees to appoint Collectors. Commiſſioners, when incorporated, may bor- " row Money on Credit of this Act. Commiſſioners to determine the Recompence to be made to the " Watermen, *&c.* which ſhall be paid within 1 Month after Judgment. The Bridge to be built either " from the *New Palace-Yard*, or from the *Horſe-Ferry*, or thereabouts, to the oppoſite Shore.

See 11 *Geo.* 2. c. 25. 12 *Geo.* 2. *c.* 33. 30 *Geo.* 2. *c.* 34.

13 *Geo.* 2. *c.* 16. 14 *Geo.* 2. *c.* 40. 15 *Geo.* 2. *c.* 26. 17 *Geo.* 2. *c.* 32. 18 *Geo.* 2. *c.* 29. 29 *Geo.* 2. *c.* 38.

CAP. XVII.

An Act for repealing the preſent Duty on Sweets, and for granting a leſs Duty thereupon; and for explaining and enforcing the Execution of an Act paſſed in the ninth Year of his preſent Majeſty's Reign, intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licenſing the Retailers thereof*; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets and Orders loſt, burnt or otherwiſe deſtroyed.

May it pleaſe your moſt Excellent Majeſty,

Preamble, reciting the Acts 5 Annæ, c. 19.

'WHEREAS by an Act of Parliament made and paſſed in the fifth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for continuing the Duties on low Wines and Spirits of the firſt Extraction, and the Duties payable by Hawkers, Pedlars and petty Chapmen, and Part of the Duties on ſtamped Vellum, Parchment and Paper, and the late Duties on Sweets, and the one third Subſidy of Tonnage and Poundage, and for ſettling and eſtabliſhing a Fund thereby, and by the Application of certain over-*

' plus

'plus Monies and otherwiſe, for Payment of Annuities to be ſold for raiſing a further Supply to her Majeſty, 'for the Service of the Year one thouſand ſeven hundred and ſeven, and other Uſes therein expreſſed; it was '(amongſt other Things) enacted, That there ſhould be raiſed, levied, collected and paid to her Ma-'jeſty, her Heirs and Succeſſors, for the Purpoſes in the ſaid Act expreſſed, for every Barrel of Sweets 'made, which ſhould be for Sale, from and after the four and twentieth Day of *March* one thouſand 'ſeven hundred and ſix, within or during the Space of ninety-nine Years from thence next and imme-'diately enſuing, the Sum of thirty-ſix Shillings, the ſame Duty to be paid by the Maker or Makers of 'of the ſaid Sweets; and ſo in Proportion for any greater or leſſer Quantity; and by one other Act
6 Annæ, c. 5. 'made and paſſed in the ſixth Year of the Reign of her ſaid late Majeſty Queen ANNE, intituled, *An 'Act for raiſing a further Supply to her Majeſty, for the Service of the Year one thouſand ſeven hundred and 'eight, and other Uſes, by Sale of Annuities charged on a Fund not exceeding forty thouſand Pounds* per Annum, *to ariſe by appropriating ſeveral Surpluſſes, and by granting farther Terms in the Duties on low 'Wines, and on Hawkers, Pedlars and petty Chapmen, the Stamp Duties, the one third Subſidy, the Duty on 'Sweets, and one of the Branches of Exciſe, and by making other Proviſion in this Act mentioned*, it was '(amongſt other Things) enacted, That the Duty upon Sweets made for Sale, which by the ſaid Act 'of the fifth Year of her ſaid late Majeſty's Reign, was granted for the Term of ninety-nine Years, 'commencing from the twenty-fourth Day of *March* one thouſand ſeven hundred and ſix, ſhould be 'further continued, and be paid and payable to her ſaid late Majeſty, her Heirs and Succeſſors, within 'and throughout the united Kingdom of *Great Britain*, from and after the Expiration of the Term of 'ninety-nine Years laſt mentioned, for and during the further Term of two Years from thence next
1 Geo. 1. c. 12. 'and immediately enſuing; and by one other Act made and paſſed in the firſt Year of the Reign of his 'late Majeſty King GEORGE the Firſt, intituled, *An Act for enlarging the Fund of the Governor and 'Company of the Bank of* England, *relating to Exchequer Bills, and for ſettling an additional Revenue of one 'hundred and twenty thouſand Pounds* per Annum *upon his Majeſty during his Life, for the Service of the 'Civil Government, and for eſtabliſhing a certain Fund of fifty-four thouſand ſix hundred Pounds* per An-'num, *in order to raiſe a Sum not exceeding nine hundred and ten thouſand Pounds for the Service of the 'Publick, by Sale of Annuities after the Rate of ſix Pounds* per Centum per Annum, *redeemable by Parlia-'ment, and for ſatisfying an Arrear for Work and Materials at* Blenheim, *incurred whilſt that Building 'was carried on, at the Expence of her late Majeſty Queen* ANNE *of Bleſſed Memory, and for other Purpoſes 'therein mentioned*, it was (amongſt other Things) enacted, That the ſaid Duty upon Sweets made 'for Sale, which by the ſaid Act of the fifth Year of her ſaid late Majeſty's Reign, was granted for the 'Term of ninety-nine Years, from the twenty-fourth Day of *March* one thouſand ſeven hundred 'and ſix, and by the ſaid Act of the ſixth Year of her ſaid late Majeſty's Reign, was continued for two 'Years, to take Effect from the Expiration of the Term of ninety-nine Years laſt mentioned, ſhould 'have further Continuance, and be paid and payable to his Majeſty, his Heirs and Succeſſors for ever: 'And whereas all Liquors made by Infuſion, Fermentation or otherwiſe, from foreign Fruit or Sugar, 'or from Fruit or Sugar mixed with other Materials, and commonly made uſe of for recovering, in-'creaſing or making of any Kinds of Wine or Cyder, or of any Liquor called Wine, are declared to
10 & 11 W. 3. c. 21. 'be Sweets by an Act of Parliament made in the tenth and eleventh Years of the Reign of his late 'Majeſty King WILLIAM the Third, intituled, *An Act for laying further Duties upon Sweets, and for 'leſſening the Duties as well upon Vinegar, as upon certain low Wines and Whale Fins, and the Duties upon 'Brandy imported, and for the more eaſy raiſing the Duties upon Leather, and for charging Cinders, and for 'permitting the Importation of Pearl Aſhes, and for preventing the Abuſes in the brewing of Beer and Ale, 'and Frauds in Importation of Tobacco*; and being made for Sale, are chargeable by the ſaid Act with the 'Duty of thirty-ſix Shillings a Barrel: And whereas ſome Doubt has been made, whether Liquors 'made for Sale by Infuſion, Fermentation or otherwiſe, from *Britiſh* Fruit or Sugar, or from Fruit or 'Sugar mixed with other Materials or Ingredients, and commonly called or diſtinguiſhed by the Name 'of *made Wines*, are Sweets, and are chargeable with the ſaid Duty of thirty-ſix Shillings a Barrel, 'granted and continued by the ſeveral Acts before recited; and it has been found by Experience, that 'the Value and Quality of ſuch Wines will not bear the ſaid Duty to be charged thereon;' For ob-viating ſuch Doubt for the future, and for the Eaſe of the Makers of and Dealers in ſuch Wines as aforeſaid, we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parlia-ment aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,
After 24 June 1737, the Duty of 36 s. a Barrel on Sweets determines. That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, the ſaid Duty of thirty-ſix Shillings a Barrel on Sweets, payable to his Majeſty, his Heirs and Succeſſors for ever, by the ſeveral Acts of Parliament before recited, ſhall ceaſe, determine and be no longer paid or payable; any thing in the before mentioned Acts, or any other Act or Acts of Parliament, here-tofore made to the contrary thereof in any wiſe notwithſtanding.

Concerning Sweets ſee farther 31 *Geo.* 2. *c.* 31.

II. And your Majeſty's ſaid dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the Supply granted to your Majeſty in this Seſſion of Parliament, by Ways the leaſt burthenſome to your Majeſty's Subjects, have reſolved to give and grant unto your Majeſty the Duty herein after mentioned; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, there ſhall be raiſed, levied and paid to and for the Uſe of his Majeſty, his Heirs and Succeſſors for ever, For every Barrel of Liquors made or to be made within the Kingdom of *Great Britain* for Sale, by Infuſion, Fer-mentation or otherwiſe from foreign Fruit or Sugar, or from *Britiſh* Fruit or Sugar, or from Fruit

and a Duty of 12 s. a Barrel impoſed on all Sweets or Wines, made from Britiſh or foreign Fruit or Sugar,

or Sugar mixed with any other Ingredients or Materials whatſoever, commonly called *Sweets*, or called or diſtinguiſhed by the Name of *Made Wines*, for which no Duty hath been already paid, or ſhall be paid on or before the ſaid twenty-fourth Day of *June*, the Sum of twelve Shillings, to be paid by the Maker thereof; and ſo in Proportion for a greater or leſſer Quantity.

which ſhall be managed by the Commiſſioners of Exciſe, &c.

III. And be it further enacted by the Authority aforeſaid, That the Commiſſioners and Officers of his Majeſty's Revenue of Exciſe for the time being, ſhall be the Commiſſioners and Officers for the Receipt and Management of the Duty before-mentioned; and all Monies ariſing by the ſaid Duty (the neceſſary Charges of levying and collecting the ſame excepted) ſhall, from time to time, be paid into the Receipt of his Majeſty's Exchequer diſtinctly and apart from all other Branches of the publick Revenue, for the Uſes and Purpoſes hereafter mentioned.

Makers of Sweets or Made Wines ſhall give Notice to the next Office of Exciſe of their Names and Places of Abode, &c. on Penalty of 20 l. The Exciſe Laws applied to this Duty.

IV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, every Maker of the Liquors aforeſaid called *Sweets* or *Made Wines* for Sale, ſhall, before he, ſhe or they begin to make ſuch Sweets or Wines, or any of them, give Notice in Writing at the next Office of Exciſe, of his, her or their Name and Place of Abode, and of all and every the Rooms and Places made Uſe of by him, her or them, for making or keeping of Sweets or Made Wines, on Pain of forfeiting for every Room or Place ſo made uſe of as aforeſaid without Notice as aforeſaid the Sum of twenty Pounds; and that all and every other the Powers, Authorities, Directions, Rules, Methods, Penalties and Forfeitures, Clauſes, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*, or by any other Law heretofore made in relation to the Duties upon Sweets, are provided, ſettled or eſtabliſhed, for ſecuring, enforcing, managing, raiſing, levying, collecting, mitigating or recovering, adjudging or aſcertaining the Duties thereby granted, and for preventing, detecting and puniſhing Frauds relating thereto, ſhall be exerciſed, practiſed, applied, uſed, impoſed, levied, recovered and put in Execution for the ſecuring, enforcing, managing, raiſing, levying, collecting, mitigating, adjudging, aſcertaining, recovering and paying the Duty hereby granted, and for preventing, detecting and puniſhing Frauds relating thereto, as fully and effectually to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties and Forfeitures, Clauſes, Matters and Things were particularly repeated and again enacted in the Body of this preſent Act.

Penalties and Forfeitures where to be ſued for, &c.

V. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties and Forfeitures relating to the ſaid Duty upon Sweets hereby granted, ſhall be ſued for, recovered, levied and mitigated by ſuch Ways, Means and Methods as any Fine, Penalty or Forfeiture is or may be in like Caſes ſued for, levied, recovered and mitigated by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland*; and that one Moiety of every ſuch Fine, Penalty and Forfeiture ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall ſue for the ſame.

Perſons ſued for executing this Act may plead the General Iſſue, and recover Treble Coſts.

VI. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time be ſued for any Thing done by him or them in purſuance of this Act, or any other Act now in Force relating to the Duties of Exciſe, or any other Duties under the Management of the Commiſſioners of Exciſe, he and they ſhall and may plead the General Iſſue, and give this Act and the ſaid reſpective Acts in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be nonſuited, then ſuch Defendant or Defendants ſhall have treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

Wines of Britiſh Growth exempted from this Duty.

VII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge with any Duty ſuch Wine as the Owners or Occupiers of *Britiſh* Vineyards ſhall make from the Juice of *Britiſh* Grapes only growing thereon.

Clauſe for rendering more effectual the Act of 9 Geo. 2. c. 23. *Concerning Spirituous Liquors, ſee farther* 11 *Geo.* 2. *c.* 26. 15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 2. *c.* 9 & 28.

'VIII. And whereas ſome Doubts have ariſen touching the Method of recovering, levying and mi-'tigating the Penalties or Forfeitures impoſed by an Act of Parliament made in the ninth Year of his 'preſent Majeſty's Reign, intituled, *An Act for laying a Duty upon the Retailers of ſpirituous Liquors, and 'for licenſing the Retailers thereof*;' Now to put an End to all Doubts concerning the ſame, be it declared and enacted by the Authority aforeſaid, That all Penalties and Forfeitures by the ſaid Act impoſed may for the future, during the Continuance of the ſaid Act, and from the Time of the Commencement of the ſame hitherto might, lawfully be ſued for, recovered, levied and mitigated by ſuch Ways, Means and Methods as any Penalty or Forfeiture is or may be ſued for, recovered, levied or mitigated by an Act made in the twelfth Year of the Reign of his late Majeſty King CHARLES the the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service and Purveyance, and ſettling a Revenue upon his Majeſty in lieu thereof*, except as to thoſe Penalties and Forfeitures, for the Recovery of which, any other Means or Methods are by the ſaid Act of the ninth Year of his preſent Majeſty directed.

19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 33 *Geo.*

'IX. And whereas by the ſaid Act made and paſſed in the ninth Year of his Majeſty's Reign, inti-'tuled, *An Act for laying a Duty upon the Retailers of ſpirituous Liquors, and for licenſing the Retailers 'thereof*, it is (amongſt other Things) enacted, That from and after the ſaid twenty-ninth Day of '*September* one thouſand ſeven hundred and thirty-ſix, no Perſon or Perſons ſhall hawk, ſell or expoſe 'to Sale any Brandy, ſpirituous Liquors or ſtrong Waters, by whatever Name or Names they are or 'may be called or diſtinguiſhed, about the Streets, Highways or Fields in any Wheelbarrow or Baſket, 'or upon the Water in any Ship, Boat or Veſſel, or in any other Manner whatever, or ſhall ſell, or

'expoſe the ſame to Sale on any Bulk or Bulks, Stall or Stalls, or in any Shed or Sheds, or on or 'in any other Place or Places, other than in ſuch Place or Places as are in the ſaid Act mentioned or 'allowed, upon Pain of forfeiting for every ſuch Offence the Sum of ten Pounds; and it ſhall and 'may be lawful to and for any one or more Juſtice or Juſtices of the Peace for the County, Riding, 'Diviſion, City or Liberty reſpectively, wherein ſuch Offence ſhall be committed, on his or their own 'View, or on Confeſſion of the Party, or by Proof on the Oath of one or more credible Witneſs or 'Witneſſes made of ſuch Offence, to convict any Perſon or Perſons ſo offending as aforeſaid; and ſuch 'Perſon or Perſons ſo offending and convicted ſhall immediately on ſuch Conviction pay the ſaid Sum 'of ten Pounds into the Hands of the Churchwardens and Overſeers of the Poor of the Pariſh where 'ſuch Offence ſhall be committed, or one of them, and on ſuch Offender or Offenders refuſing or neg-'lecting to pay the ſaid Sum, the Juſtice or Juſtices ſo convicting as aforeſaid ſhall and may by War-'rant or Warrants under his or their Hand and Seal, or Hands and Seals, commit the Offender or Of-'fenders to the Houſe of Correction for the ſaid County, City or Liberty reſpectively, there to remain 'and be kept to hard Labour for the Space of two Months, to be reckoned from the Day of the ſaid 'Commitment, and the Perſon or Perſons ſo committed ſhall not be diſcharged until he, ſhe or they 'ſhall have paid the ſaid Sum of ten Pounds, or until the full Expiration of the ſaid two Months; and 'every Sum or Sums of Money ariſing from the Conviction of any Perſon or Perſons as aforeſaid, in 'caſe there be no Informer, ſhall be wholly applied to the Uſe of the Poor of the Pariſh wherein the 'Offence was committed; but if there ſhall be an Informer, one Moiety of ſuch Money ſhall be paid 'to the Informer, and the other Moiety ſhall be paid to the Overſeers and Churchwardens as afore-'ſaid, or one of them, and applied to the Uſe of the Poor of the Pariſh as aforeſaid: And whereas 'ſuch Perſons as are willing and deſirous of putting the ſaid ſalutary Law in Execution, have not the 'Encouragement which is due to them, and which they juſtly deſerve, where the Perſons incurring 'the pecuniary Penalties of the ſaid Act are not able to pay the ſame, but in lieu thereof are ſent to 'the Houſe of Correction, as by the ſaid Act is directed;' For Remedy whereof, be it enacted by the

Commiſſioners of Exciſe may reward Perſons who are intitled thereto out of any Monies in their Hands, &c.

Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, in all ſuch Caſes as aforeſaid it ſhall and may be lawful for the Commiſſioners of Exciſe in *England* and *Scotland* reſpectively to cauſe ſuch Rewards as aforeſaid to be paid to the ſeveral and reſpective Perſons who ſhall appear to them to be intitled thereto as aforeſaid, out of any Money that ſhall be in their Hands, or any Officers belonging to them, that hath ariſen or ſhall ariſe by virtue of any Penalties or Forfeitures incurred by the ſaid Act as aforeſaid, and the Money ſo paid ſhall be accepted of and allowed in their Accounts, as ſo much Money paid to his Majeſty; and the ſaid Commiſſioners are and ſhall hereby be diſcharged thereof accordingly; and every Offender convicted as aforeſaid, and upon his or her Refuſal or Neglect to pay the ſaid Penalty of ten Pounds, committed to the Houſe of Correction as aforeſaid, ſhall, before his or her Diſcharge therefrom, be ſtript naked from the Middle upwards, and whipt until his or her Body be bloody.

Offender convicted, and not paying the Fine, ſhall be committed, &c.

No Perſon to ſell made Wines without Licence from two Juſtices of Peace, for which he ſhall pay their Clerk 2 s. 6 d. &c.

X. Provided alſo, and it is hereby enacted and declared, That nothing in this Act contained ſhall extend or be conſtrued to enable any Perſon or Perſons to ſell ſuch made Wines to be drunk in his or their Houſe or Houſes, unleſs ſuch Perſon or Perſons be firſt licenſed by two or more of his Majeſty's Juſtices of the Peace of the County, Riding, Diviſion, City or Liberty wherein ſuch Perſon or Perſons ſhall ſell the ſaid made Wines, under the Hands and Seals of the ſaid Juſtices, for which Licence or Licences the Sum of two Shillings and ſix Pence, and no more, ſhall be paid to the Clerks of ſuch Juſtices, and no Fee or Sum of Money or other Reward whatſoever to the Clerk or Clerks of the Peace for entering the ſame, or on any other Account; on Pain of five Pounds in caſe any of the ſaid Juſtices Clerks, or any Clerk of the Peace, ſhall aſk, receive or demand any more or other Fee or Fees on Account of ſuch Licences under any Pretence whatſoever; and if the Licence is not found and provided by the ſaid Juſtices Clerks, then no Fee whatſoever ſhall be due or received by them.

None to be granted but to Keepers of Coffee-houſes, &c.

XI. Provided always, and be it further enacted, That no Licence ſhall be granted to any Perſon or Perſons whatſoever for ſelling by Retail any made Wines whatſoever, except to ſuch Perſons only who ſhall keep publick Victualling-houſes, Inns, Coffee-houſes or Ale-houſes; and if ſuch Licences ſhall be granted, the ſame are hereby declared void to all Intents and Purpoſes.

Duty of ſpirituous Liquors ſtill to continue.

XII. Provided, That nothing in this Act ſhall extend, or be conſtrued to extend, to alter or take away any Duty chargeable on diſtilled ſpirituous Liquors, or any other Liquors, by the ſaid Act of Parliament made in the ninth Year of the Reign of his preſent Majeſty.

Clauſe of Loan at 3 l. per Cent.

XIII. And it is hereby alſo enacted, That there ſhall be provided and kept in the Office of the Auditor of the Receipt of the Exchequer one Book or Regiſter, in which all the Orders for Money payable upon this Act ſhall be entered and regiſtered; and that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and lend to his Majeſty at the ſaid Receipt, upon Credit of the ſaid Duties by this Act granted, any Sum or Sums of Money, not exceeding in the whole the Sum of five hundred thouſand Pounds, which Lenders ſhall have Intereſt for the Forbearance of their reſpective Loans, not exceeding the Rate of three Pounds *per Centum per Annum*, ſo as ſuch Loans be allowed to be made by the Commiſſioners of the Treaſury, or any three or more of them, or by the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, who are hereby authorized to iſſue their Warrants for that Purpoſe, as faſt as ſuch Loans ſhall be wanted for the publick Service, the ſaid Intereſt to be paid half yearly from the making of ſuch Loans, until the Satisfaction of the principal Sums reſpectively, and that no Monies ſo to be lent ſhall be rated or aſſeſſed in any Tax or Aſſeſſment whatſoever; and that every ſuch Lender ſhall immediately have a Tally of Loan ſtruck for the Money by him, her or them lent, and an Order of the ſame Date for Repayment thereof with ſuch Intereſt as aforeſaid; and that all ſuch

Tallies and Orders for Repayment.

Orders

Orders ſhall be regiſtred in Courſe according to their Dates; and all Perſons thereupon ſhall be paid in Courſe, as their Orders ſhall ſtand regiſtred, ſo as the Perſon or Perſons, Natives or Foreigners, his, her, or their Executors, Adminiſtrators, or Aſſigns, whoſe Orders ſhall be firſt regiſtred, ſhall be accounted the Perſon or Perſons to be firſt paid, and ſo ſucceſſively in Courſe; and that the Monies to come in by this Act, of the ſaid Duties, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, their Executors, Adminiſtrators, or Aſſigns ſucceſſively, without undue Preference of one before another, and not otherwiſe, and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken for providing or making any ſuch Books or Regiſters, or any Entries, Views, or Search in or for Payment of Money lent, or the Intereſt thereof, as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks, or Deputies, on Pain of Payment of treble Damages to the Party aggrieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to forfeit his Place alſo; and if any undue Preference of one before another ſhall be made in Point of Regiſtry or Payment contrary to the true Meaning of this Act by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt with full Coſts of Suit to the Party aggrieved, and ſhall be forejudged of his Place or Office; and if ſuch Preference be unduly made by any his Deputy or Clerk without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Place or Office; and in caſe the Auditor of the Receipt ſhall not direct, or the Clerk of the Pells record, or the Tellers make Payment, according to each Perſon's due Place and Order, as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch Manner as aforeſaid: All which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

No undue Preference.

XIV. Provided always, That if it happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference, which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

What ſhall not be reckoned undue Preference.

XV. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor directs, and the Clerk of the Pells record, and the Tellers do pay, ſubſequent Orders of Perſons that come and demand their Money, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them, Intereſt upon Loan being to ceaſe from the Time that Money is ſo reſerved and kept in Bank for them.

XVI. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans by virtue of this Act, after Order entered in the Book of Regiſtry aforeſaid, his, her or their Executors, Adminiſtrators or Aſſigns, by proper Words of Aſſignment to be indorſed on his, her or their Order, may aſſign or transfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, to the Benefit thereof and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

Money lent may be tranſferred.

XVII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the Sum of five hundred thouſand Pounds to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further provided and enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being ſhall judge it more adviſeable to raiſe the ſaid Sum of five hundred thouſand Pounds, or any Part thereof, by Exchequer Bills inſtead of ſuch Loans as aforeſaid, that then they reſpectively are hereby authorized and impowered at any Time or Times at once, or by ſuch Proportions at a Time as they reſpectively ſhall find to be moſt for the Advantage of the Publick, to prepare and make, or cauſe to be prepared and made, at the Exchequer, in ſuch Method and Form as they or he ſhall think moſt ſafe and convenient, any Number of new Exchequer Bills containing one common Sum or different Sums in the principal Monies; ſo that in caſe there ſhall be no Loans made, then all the principal Sums to be contained in the ſaid Bills to be made forth by this Act ſhall not exceed five hundred thouſand Pounds; and in caſe any ſuch Loans ſhall be made, as aforeſaid, then all the principal Sums to be contained in the ſaid Bills to be made forth by this Act, together with ſuch Loans ſo made, ſhall not exceed the ſaid Sum of five hundred thouſand Pounds.

Exchequer may iſſue out new Exchequer Bills.

XVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Bills to be prepared and made in purſuance of this Act ſhall or may bear an Intereſt not exceeding three Pounds *per Centum per Annum*, and proportionably for any greater or leſſer Sum to be contained therein, and to be payable to the

Bills to bear Intereſt at 3 l. per Cent. per Annum.

the Bearers thereof reſpectively, nevertheleſs the ſaid Intereſt ſhall be abated and ſaved upon ſuch of the ſaid Bills to be made forth by this Act as ſhall at any Time or Times be in the Receipt of the Exchequer, or in the Hands or Power of any Receivers or Collectors of any Taxes, Aids or Revenues whatſoever, payable to his Majeſty, his Heirs and Succeſſors, during ſuch Time and Times reſpectively as ſuch Bill or Bills ſhall be or remain in the ſaid Receipt, or in ſuch Hands or Power as aforeſaid.

Theſe Bills to be numbered Arithmetically.

XIX. And it is hereby enacted, That all the ſaid Bills ſo to be prepared and made ſhall be numbered Arithmetically, beginning with N° I. and ſo proceeding in an Arithmetical Progreſſion aſcending, wherein the common Exceſs or Difference ſhall always be one, and ſhall be regiſtred accordingly; ſo that the principal Sums to be contained in every ſuch Bill (after Repayment of the Loans which ſhall have been made as aforeſaid, if any ſuch be, with the Intereſt thereof, or reſerving Money ſufficient for that Purpoſe) may regularly be paid off and diſcharged in Courſe according to the Number of every ſuch Bill as it ſhall ſtand in the ſaid Regiſter; and that the Intereſt upon all and every the ſame Bills ſhall be payable half yearly according to the Purport and true Meaning of this Act; and that upon every ſuch Bill there ſhall be indorſed, printed, or written, in Words at Length or in Figures the Sum after which the Principal to be contained therein ſhall be payable in ſuch Courſe as aforeſaid according to the Purport and true Meaning of this Act.

Treaſury to direct the Courſe of Payment for Loans or Exchequer Bills.

XX. Provided always, and be it enacted by the Authority aforeſaid, That in caſe the ſaid Sum not exceeding five hundred thouſand Pounds ſhall be raiſed partly by Loans and partly by Exchequer Bills according to the Powers before given by this Act, that then and in ſuch Caſe it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, when and as often as they ſhall by virtue of the ſaid Powers direct any ſuch Loans to be taken, or any ſuch Exchequer Bills to be made out, at the ſame Time alſo to direct and appoint the Courſe and Order in which ſuch Loans or Exchequer Bills ſhall ſtand upon the ſaid Regiſter, and after what Sum they ſhall reſpectively begin to be payable in Courſe out of the Monies ariſing by this Act, ſo as no ſubſequent Loans or Exchequer Bills be made to alter the Courſe at firſt appointed for prior Loans or Exchequer Bills at the Time of taking in or making out ſuch prior Loans or Exchequer Bills; any thing herein before contained to the contrary notwithſtanding.

Treaſury to appoint Cheques, &c.

XXI. And it is hereby further enacted, That all the ſaid Bills ſhall be prepared and made with ſuch Cheques, Indents, or Counterfoils as ſhall be directed by the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or by the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being; and that the Perſon or Perſons, who ſhall be appointed to pay off the ſaid Bills in Courſe, ſhall, from time to time, have the Uſe and Cuſtody of one Part of all the Cheques, Indents, or Counterfoils of the ſaid Exchequer Bills to be prepared and made by virtue of this Act, from which the ſaid Bills ſhall have been cut, to prevent his or their being impoſed on by counterfeit or forged Bills; and that the Undertakers or Contractors for exchanging and circulating the ſaid Bills, or ſuch of them as ſhall be current, ſhall from time to time have the Uſe and Cuſtody of one other Part of all the ſaid Cheques, Indents, or Counterfoils of the ſaid Exchequer Bills, from which the ſame ſhall have been cut off as aforeſaid, in order to prevent their being impoſed upon by counterfeit or forged Bills; and that all the ſaid Parts of the ſaid Cheques, Indents, or Counterfoils, ſhall be delivered back into the Exchequer, when the ſaid Bills to be made forth by virtue of this Act ſhall be paid off, cancelled, and diſcharged.

Bills to be placed as Caſh in the Exchequer.

XXII. And it is hereby enacted, That the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the ſaid High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall and they are hereby reſpectively authorized and impowered to cauſe ſuch Bills as ſhall be prepared virtue by of this Act to be placed as ſo much Caſh in the reſpective Offices of the Tellers of the ſaid Receipt of the Exchequer, each and every of which Tellers ſhall be ſeverally charged with the Proportion of the ſaid Bills which ſhall be ſo placed in his Office reſpectively; any Law or Uſage to the contrary notwithſtanding.

Clauſes in the Malt Act relating to the Exchequer Bills, extended to this.

XXIII. And be it further enacted by the Authority aforeſaid, That all the ſaid Bills to be iſſued as aforeſaid ſhall be current in like Manner, and with ſuch Privileges and Advantages, and ſubject to ſuch Rules and Directions as are preſcribed and enacted by an Act of this preſent Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty-ſeven*, for or concerning the Exchequer Bills thereby authorized to be made forth; and that all and every the Clauſes and Proviſoes in the ſaid laſt-mentioned Act relating to the Currency, Exchanging, or Receiving the ſame laſt-mentioned Exchequer Bills by any publick Receivers of Aids, Taxes, or Supplies, or in his Majeſty's Receipt of the Exchequer, or for preventing the forging, counterfeiting, or altering the ſame Bills, or for making out new Bills in the Room of ſuch as ſhall be filled up with Indorſements, defaced, loſt, burnt, or otherwiſe deſtroyed, or for making out Exchequer Bills of five thouſand Pounds each, or for making out Exchequer Bills without bearing Intereſt, or for making them afterwards to bear an Intereſt, or a higher or lower Rate of Intereſt from time to time as the Contractors ſhall agree to, or for preventing any Miſapplication of the Fund on which the ſame are charged, or any other Misbehaviour of any Officers concerned in the receiving, iſſuing, exchanging, paying off, or cancelling the ſame laſt-mentioned Exchequer Bills, or for enabling the Commiſſioners of the Treaſury, or the Lord High Treaſurer for the time being, to contract from time to time with any Perſon or Perſons, Body or Bodies Politick or Corporate, for Payment of the Intereſt of, or exchanging for Ready Money on Demand, the Exchequer Bills thereby authorized to be iſſued at a Rate or Premium not exceeding three

three Pounds *per Centum per Annum*, or for preventing any Diſabilities in ſuch Contractors, or for making them not liable to be Bankrupts on Account of ſuch Contracts, or for appointing a Paymaſter or Paymaſters for paying off and cancelling the ſame Exchequer Bills in due Courſe and Order, ſhall be extended and conſtrued to extend as well to the Exchequer Bills by this Act authorized to be made forth, as to the Exchequer Bills to be made forth in purſuance of the ſaid Act for continuing to his Majeſty the Duties upon Malt, Mum, Cyder, and Perry, as amply, fully, and effectually, to all Intents and Purpoſes, as if the ſame Clauſes or Proviſoes had been particularly repeated and re-enacted *verbatim* in this Act.

Currency of theſe Bills.

XXIV. And to the end the ſame Bills, or ſo many of them as ſhall from time to time remain undiſcharged, may the better obtain a Currency for ſuch Time as they or any of them are hereby intended to be current, Be it further enacted by the Authority aforeſaid, That the Money which ſhall from time to time ariſe at the ſaid Receipt of the Exchequer of or for the Duties by this Act granted ſhall from time to time as the ſame ſhall ariſe at the ſaid Receipt be iſſued and applied at the ſaid Receipt for or towards the paying off and diſcharging the Orders of Loan for the Monies which ſhall have been lent at the ſaid Receipt, and for ſatisfying the Intereſt thereof, in ſuch Courſe, Manner and Form as are before in this Act preſcribed or appointed for that Purpoſe, until all the Principal and Intereſt payable upon ſuch Orders of Loan ſhall be fully ſatisfied, or Monies ſufficient ſhall be reſerved in the Exchequer for the full Payment and Satisfaction of the ſame; or the Monies which ſhall from time to time ariſe at the ſaid Receipt of the Exchequer of or for the ſaid Duties by this Act granted ſhall from time to time, as the ſame ſhall ariſe at the ſaid Receipt, be iſſued to ſuch Paymaſter by way of Impreſt and upon Account for or towards paying off and diſcharging the ſaid Exchequer Bills which ſhall have been made forth by virtue of this Act, in ſuch Courſe as aforeſaid, and for or towards the Charge of circulating and exchanging the ſame Bills or any of them, and for or towards ſuch other Payments as are in and by this Act directed or allowed to be made or diſcharged out of the ſame, and for no other Uſe, Intent, or Purpoſe whatſoever.

An Account of the Monies ariſing by theſe Duties to be taken every Year.

XXV. And be it further enacted by the Authority aforeſaid, That yearly and every Year during the Continuance of the ſaid Orders of Loan and Exchequer Bills or any of them the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall on the Feaſt Day of Saint *Michael* the Archangel in every Year, or within twenty Days after, cauſe a true and perfect Account in Writing to be taken and atteſted by the proper Officers, of all the Monies which ſhall in the preceding Year have been paid into the Receipt of the Exchequer, for or upon Account of the ſaid Duties by this Act granted as aforeſaid, and how much thereof hath been applied or will be neceſſary to be applied, either towards the paying of Intereſt on the ſaid Orders of Loan, or the Payment of any Premium, Rate, or Intereſt, in reſpect of the ſaid Exchequer Bills, or any other neceſſary Charges authorized by this Act to be paid; and in caſe it ſhall appear that on any ſuch Feaſt Day there ſhall be or remain in the Exchequer any Surplus ariſen from the ſaid Duties, over and beyond what will ſatisfy ſuch Intereſt, Premium, Rate, and Charges, to that Time, ſuch Surpluſſes ſhall be and are hereby appropriated, and ſhall be from time to time forthwith iſſued and applied, as far as the ſame will extend, for or towards the paying off the principal Sums contained either in ſuch Orders of Loan, or in ſuch Exchequer Bills, and diſcharging the ſame in a numerical Courſe, beginning with N° I. and ſo on progreſſively, until all the ſaid Orders of Loan and Exchequer Bills ſhall be diſcharged.

Application of them.

Deficiency to be made good out of the Sinking Fund,

XXVI. And be it further enacted by the Authority aforeſaid, That in caſe it ſhall appear that on any ſuch Feaſt Day the Money ariſen into the Exchequer in the preceding Year ſhall be ſo low or deficient, as that the ſame ſhall not be ſufficient to diſcharge ſuch Intereſt, Premium, Rate and Charges to that Time, ſuch Deficiency ſhall from time to time be made good out of the firſt Supplies to be granted in Parliament, next after ſuch Deficiency ſhall appear; and in caſe no ſuch Supply ſhall be granted within ſix Months next after ſuch Deficiency ſhall happen, then the ſame ſhall be made good out of any the Monies, which at any Time or Times ſhall be or remain in the ſaid Receipt of the Exchequer of the Surpluſſes, Exceſſes, and Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſame Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may from time to time be iſſued and applied accordingly.

and replaced by Parliament.

XXVII. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be iſſued out of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, ſhall, from time to time, be replaced by and out of the firſt Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithſtanding.

XXVIII. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty-ſeven*, and ſo much Money (if any ſuch be) of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and thirty-ſeven*, and ſo much Money (if

(if any such be) of the Tax thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and the Sum of one million by or out of such Monies as now are or at any Time shall be in the Receipt of the Exchequer of the Surpluses, Exceſſes, or Overplus Monies of the Fund commonly called the *Sinking Fund*, arisen or to arise at or from the Feast Day of the Birth of our Lord Christ one thousand seven hundred and thirty-seven, after Payment of or reserving sufficient to pay such Monies as have been or shall be directed by any former Act or Acts of Parliament to be paid out of the same; and also all the Loans or Exchequer Bills to be made forth in pursuance of this present Act, shall be appropriated and applied, and are hereby appropriated for and towards the several Uses, Intents and Purposes herein expressed, subject nevertheless to such Restrictions as are herein after prescribed; that is to say, It is hereby enacted and declared, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding seven hundred thirty-nine thousand two hundred and one Pounds six Shillings and five Pence, for or towards the naval services herein after more particularly expressed; that is to say, For or towards defraying the Charge of the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed.

Application of the Monies arising by the several Acts herein recited.

739,201*l.* 6*s.* 5*d.* for Naval Services.

XXIX. And it is hereby enacted, That out of all or any the Aids or Supplies provided as aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding fifty thousand Pounds, for the Rebuilding and Repairing the Ships of the Royal Navy for the Year one thousand seven hundred and thirty-seven.

50,000*l.* for Repair of the Royal Navy.

XXX. And it is also hereby enacted, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, upon Account, for or towards the Support of the Royal Hospital at *Greenwich*, and for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000*l.* to Greenwich Hospital.

XXXI. And it is hereby also enacted, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding eighty thousand three hundred and twenty-eight Pounds five Shillings and five Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services, not provided for by Parliament.

80,328*l.* 5*s.* 5*d.* for the Office of Ordnance.

XXXII. And it is hereby likewise enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million thirty-nine thousand one hundred ninety-eight Pounds ten Shillings and four Pence Farthing, for or towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money not exceeding six hundred forty-seven thousand five hundred forty-nine Pounds eleven Shillings and three pence Halfpenny, for defraying the Charge of seventeen thousand seven hundred and four Men, including Commission and Non-commission Officers and Invalids, for Guards, Garisons, and six independent Companies for the Service of the Highlands, and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and thirty-seven; and any Sum or Sums of Money not exceeding two hundred and fifteen thousand seven hundred and ten Pounds six Shillings and five Pence Halfpenny, for maintaining his Majesty's Forces and Garisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garisons at *Annapolis Royal*, *Canso*, *Placentia* and *Gibraltar*, for the Year one thousand seven hundred and thirty-seven; and any Sum or Sums of Money not exceeding twenty-eight thousand seven hundred and seven Pounds five Shillings and ten Pence, upon Account, for Out-Pensioners of *Chelsea* Hospital, for the Year one thousand seven hundred and thirty-seven; and any Sum or Sums of Money not exceeding fifty-six thousand four hundred and thirteen Pounds fourteen Shillings and three Pence Farthing, for defraying several extraordinary Expences and Services incurred in the Years one thousand seven hundred and thirty-five, and one thousand seven hundred and thirty-six, and not provided for by Parliament; and any Sum or Sums of Money not exceeding forty-four thousand six hundred eighty-five Pounds two Shillings and six Pence, upon Account of Half-pay to the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and thirty-seven, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as are herein after prescribed concerning the same; and any Sum or Sums of Money not exceeding three thousand nine hundred forty-five Pounds, for paying of Pensions to Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and thirty-seven; which said Sum of three thousand nine hundred forty-five Pounds, shall be issued to such Person or Persons as his Majesty shall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists or other Directions, and with and subject to such Conditions, Qualifications, Deductions, or other Allowances for the same, as his Majesty, by such or the like Warrant or Warrants, shall be graciously pleased to direct or appoint; and any Sum or Sums of Money, not exceeding forty-two thousand one hundred eighty-seven Pounds ten Shillings, on Account of the Subsidy payable to the King of *Denmark*, pursuant to the Treaty bearing Date the nineteenth Day of *September* one thousand seven hundred and thirty-four, for the Year one thousand seven hundred and thirty-seven.

1,039,198*l.* 10*s.* 4*d.* Farthing for the Land Forces.

56,413*l.* 14*s.* 3*d.* Farthing, for extraordinary Expences.

44,685*l.* 2*s.* 6*d.* for Half-pay Officers.

3,945*l.* for Widows of such Officers.

42,187*l.* 10*s.* for Payment of the Subsidy to the King of Denmark.

XXXIII. And

XXXIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſixty-two thouſand four hundred and one Pounds three Shillings and ſix Pence Farthing, towards making good the Deficiency of the Grants for the Year one thouſand ſeven hundred and thirty-ſix. 62,401 l. 3s. 6d. Farthing for making good the Deficiency of the Grants for 1736.

XXXIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ten thouſand and forty-three Pounds three Shillings and ten Pence Farthing, to replace to the Sinking Fund the like Sum paid out of the ſame to make good the Deficiency of the additional Stamp Duties, purſuant to a Clauſe in an Act of Parliament paſſed in the fourth Year of his Majeſty's Reign, for raiſing one million two hundred thouſand Pounds by Annuities and a Lottery for the Service of the Year one thouſand ſeven hundred and thirty-one; and any Sum or Sums of Money not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coaſt of *Africa*; and any Sum or Sums of Money not exceeding four thouſand Pounds, towards repairing and finiſhing the Collegiate Church of *Saint Peter*, *Weſtminſter*; and there ſhall and may be iſſued to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, any Sum or Sums of Money not exceeding twenty thouſand Pounds, by them to be applied towards ſettling and ſecuring the ſaid Colony. 10,043 l. 3s. 10d. Farthing, to the Sinking Fund. 10,000 l. to the African Company. 4,000 l. towards the Repair of St. Peter Weſtminſter. 20,000 l. to the Colony of Georgia.

XXXV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid there ſhall and may be iſſued and applied to the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas*, and other Parts of *America*, and for encouraging the Fiſhery, at the ſaid Feaſt of *Saint Michael* the Archangel, one thouſand ſeven hundred and thirty ſeven, any Sum or Sums of Money not exceeding one million, for or towards redeeming Part of the Annuities attending on the Capital Stock of Annuities commonly called *Old South-Sea Annuities*, remaining due to the ſaid Company; from which Time a proportional Part of their ſaid Capital Stock of Annuities, and of the Annuities attending thereon, and of the Allowance for Charges of Management, ſhall ceaſe and determine for the Benefit of the Publick. 1,000,000 l. for redeeming Old South-Sea Annuities.

XXXVI. And be it enacted, That the ſaid Aids or Supplies provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament. The aforeſaid Monies limited only to the Uſes directed.

XXXVII. And be it enacted by the Authority aforeſaid, That the ſaid *South Sea* Company ſhall forthwith, upon the Receipt of the ſaid Sum of one million, or as ſoon after as conveniently may be, divide out and diſtribute the ſame as near as conveniently may be done amongſt all the ſeveral Proprietors of their ſaid Capital Stock of Annuities, towards ſinking and diſcharging ſo much of their Shares or Intereſts in the ſaid Capital Stock of Annuities, by even and equal Dividends amongſt them all, in Proportion to their reſpective Shares or Intereſts therein. South Sea Company to diſtribute the ſaid million among the Proprietors proportionably.

XXXVIII. And to the End, Intent and Purpoſe that all truſt Eſtates and Intereſts in the ſaid Capital Stock of Annuities of the *South-Sea* Company may be preſerved and improved for the Benefit of the Perſons concerned therein, with the leaſt Expence and Inconvenience to them; Be it enacted by the Authority aforeſaid, That in all and every Caſes where, in purſuance of this Act, any Payments or Dividends ſhall be made of the Capital of any ſuch Annuity Stock, as ſhall be veſted in any Perſon or Perſons in Truſt for other Perſons, who have or claim diſtinct or different Intereſts therein, or for any other Ends or Purpoſes, for which the Capital Sum or Annuity ought to be preſerved intire, ſuch Payments or Dividends of the Capital Stock of Annuities ſhall not be paid or applied as Dividends of Profit, Annuity or Intereſt, but ſhall remain in the Hands of ſuch Truſtees reſpectively, till otherwiſe diſpoſed of at Intereſt; and for that Purpoſe it ſhall and may be lawful to and for the Truſtee or Truſtees, who ſhall receive the ſame, at his or their Diſcretion, to lay out or diſpoſe of the ſame or any Part thereof, in the Purchaſe of ſo much other Capital Stock of the ſame Kind, as at the current Market Price of ſuch Annuity Stock the Monies received for ſuch Dividends ſhall, as near as conveniently may be, extend to purchaſe; which new purchaſed Stock of Annuities ſhall be transferred to ſuch Truſtee or Truſtees, and a Receipt or Receipts ſhall be given and ſigned by the Perſon or Perſons transferring the ſame, for the Monies paid for the ſame; and in caſe ſuch Truſtees reſpectively, by Writing indorſed on or annexed to ſuch Receipts, and ſigned or acknowledged before one of the Maſters of the High Court of Chancery, ſhall declare that the Monies in the ſaid Receipts were the Produce of the ſaid Dividends of the ſaid Capital Stock of Annuities, (which Signing or Acknowledgment ſuch Maſters in Chancery are hereby required to accept or take) and each and every ſuch Maſter before whom the ſame ſhall be done, ſhall at the ſame time certify the ſame, by ſubſcribing his Name thereto (for the doing whereof ſuch Maſter ſhall be paid for each Certificate one Shilling and no more) then and in every ſuch Caſe, the Annuity Stock mentioned in ſuch Receipts to be transferred, ſhall reſpectively go and be deemed ſubject and liable to the ſame Truſts, for the Benefit of the ſame Perſons, and for the ſame Uſes, Ends, Intents and Purpoſes, as the reſt of the truſt Annuity Stock remaining in ſuch Truſtees reſpectively will or ought to be ſubject and liable to; and ſuch Truſtees reſpectively ſhall from thenceforth be indemnified from any Loſs, Charges or Damages, on account of their ſo doing, at the Expences of the ſaid truſt Eſtates. If Payment be made of the Capital of any Annuity Stock veſted in Perſons in Truſt for others, &c. ſuch Dividends ſhall not be paid as Dividends of Profit, &c. but remain in the Truſtees Hands, who may purchaſe other Capital Stock, which is to be transferred to the Truſtees; and a Receipt given, &c. *Further Proviſions concerning this Company*, 20 *Geo.* 2. *c.* 3. 24 *Geo.* 2. *c.* 2 § 11.

XXXIX. Provided always, That nothing in this Act contained ſhall extend or be conſtrued to extend to reſtrain or prohibit any ſuch Truſtees from laying out or diſpoſing of any of the ſaid truſt Monies in any other Purchaſes or any other Securities, whether publick or private, if they ſhall ſo think fit, in the ſame Manner and with the ſame Freedom and Security to themſelves as they might have done if this Act had not been made. This Act not to reſtrain Truſtees from laying out Truſt Money in other Purchaſes.

XL. And

Rules to be obſerved in the Application of Half-pay.

XL. And as to the ſaid Sum of forty-four thouſand ſix hundred eighty-five Pounds two Shillings and ſix Pence, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; That no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and hath had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

'XLI. And whereas by an Act of Parliament made in the ninth Year of his Majeſty's Reign, 'intituled, *An Act for enabling his Majeſty to borrow any Sum or Sums of Money, not exceeding ſix hundred 'thouſand Pounds, to be charged upon the Surpluſſes, Exceſſes, or Overplus Monies, commonly called* The 'Sinking Fund, *redeemable by Parliament; and for the further Diſpoſition of the ſaid Fund, by paying off 'one million of* South Sea *Annuities; and for appropriating the Supplies granted in this Seſſion of Parliament*; 'ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to 'ſeveral Uſes and Purpoſes therein expreſſed, amongſt which, any Sum or Sums of Money not exceeding forty-ſix thouſand ſeven hundred and eighty Pounds eighteen Shillings, was appropriated to be 'paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch 'Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were pre-'ſcribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforeſaid,

Overplus may be diſpoſed of to Officers maimed, &c. or to ſuch Objects of Charity as his Majeſty ſhall approve of.

That ſo much of the ſaid Sum of forty-ſix thouſand ſeven hundred and eighty Pounds and eighteen Shillings, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act to the contrary notwithſtanding.

"Exchequer Bills, Lottery Tickets, *&c.* proved to be loſt by Caſualty, by Affidavit before any Baron of "the Exchequer, before 7 *July* 1737, to be made forth upon producing a Certificate from the ſaid Ba-"ron; and the Officers, on Security given to indemnify them, may make forth Duplicates of the ſaid "Bills, *&c.* Commiſſioners of the Treaſury, *&c.* impowered to ſign ſuch Duplicates." EXP.

CAP. XVIII.

An Act for rebuilding the Church of the Pariſh of Saint *Olave*, in the City of *London*, and in the Borough of *Southwark*, in the County of *Surry*.

'WHEREAS the Church of the Pariſh of Saint *Olave*, in the City of *London*, and Borough of '*Southwark*, in the County of *Surrey*, is a very ancient Fabrick, and notwithſtanding conſider-'able Sums of Money have been laid out by the Inhabitants of the ſaid Pariſh in repairing and ſupport-'ing the ſame, Part thereof hath fallen down, and the other Part which is ſtanding is in a very ruinous 'Condition:' Now to the Intent the ſaid Church may be rebuilt for the publick Worſhip of God, and the Inſtruction of the Inhabitants of the ſaid Pariſh in the true Chriſtian Religion as now profeſſed in the Church of *England*, and that the ſame may be effected in the Manner that may be leaſt burthenſome to the Inhabitants of the ſaid Pariſh; May it pleaſe your moſt Excellent Majeſty, at the humble Requeſt of the Rector, Churchwardens, and other Inhabitants of the ſaid Pariſh, that it may be enacted, *&c.*

"The Church to be rebuilt. Rates for ringing the Bells, and for Uſe of Palls. Truſtees appointed to "receive and apply the Duties. Collectors to be choſen. Forfeiture of 10 *l.* on refuſing to act. Col-"lectors exempted from being Scavengers. Annuities on Contributions, not to exceed 400 *l. per Ann* "Annuities charged on the Rates, and exempt from Taxes. Aſſeſſments not to exceed 6 *d. per* Pound. "Funeral Rates, if Occaſion requires, chargeable with the Annuities. The Rights of St. *John's* Pariſh "not prejudiced hereby. Payment of the Rates not to intitle Perſons to Settlements. Rates to ceaſe at "the Determination of the Annuities. Burying-ground of *Guy's* Hoſpital not chargeable. No Perſon "to be buried in the Church or Chancel.

See 29 Geo. 2. c. 40. § 20.

CAP.

CAP. XIX.

An Act for the more effectual preventing the unlawful playing of Interludes within the Precincts of the two Universities, in that Part of *Great Britain* called *England*, and the Places adjacent; and for explaining and amending so much of an Act passed in the last Session of Parliament, intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licensing the Retailers thereof*, as may affect the Privilege of the said Universities, with respect to licensing Taverns, and all other Publick Houses within the Precincts of the same.

'WHEREAS the Letters Patent of King HENRY the Eighth, made and granted unto the Chancellor and Scholars of the University of *Oxford*, bearing Date the first Day of *April* in the fourteenth Year of his Reign; and the Letters Patent of Queen ELIZABETH, made and ganted unto the Chancellor, Masters and Scholars of the University of *Cambridge*, bearing Date the twenty-sixth Day of *April* in the third Year of her Reign; and also all other Letters Patent by any of her Progenitors or Predecessors made to either of the corporated Bodies of the said Universities, and all Manner of Liberties, Franchises, Immunities, Quietances and Privileges, View of Frank Pledge, Law Days, and other Things, whatsoever they were, the which either of the said corporated Bodies of the said Universities had, held, occupied or enjoyed, or of Right ought to have had, used, occupied and enjoyed, were by Authority of Parliament in the thirteenth Year of her Reign, confirmed to the Chancellor, Masters and Scholars of either of the said Universities, and their Successors, for the great Love and Favour that her said Majesty bore towards her said Universities, for the great Zeal and Care that the Lords and Commons had for the Maintenance of good and godly Literature, and the virtuous Education of Youth, within either of the said Universities; and to the Intent that the ancient Privileges, Liberties and Franchises of either of the said Universities, granted, ratified and confirmed by the Queen's Highness, and her most noble Progenitors, might be had in greater Estimation, and be of greater Force and Strength, for the better Increase of Learning, and the further suppressing of Vice: And whereas Doubts have arisen or may arise, whether by any of the said Letters Patent, Liberties, Franchises, Immunities or Privileges, or by any subsequent Charter or Charters, or by the Laws and Statutes of this Realm, the Chancellor of either of the said Universities, or the Vice-Chancellor thereof, or his Deputy, or any other Person or Persons, be sufficiently impowered to correct, restrain or suppress common Players of Interludes, settled, residing or inhabiting within the Precincts of either of the said Universities, and not wandering abroad: And whereas the Erection of any Playhouse within the Precincts of either of the said Universities, or Places adjacent, may be attended with great Inconveniencies;' May it please Your most Excellent Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons whatsoever who shall for Gain in any Playhouse, Booth or otherwise, exhibit any Stage Play, Interlude, Shew, Opera, or other Theatrical or Dramatical Performance, or act any Part, or assist therein, within the Precincts of either of the said Universities, or within five Miles of the City of *Oxford*, or Town of *Cambridge*, shall be deemed Rogues and Vagabonds; and that it shall and may be lawful to and for the Chancellor of either of the said Universities, or the Vice-Chancellor thereof, or his Deputy respectively, to commit any such Person to any House of Correction within either of the Counties of *Cambridge* or *Oxford* respectively, there to be kept to hard Labour for the Space of one Month, or to the Common Gaol of the City or County of *Oxford*, or Town or County of *Cambridge* respectively, there to remain without Bail or Mainprize for the like Space of one Month; any Licence of the Chancellor, Masters and Scholars of either of the said Universities of *Oxford* or *Cambridge*, or any Thing herein or in any other Statute, Law, Custom, Charter or Privilege, to the contrary notwithstanding.

Preamble.

Stage Players acting within 5 Miles of either University, to be treated as Vagabonds, &c.

Concerning Plays, see further 25 Geo. 2. c. 36.

'II. And whereas by an Act made in the seventh Year of the Reign of King EDWARD the Sixth, which prohibits all Persons not licensed according to the Direction of the said Act to sell Wine by Retale, and permits no more than three Taverns or Wine Sellers in the City of *Oxford*, and four Taverns or Wine Sellers in the Town of *Cambridge*, it was provided, That the said Act, or any Thing therein contained, should not in any wise be prejudicial or hurtful to any of the Universities of *Oxford* and *Cambridge*, or to the Chancellor or Scholars of the same, or their Successors, or any of them, to impair or take away any of the Liberties, Privileges, Franchises, Jurisdictions, Powers and Authorities to them, or any of them, appertaining or belonging, but that they, and every of them, and their Successors, might have, hold, use and enjoy, all their Liberties, Privileges, Franchises, Jurisdictions, Powers and Authorities, in such large and ample wise, as though the said Act had never been made, so always, that there should not be any more or greater Number of Taverns kept or maintained within any of the said Towns of *Oxford* or *Cambridge*, than might be lawfully kept and maintained by the Provision, true Meaning and Intent of the said Statute: And whereas by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for the better ordering the Selling of Wines by Retale, and for preventing Abuses in the mingling, corrupting and viciating of Wines, and for setting and limiting the Prices of the same*, it was provided, That the said Act, or any Thing therein contained, should not in any wise be prejudicial to the Privilege of the two Universities of this Land, or either of them, nor to the Chancellors or Scholars of the same, or their Successors, but that they might use and enjoy such Privileges as theretofore they had lawfully used and enjoyed: And whereas by an Act made in the

Act 7 Edw. 6. c. 5.

12 Car. 2. c. 25.

9 Annæ, c. 23. 'ninth Year of the Reign of Queen ANNE, for charging certain new Duties on ſtampt Vellum, Parchment and Paper, and for other Purpoſes, whereby, amongſt other Things, ſeveral Duties therein expreſſed are directed to be paid for every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which ſhall be engroſſed or written any Licence for retaling of Wine, or for ſelling of Ale, Beer, or other exciſeable Liquors by Retale, it was provided, That nothing in the ſaid Act contained ſhould extend, or be conſtrued to extend, to prejudice any Right the two Univerſities of *Oxford* and *Cambridge*, or either of them had, or claimed to have, to the licenſing any Taverns, Inns or Alehouſes, within their ſeveral Juriſdictions, but that the ſaid Univerſities might, from time to time, grant Licences for any Taverns, Inns and Alehouſes, within their ſeveral Juriſdictions, ſubject to the ſeveral Duties aforeſaid, in as ample Manner as they reſpectively might lawfully have granted the ſame, if

12 Annæ, ſt. 1. c. 13. the ſaid Act had never been made: And whereas by an Act made in the twelfth Year of the Reign of her ſaid Majeſty Queen ANNE, intituled, *An Act to enable ſuch Officers and Soldiers as have been in her Majeſty's Service during the late War, to exerciſe Trades, and for Officers to account with their Soldiers*, it was

10 & 11 W. 3. c. 11. provided, That neither the ſaid Act, nor an Act made for the like Purpoſe in the tenth and eleventh Years of King WILLIAM the Third, ſhould in any wiſe be prejudicial to the Privileges of the Univerſities of *Cambridge* and *Cxford*, or either of them, or extend to give Liberty to any Perſon to ſet up the Trade of a Vintner, or to ſell any Wine or other Liquors within the ſaid Univerſities, without Licence firſt had and obtained from the Vice-Chancellors of the ſame reſpectively: And whereas by an

9 Geo. 2. c. 23. Act made in the laſt Seſſion of Parliament, intituled, *An Act for laying a Duty upon the Retalers of Spirituous Liquors, and for licenſing the Retalers thereof*, it was enacted, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, any Perſon or Perſons who had followed and exerciſed the Art or Buſineſs of Diſtillation for ſeven Years then laſt paſt, or had ſerved, or on the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-ſix, were ſerving any Apprenticeſhip to the ſame, ſhould and might have full Liberty and Authority to exerciſe or follow any other Trade, Art, Buſineſs or Manufacture in any City, Town or Place, within that Part of *Britain* called *England*; any Law, Charter, Grant, Cuſtom or Uſage, to the contrary notwithſtanding: And whereas ſince the making of the ſaid laſt mentioned Act, and under Colour thereof, Perſons not licenſed by the Chancellor, Maſters and Scholars of the ſaid Univerſity of *Cambridge*, or by the Chancellor or Vice Chancellor of the ſaid Univerſity of *Oxford*, have exerciſed and followed, or may exerciſe and follow, in the ſaid City of *Oxford* and Town of *Cambridge*, the Trades of Vintners or Wine Sellers, and much Evil-rule and Diſorder may be practiſed in Taverns not ſo licenſed, to the great Annoyance of the ſaid Chancellors, Maſters and Scholars, and Corruption of the Youth educated in the ſaid Univerſities;' Be it further enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſeven, nothing in the ſaid laſt mentioned Act contained ſhall extend, or be conſtrued to extend, to prejudice the Right which the Chancellor, Maſters and Scholars of the ſaid Univerſity of *Cambridge*, or the Chancellor or Vice-Chancellor of the ſaid Univerſity of *Oxford*, in the Right of the ſaid Univerſity of *Oxford* reſpectively, claim of licenſing Taverns and other Publick Houſes within the Precincts of either of the ſaid Univerſities; but that the ſaid Chancellor, Maſters and Scholars of the ſaid Univerſity of *Cambridge*, and the Chancellor and Vice-Chancellor of the ſaid Univerſity of *Oxford*, in Right of the ſaid Univerſity of *Oxford* reſpectively, ſhall and may uſe and enjoy the ſaid Right, as fully and freely as they might have uſed and enjoyed the ſame, if the ſaid Act had not been made; any thing in the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding.

Act 9 Geo. 2. not to affect the Privileges of the Univerſities.

Diſtillers, and Wine Sellers may follow their Trades upon taking out Licences.

III. Provided always, That all and every Perſon and Perſons who have followed and exerciſed the Art or Buſineſs of Diſtillation for ſeven Years, before the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, or have ſerved, or on the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-ſix, were ſerving any Apprenticeſhip to the ſame, and who, ſince the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, have exerciſed or followed in the ſaid Town of *Cambridge* the Trades of Vintners or Wine Sellers, without the Licence of the Chancellor, Maſters and Scholars of the Univerſity of *Cambridge*, ſhall have full Liberty and Authority to exerciſe or follow the ſaid Trades of Vintners or Wine Sellers in the ſaid Town of *Cambridge*, ſo as they and every of them on or before the twenty-fourth Day of *June* next following, take out ſuch Licences, paying their Proportion for the ſame of the Money uſually and annually paid by the Vintners or Wine Sellers now licenſed by the ſaid Chancellor, Maſters and Scholars, and upon ſuch Terms, and ſubject to ſuch Regulations, Conditions, Reſtrictions and Power of Revocation, as the ſaid Vintners or Wine Sellers ſo licenſed as aforeſaid are ſubject to; any thing in this Act contained to the contrary notwithſtanding.

No Fee to be taken for Licences. *See further* 17 *Geo.* 2. *c.* 40. 18 *Geo.* 2. *c.* 9. 26 *Geo.* 2. *c.* 12. 30 *Geo.* 2. *c.* 19. 32 *Geo.* 2. *c.* 19.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for the ſaid Chancellor or Vice-Chancellor of the ſaid Univerſity of *Oxford*, or any other Officer of that Body, to receive or take, directly or indirectly, any Fee, Perquiſite, Gratuity or Reward, for granting ſuch Licences as aforeſaid; nor ſhall any Sum of Money, Fee, Gratuity or Reward be hereafter paid to any Perſon or Perſons for or in reſpect of ſuch Licences, other than ſuch annual Payments in like Manner, and to the like Uſes, as have been uſual in the Univerſity of *Cambridge*; any Law or Cuſtom to the contrary notwithſtanding.

This Act not to affect the Privileges of the City of Oxford.

V. Provided always, That this Act, or any Thing herein contained, ſhall not in any wiſe be conſtrued to prejudice or confirm any of the Liberties, Privileges, Franchiſes, Juriſdictions, Powers and Authorities appertaining or belonging to the Mayor, Bailiffs and Commonalty of the City of *Oxford*, or to any of them, but that they and every of them, and their Succeſſors, may have, hold, uſe and enjoy, all their Liberties, Privileges, Franchiſes, Juriſdictions, Powers and Authorities, in ſuch large and ample wiſe as though this preſent Act had never been had or made.

VI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and other Persons whatsoever, without specially pleading the same. Publick Act.

CAP. XX.

An Act to enable the Magistrates and Town Council of the Burgh of *Lanark*, to repair and maintain their Bridge over the River *Clyd* at *Clydsholm*, in the Shire of *Lanark*. P. R.

'WHEREAS by an Act passed in the Parliament of *Scotland* the thirtieth Day of *June* in the Year of our Lord one thousand seven hundred and three, intituled, *An Act in Favours of the Burgh of* Lanark, reciting that the Burgh of *Lanark* had been at a vast Expence in building a Bridge over the River *Clyd*, and that by reason of the great Repair, and the violent current of the Water, it would require frequent Reparations, which the Magistrates of the said Burgh were unable to do, it was enacted, That for enabling the said Magistrates to maintain the said Bridge, the several Tolls therein mentioned should be granted to the Magistrates of the said Burgh for the Space of nineteen Years: And whereas the said Bridge hath been, and still is, of so great Use and Service to the nighbouring Country in general, that notwithstanding the Term granted by the said Act expired in the Year one thousand seven hundred and twenty-two, yet the said Tolls have been voluntarily paid, till of late that some Persons have refused to pay the same: And whereas the annual Expence of keeping the said Bridge in Repair exceeds the yearly Income of the Tolls granted by the said Act, and the maintaining and keeping in Repair the said Bridge will be attended with a constant Charge and Expence to the said Town: And whereas the Magistrates of the said Burgh of *Lanark* are unable to repair and support the same (their Debts being already so large and the Circumstances of the Community so low) unless the said former Act be revived, and the Term and Tolls thereby granted continued and enlarged;' May it therefore please your most Excellent Majesty, upon the humble Petition of the Magistrates and Town Council of the said Burgh of *Lanark*, that it may be enacted, *&c.*

This Act to be in Force for 31 Years.

CAP. XXI.

An Act for making the Chapel in the Hamlet of *Abthorpe* and *Foxcoate*, in the Parish of *Towcester*, in the County of *Northampton*, a Parish Church, and for appointing a District or Parish thereto, and for enabling the Master of the Free Grammar School within the said Hamlet of *Abthorpe* and *Foxcoate*, to be Vicar of the said Parish Church. P. R.

CAP. XXII.

An Act for the better regulating the Nightly Watch and Bedels within the City of *London*, and Liberties thereof; and for making more effectual the Laws now in Being, for Paving and Cleansing the Streets and Sewers in and about the said City.

'WHEREAS the well ordering and regulating a Watch in the Night-time within the several Wards in the City of *London* is of very great Importance for the Preservation of the Persons and Properties of the Inhabitants thereof, and very necessary to prevent Fires, Murders, Burglaries, Robberies, and other Outrages and Disorders: And whereas by the Laws now in Being no effectual Provision is made for the establishing, ordering or well governing of such a Nightly Watch, or for levying and collecting any Sums of Money for defraying the necessary Charges thereof, and of the Bedels who shall be appointed to take Care of the same;' For the effecting of which good Purposes for the future, and to the End that a due Application and just Account may be had and taken of the Money which shall hereafter be levied and collected by virtue of this Act for the Purposes aforesaid, may it please your most Excellent Majesty, at the humble Petition and Desire of the Mayor, Aldermen and Commonalty of the City of *London*, in Common Council assembled, that it may be it enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Aldermen and Commons of the said City in Common Council assembled shall, and they are hereby impowered and required, between the first Day of *October* one thousand seven hundred and thirty-seven and the twentieth Day of *November* next following, and so in every Year ensuing between the first Day of *October* and the twentieth Day of *November* in each succeeding Year, to order and appoint what Number of Watchmen and Bedels they shall judge necessary and proper to be kept within each of the several Wards of the said City and the Liberties thereof, for one whole Year commencing from the twenty-fifth Day of *December* next ensuing the said Order; and shall then and there direct how they ought to be armed, and how long they are to Watch, what Wages and Allowances shall be given to the said Watchmen and Bedels for their Attendance; and shall also order and direct what Number of Constables shall attend every Night in each respective Ward; and shall make all such other Orders and Regulations as the Nature of each particular Service shall seem to them to require.

Preamble. *Concerning paving and lighting, &c. refer to* 19 *Car.* 2. *c.* 3. § 20. 22 & 23 *Car.* 2. *c.* 17. 2 *W. & M. ſ.* 2. *c.* 8. 3 *W. & M. c.* 12. 8 & 9 *W.* 3. *c.* 37. 7 *Ann. c.* 9.

Common Council to determine the Number of Officers, and make Orders for the Nightly Watch,

and to appoint Rates,

II. And for the better raiſing and levying of Monies, for paying the Wages of the ſaid Watchmen and Bedels, and other Charges incident thereto, Be it further enacted by the Authority aforeſaid, That the Mayor, Aldermen and Commons of the ſaid City in Common Council aſſembled, every Year as aforeſaid, ſhall then and there, and they are hereby authorized and impowered to determine and direct what Sum and Sums of Money ſhall be raiſed and levied upon each reſpective Ward for anſwering the Purpoſes aforeſaid; and for raiſing the ſaid ſeveral Sums of Money, to direct the Alderman, Deputy and Common Council Men of each and every of the reſpective Wards in the ſaid City of *London* and Liberties thereof, or the major Part of them, to make an equal Rate and Aſſeſſment upon all and every the Perſon and Perſons who do or ſhall inhabit, hold, occupy or enjoy any Land, Houſe, Shop, Warehouſe or other Tenement, within their reſpective Wards (Regard being had in making the ſaid Rate to the Abilities of, and likewiſe to the Rent paid by, the ſaid ſeveral Inhabitants and Occupiers ſo to be rated and aſſeſſed) and the Alderman, Deputy and Common Council Men of each Ward of the ſaid City, or the major Part of them, are hereby authorized and required to make ſuch Rate and Aſſeſſment for their reſpective Wards in ſuch Manner and Form as ſhall be ſo directed by the ſaid Court of Common Council; which ſaid Rates or Aſſeſſments ſo to be made, and all Arrears due upon the ſame, ſhall be collected quarterly from the ſeveral Inhabitants or Occupiers in each of the ſaid ſeveral Wards by the ſeveral Conſtables for the time being of the ſeveral Precincts, or by the Bedels in each of the ſaid reſpective Wards, as the Alderman, Deputy and Common Council Men of each Ward, or the major Part of them, ſhall direct and appoint; and in caſe any of the ſaid Inhabitants or Occupiers ſhall refuſe or neglect to pay the Sum ſo rated and aſſeſſed upon him, her or them, it ſhall and may be lawful to and for ſuch Collector or Collectors by Warrant under the Hand and Seal of the Lord Mayor of the ſaid City for the time being, or the Alderman of the Ward wherein the Premiſſes for which ſuch Inhabitants or Occupiers ſhall be rated and aſſeſſed ſhall be ſituate (which Warrant the ſaid Lord Mayor or Alderman is hereby authorized and required to grant, upon Oath made before him by the ſaid Collector or Collectors of the Party or Parties ſo refuſing or neglecting to pay) to levy the ſame by Diſtreſs and Sale of the Goods and Chattles of the Party or Parties ſo neglecting or refuſing; rendering to him, her or them the Overplus (if any be) the reaſonable Charge of making the ſaid Diſtreſs and Sale being firſt deducted; and for want of ſuch Diſtreſs by like Warrants to commit the Party or Parties ſo neglecting or refuſing to one of the Compters of the ſaid City for the Space of one Month, or until Payment thereof.

to be collected quarterly.

Diſtreſs on Non-payment,

or Impriſonment.

Appeal in caſe of Grievance.

III. Provided always, and it is hereby declared, That in caſe any Perſon or Perſons ſhall think him, her or themſelves aggrieved by any Rate and Aſſeſſment to be made as aforeſaid, it ſhall and may be lawful for them reſpectively within the Space of twenty Days after the Sum ſo rated and aſſeſſed ſhall be demanded, to appeal to the Court of Lord Mayor and Aldermen, whoſe Deciſion ſhall be final and concluſive.

Aldermen, &c. of each Ward to make Orders and Regulations within their reſpective Wards.

IV. And be it further enacted by the Authority aforeſaid, That the Alderman, Deputy and Common Council Men of each Ward within the ſaid City, or the major Part of them, whereof the Alderman or Deputy to be one, ſhall within fourteen Days after the Number of Watchmen ſhall have been ſo appointed as aforeſaid, aſſemble at ſome convenient Place within their reſpective Wards yearly and every Year; and ſhall nominate and chooſe ſuch honeſt and able-bodied Men, to be employed as Watchmen within their reſpective Wards, as they ſhall think beſt qualified for the Service; and ſhall then order, and ſet down in Writing, at what Stands it is fit for the ſaid Watchmen to be placed, and in what Manner, and how often it ſhall be required of them to go their Rounds; and ſhall then make ſuch other Orders and Regulations concerning the Watchmen and Bedels, as the Nature of each particular Service ſhall appear to them to require; and if any of the ſaid Watchmen ſo by them appointed ſhall die within the Time for which they are appointed to ſerve, or ſhall be negligent in his or their Duty, or guilty of any Miſbehaviour, or if it ſhall be found neceſſary to repeal, amend or alter any of the Nominations, Appointments, Orders or Regulations by them made, it ſhall and may be lawful for the reſpective Aldermen, by and with the Advice and Conſent of their reſpective Deputies and the Common Council Men of each Ward being convened by due Notice, or the major Part of them who ſhall be there preſent, at any intermediate Times of the Year, to remove any of the ſaid Watchmen ſo by them appointed, and to nominate and appoint one or more Perſon or Perſons fitly qualified in the Room and Stead of him or them ſo dying, or of him or them who ſhall be removed for Miſbehaviour as aforeſaid; and alſo to make ſuch further Orders and Regulations for the better Government and Direction of the ſaid Watchmen and Bedels within their reſpective Wards, as they ſhall think proper: Provided, That ſuch Orders and Regulations be not repugnant to the Regulations and Orders which ſhall be made by the Mayor, Aldermen and Commons in Common Council aſſembled.

Copy of Orders, &c. to be given the Conſtables;

V. And be it further enacted by the Authority aforeſaid, That a true Copy or Tranſcript as well of all the Orders and Regulations made by the ſaid Court of Common Council, as of all ſuch Nominations, Appointments, Orders and Regulations, as ſhall be ſo made from time to time as aforeſaid, for the better Direction and Government of the Watchmen and Bedels by the Aldermen, Deputies and Common Council Men of the ſaid reſpective Wards, ſhall be fairly written and ſigned by the Alderman or his Deputy, and the major Part of the Common Council Men of each Ward, and ſhall be delivered to all and every the Conſtables of the ſeveral Precincts within the ſaid reſpective Wards; and that from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-ſeven, one or more of the ſaid Conſtables of each of the ſaid Wards, as ſhall be judged neceſſary by the ſaid Court of Common Council to be held as aforeſaid, ſhall attend every Night by Turns, and ſhall keep Watch and Ward within their reſpective Wards in Manner following; that is to ſay, From the ſaid twenty-fifth Day of *December* to the tenth Day of *March* following, from the Hours of nine in the Evening till ſeven the next Morning; and from thenceforth yearly and every Year the ſaid Conſtables ſhall attend from the tenth of *March* to the

Their Charge.

tenth of *September*, from the Hours of ten in the Evening till five the next Morning; and from the tenth of *September* to the tenth of *March*, from nine in the Evening till ſeven the next Morning; and the ſaid Conſtables ſhall in their ſeveral Turns or Courſes of watching uſe their beſt Endeavours to prevent Fires, Murders, Burglaries, Robberies and other Outrages and Diſorders; and to that end ſhall and they are hereby impowered and required to arreſt and apprehend all Night-walkers, Malefactors, and ſuſpected Perſons, who ſhall be found wandering or miſbehaving themſelves, and ſhall carry the Perſon or Perſons who ſhall be ſo apprehended, as ſoon as conveniently may be, before one or more Juſtice or Juſtices of the Peace of and for the ſaid City, to be examined and dealt with according to Law; and ſhall twice or oftner, at convenient Times in every Night, go about their reſpective Wards, and take Notice whether all the Watchmen perform their Duties in their ſeveral Stations, according to ſuch Orders and Regulations as ſhall have been made for that Purpoſe by the Lord Mayor, Aldermen and Commons of the ſaid City in Common Council aſſembled, or by the Aldermen, Deputies and Common Council Men of the reſpective Wards; and in caſe any ſuch Watchman ſhall miſbehave himſelf, or neglect his Duty, the ſaid Conſtables, or one of them, ſhall, as ſoon as conveniently may be, give Notice thereof to the Alderman or his Deputy for the time being of the Ward to which ſuch Watchman ſhall belong, to the end that the Alderman, Deputy and Common Council Men may be forthwith ſummoned, for the Examination and Puniſhment of ſuch Offence.

VI. And be it further enacted by the Authority aforeſaid, That if any of the ſaid Conſtables ſhall wilfully neglect to attend any Night in his or their Turn, to keep Watch and Ward within their reſpective Wards, or ſhall not come to keep Watch or Ward at the reſpective Hours appointed by this Act for his and their Attendance thereon, or ſhall depart from or leave keeping Watch and Ward during the reſpective Hours appointed by this Act for the keeping the ſame, or ſhall neglect in any Night of his and their watching to go about his and their reſpective Wards twice at the leaſt in each Night of his or their watching for the Purpoſe of this Act, or ſhall otherwiſe miſbehave himſelf or themſelves againſt the Duty preſcribed to them by this Act, in each and every of the ſaid Caſes the Perſon or Perſons ſo offending ſhall reſpectively forfeit the Sum of twenty Shillings for every ſuch Offence. Penalty of 20 s. for Default.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Watchmen, or any of them, in the Abſence of the Conſtable, and they are alſo hereby authorized and required in their ſeveral Stations during the Time of their keeping Watch and Ward as aforeſaid, to apprehend all Night-walkers, Malefactors, Rogues, Vagabonds, and all diſorderly Perſons whom they ſhall find diſturbing the publick Peace, or ſhall have juſt Cauſe to ſuſpect of any evil Deſigns, and to deliver the Perſon or Perſons ſo apprehended, as ſoon as conveniently may be, to the Conſtable of the Night, who is hereby required to carry him, her or them as ſoon as conveniently may be, before one or more Juſtice or Juſtices of the Peace of the ſaid City, to be examined and dealt with according to Law. Watchmens Charge.

VIII. And be it further enacted, That if any of the Perſons who ſhall from time to time be directed and appointed Collectors of the ſeveral Rates and Aſſeſſments to be made in purſuance of this Act, ſhall neglect or refuſe to take upon him or them the ſaid Office, or duly to execute the ſame according to the true Intent and Meaning of this Act, he or they ſhall reſpectively forfeit the Sum of ten Pounds, and ſhall continue liable to be appointed into the ſaid Office again the Year following; and in caſe of his or their Refuſal they ſhall be again liable to the like Penalties, as often as he or they ſhall refuſe to take upon him or them the ſaid Office; and upon every ſuch Refuſal of any Perſon or Perſons ſo to be appointed Collector or Collectors as aforeſaid, to take upon him or them the ſaid Office, or in caſe of Death after ſuch Appointment, it ſhall and may be lawful for the Alderman, Deputy and Common Council Men of ſuch Ward, or the major Part of them, to direct and appoint any other Perſon or Perſons inhabiting in ſuch Ward, to be Collector or Collectors in the Room or Stead of ſuch Perſon or Perſons who ſhall ſo refuſe to take upon him or them the ſaid Office, or ſhall die after ſuch Appointment; and in caſe ſuch Perſon or Perſons ſo directed and appointed ſhall refuſe to take upon him or them the ſaid Office, he or they ſhall be liable to the like Penalties as herein before are appointed for any Conſtable or Bedels, who ſhall refuſe to take upon him or them the ſaid Office. 10 l. Penalty on Collectors refuſing to act.

IX. And be it further enacted by the Authority aforeſaid, That all and every the Collector or Collectors of the Rates and Aſſeſſments aforeſaid, of every Ward, ſhall collect the ſame quarterly, and ſhall ſeverally enter in ſome Book or Books to be by them reſpectively kept for that Purpoſe, the ſeveral Sums which they ſhall from time to time receive on account of the ſaid Rates and Aſſeſſments, and likewiſe the Names of the Perſons from whom, and the particular Times when, they received the ſame; which Book and Books they ſhall at all convenient Times produce upon demand, and ſhew to the Deputy or Deputies of their reſpective Wards; and they ſhall pay the Money by them reſpectively received on account of the ſaid Rates and Aſſeſſments into the Hands of ſuch Deputy, as he or they ſhall receive the ſame, and in ſuch Manner as that ſuch Collector ſhall never have a Sum exceeding five Pounds ſo collected at one Time in his or their Hands by the Space of five Days; and if any of the ſaid Collectors ſhall neglect to make ſuch Entries, or ſhall refuſe to produce and ſhew to the Deputy of their reſpective Wards the Book or Books hereby directed to be by them reſpectively kept for the Purpoſes aforeſaid (the ſame having been demanded of them) or if any of them ſhall keep or retain in his or their Hands more than the ſaid Sum of five Pounds longer than five Days; in each and every the ſaid Caſes the Perſon or Perſons ſo offending ſhall reſpectively forfeit the Sum of forty Shillings for every ſuch Offence; and on Payment of every ſuch Sum of Money into the Hands of ſuch Deputy of each Ward, ſuch Collector or Collectors ſhall take a Receipt for the ſame from the ſaid Deputy, in which Receipt ſhall be ſpecified and expreſſed the Name of ſuch Collector or Collectors, the Sum paid, and the Name of the Precinct and Ward wherein the Money hath been collected; Collector's Duty, and Penalty on Default.

collected; and the reſpective Deputies for the time being ſhall be obliged, and he and they is and are hereby required, to give ſuch Receipt without Fee or Reward; and ſuch Receipts ſhall by the Collector or Collectors be produced to the Alderman of the Ward, at the Time he and they ſhall ſettle and adjuſt his and their yearly Account and Accounts, and ſhall by the ſaid Alderman be taken and allowed as a full and ſufficient Diſcharge for all and every ſuch Sum and Sums of Money ſuch Collectors ſhall have received and paid to ſuch Deputies reſpectively as aforeſaid; and the ſaid ſeveral Collectors ſhall within twenty Days next after the End of every three Months after their ſeverally taking upon themſelves the ſaid Office of a Collector produce and deliver to the Alderman of the ſaid Ward, or ſuch Perſon as he ſhall appoint to receive the ſame, the Book and Books in which they entred the Sums by them ſeverally received on account of the ſaid Rates; and ſhall at the ſame Time give and deliver to the ſaid Alderman, or ſuch Perſon as he ſhall appoint to receive the ſame, a true Account in Writing of all ſuch Perſons as ſhall have neglected or refuſed to pay the ſaid Rates and Aſſeſſments, to the Intent that the ſame may afterwards be recovered and levied.

Perſons not paying the Rates, incapacitated to vote at Elections.

X. And to the End that the Payment of the ſaid Rates and Aſſeſſments for the Purpoſes aforeſaid may be effectually enforced, Be it further enacted by the Authority aforeſaid, That every Freeman of *London* liable to pay the Rates and Aſſeſſments aforeſaid, who ſhall have neglected or refuſed to pay the ſaid Rates and Aſſeſſments to the Perſon or Perſons authorized and impowered to collect and receive the ſame (the ſame having been lawfully demanded) or ſhall have deſired to be excuſed from paying ſuch Rates and Aſſeſſments, ſhall be under the ſame Incapacity of voting at Elections within the ſaid City of *London*, as any Perſon or Perſons now is or are, who do not pay their Scot and Lot to the ſeveral yearly Rates and Taxes, to which the Citizens of *London* are at this Time liable.

Deputy's Charge.

XI. And be it further enacted by the Authority aforeſaid, That the Deputy of each Ward of the ſaid City for the Time being ſhall and may, and he is hereby authorized and required to pay all and ſingular the Orders and Draughts on him to be made by the Alderman of ſuch Ward, with the Advice of the major Part of the Common Council Men of each Ward reſpectively, in Diſcharge of of the Watchmen and Bedels, and other incident Charges in relation to the watching of ſuch Ward, in purſuance of this Act; and the ſaid reſpective Deputies of the Wards for the time being, ſhall and are hereby required to keep regular and plain Entries, in a Book to be for that Purpoſe by them ſeverally provided, of all and ſingular the Receipts and Payments they ſhall make on account of the Nightly Watch and Bedels within their reſpective Wards as aforeſaid, and other Charges incident thereto; which Books ſhall be produced yearly at the Wardmote in each Ward, if required: And alſo that the Depties reſpectively for the time being ſhall have the ſame Account audited and paſſed between the Firſt Day of *February* and the Firſt Day of *March* yearly, by the Alderman and the major Part of the Common Council Men of each Ward, in which the Money ſo to be accounted for ſhall be collected.

Lord Mayor, or Juſtices of Peace, are to try Offences againſt this Act,

XII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord Mayor for the time being, or any two or more Juſtices of the Peace for the ſaid City, to hear and determine any of the Offences, which are made ſubject to and puniſhable by any pecuniary Penalties directed to be levied by this Act: And the ſaid Lord Mayor, or ſuch Juſtices of the Peace, are hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, within ten Days after ſuch Offence committed, to ſummon the Party or Parties accuſed, and the Witneſſes on either Side; and in caſe the ſaid Party or Parties accuſed ſhall not appear on ſuch Summons (and after Oath made of the Commiſſion of any the Offences above mentioned by one or more credible Witneſs or Witneſſes) to iſſue a Warrant or Warrants for apprehending the Party or Parties offending in the ſaid City of *London*; and upon the Appearance of the Party or Parties accuſed, or his or their Contempt in not appearing, upon the Proof of Notice given to proceed to the Examination of the Witneſs or Witneſſes upon Oath (which Oath he or they are hereby authorized, impowered, and required to adminiſter) and to give ſuch Judgment, Sentence and Determination as ſhall be juſt and conformable to the Tenor and true Meaning of this Act; and where the Party or Parties accuſed ſhall be convicted of ſuch Offence, either upon ſuch Information as aforeſaid, or on Confeſſion of the Party or Parties accuſed, it ſhall and may be lawful for ſuch Lord Mayor or Juſtices, to iſſue a Warrant or Warrants for levying the pecuniary Penalties and Forfeitures ſo adjudged on the Goods and Chattles of the Offender or Offenders, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in Five Days, rendring to the Party or Parties the Overplus (if any there be after deducting the reaſonable Charges of ſuch Diſtreſs and Sale) upon Demand; and in caſe any Perſon or Perſons ſhall be ſo convicted as aforeſaid, and no Goods or Chattles of ſuch Perſon or Perſons ſo offending can at the Time of ſuch Conviction be found, then and in ſuch Caſe it ſhall and may be lawful to and for the Lord Mayor or Juſtices of the Peace before whom ſuch Perſon or Perſons ſhall be convicted as aforeſaid, to commit ſuch Offender or Offenders to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding the Space of three Months, or until ſuch pecuniary Penalty or Penalties ſhall be paid.

and to levy Penalties by Diſtreſs,

or mitigate them.

XIII. Provided nevertheleſs, That it ſhall and may be lawful to and for ſuch Lord Mayor or Juſtices of the Peace, from time to time (where they ſee Cauſe) to mitigate, compound or leſſen any of the ſaid Forfeitures or Penalties as he or they in their Diſcretion ſhall think fit (ſo as ſuch Mitigation do not extend to remit above one Moiety of the Penalty or Penalties inflicted and directed to be levied by this Act) and every ſuch Mitigation ſhall be a ſufficient Diſcharge to the Perſon offending reſpectively, for ſo much of the ſaid Penalty or Forfeiture as ſhall be ſo leſſened, mitigated or remitted.

XIV. Pro-

XIV. Provided alſo, That if any Perſon or Perſons ſhall find him, her or themſelves aggrieved, or remain unſatisfied in the Judgment of the ſaid Lord Mayor, or Juſtices, then ſuch Perſon or Perſons ſhall and may by virtue of this Act complain or appeal to the Juſtices of the Peace at the next Quarter-Seſſions to be held for the ſaid City of *London*, who are hereby impowered and required to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the ſame; and in caſe of Conviction to iſſue a Warrant or Warrants for levying and compelling by ſuch Means as aforeſaid the Payment of the ſaid Penalties and Forfeitures. Appeal to the Quarter-Seſſions.

XV. And it is hereby further enacted by the Authority aforeſaid, That all the Penalties to be levied by virtue of this Act ſhall be paid and applied in Manner following; that is to ſay, one Moiety thereof to the Perſon or Perſons who ſhall inform and proſecute for the ſame, and the other Moiety to the Alderman of the Ward where ſuch Offence ſhall be committed, to be by him paid and applied for and towards defraying the Charges and Expences of the Nightly Watch and Bedels and other Charges incident thereto within ſuch Ward. Penalties how to be applied.

XVI. Provided always, and be it further enacted, That in caſe there ſhall be any Deficiency in any one Year's Rate or Aſſeſſment ſo to be made as aforeſaid in any of the Wards within the ſaid City or Liberties thereof, either by Houſes, Shops, Warehouſes, Buildings or other Tenements being empty, or by the Inſolvency or Removal of any of the Inhabitants, Tenants, Occupiers, or otherwiſe, for which or upon whom ſuch Rates and Aſſeſſments are reſpectively charged or chargeable by this Act, ſo that the Wages and Allowances to Watchmen and Bedels and other incident Charges cannot be fully ſatisfied, paid and diſcharged in that Year; then and in ſuch Caſe the Deficiency ſo happening in the ſaid Ward ſhall be paid out of the next ſucceeding Year's Rate and Aſſeſſment; and if there ſhall happen to be any ſurplus Money collected by ſuch Rates and Aſſeſſments as aforeſaid in any of the ſaid Wards in any one Year, ſuch Surplus ſhall be carried on to the Credit of the Account of the next Year's Rate and Aſſeſſment, and ſhall be applied for ſuch Uſes, and in ſuch Manner, as the Rates and Aſſeſſments collected in ſuch Ward are by this Act directed to be laid out and applied, and to no other Uſe or Purpoſe whatſoever. Deficiency in Rates how to be ſupplied, &c.

'XVII. And whereas many Houſes in ſeveral of the Wards of the ſaid City are by the ſeveral Land-'lords or Owners thereof let out in Lodgings or Tenements to divers Tenants, whereby it will be dif-'ficult to rate and aſſeſs ſuch Houſes, or to recover ſuch Rates and Aſſeſſments when made;' For Remedy whereof be it enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-ſeven, it ſhall and may be lawful to and for the Alderman of each reſpective Ward, by and with the Conſent of his Deputy and Common Council Men, or the major Part of them, from time to time and at all Times when they are directed by the Lord Mayor, Aldermen and Commons of the ſaid City, in Common Council aſſembled, to make any Rate and Aſſeſſment on the Inhabitants of their reſpective Wards, to rate and aſſeſs the Owner or Owners of all ſuch Houſes or Tenements as ſhall be let to or occupied by three or more Tenants; which Rate and Aſſeſſment ſhall be paid by one or more of the Occupiers of any Part or Parts of ſuch Houſes; and in caſe any Occupier or Occupiers of any Part of ſuch Houſes or Tenements ſhall refuſe to pay the ſame, then the ſaid Rate and Aſſeſſment ſhall be levied by Diſtreſs and Sale of the Goods of him, her or them ſo refuſing to pay the ſame; which Diſtreſs and Sale ſhall be made in like Manner as Diſtreſſes and Sales of the Goods of other Parties neglecting or refuſing to pay the Rates and Aſſeſſments impoſed and directed to be impoſed by virtue of this Act are directed to be made; and ſuch Occupier and Occupiers of ſuch Tenements are hereby required and authorized to pay ſuch Sum and Sums of Money as ſhall be ſo rated, impoſed or aſſeſſed on the Owner or Owners thereof in purſuance of this Act, and to deduct the ſame out of the Rent thereof; and the Landlord or Owner or Owners thereof are hereby required to allow ſuch Deductions and Payments upon Receipt of the Reſidue of their Rents; and every Tenant paying ſuch Aſſeſſment or Aſſeſſments ſhall be acquitted and diſcharged for ſo much Money as the ſaid Aſſeſſment or Aſſeſſments ſhall amount unto, as if the ſame had been actually paid to ſuch Perſon or Perſons to whom his, her or their Rent ſhould have been due or payable. Houſes let out in Lodgings how to be aſſeſſed.

XVIII. Provided always, and it is hereby enacted and declared, That no Perſon or Perſons, who ſhall be rated and aſſeſſed and pay to any Rate and Aſſeſſment to be made in purſuance of this Act, ſhall be liable to any Watch or Ward by virtue of the Statute commonly called *The Statute of Wincheſter*, made in the thirteenth Year of King EDWARD the Firſt, or any other ſubſequent Statutes relating thereto, but ſhall be and are hereby diſcharged of and from the ſame. Perſons rated not liable to any Watch.

'XIX. And whereas by an Act of Parliament made and paſſed in the twenty-ſecond and twenty-'third Years of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for the 'better paving and cleanſing the Streets and Sewers in and about the City of* London, it is enacted '(amongſt other Things) That from thenceforth the ſole Power and Authority of ordering, deſign-'ing and regulating of the pitching and paving all the Streets, Lanes and Paſſages whatſoever within 'the ſaid City and Liberties, with the Order and Manner thereof, ſhould be and remain in the Mayor, 'Commonalty and Citizens of the ſaid City, to be executed by ſuch Perſons as by the ſaid Mayor, Al-'dermen and Commons, in Common-council aſſembled, ſhould be appointed, or by any Seven or 'more of them, being all Members of the ſaid Court; and it is alſo thereby further enacted, That 'for the better enabling the ſaid Mayor, Commonalty and Citizens, to perform the Works by the 'ſaid Statute appointed to be done, and for defraying the Charge thereof, it ſhould be lawful for the 'ſaid Perſons ſo to be authorized, or any Seven of them, as often as Need ſhould be, to impoſe any 'reaſonable Tax or Aſſeſſment, as well upon the Tenants and Occupiers, as alſo upon the Owners of 'Houſes, Shops or other Tenements or Hereditaments, whereof there ſhould be no preſent Occupier, Act 22 & 23 Car. 2. c. 17.

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'to be levied by Diſtreſs and Sale of the Goods of the Parties refuſing or neglecting to pay, as 'by the ſaid Act more fully may appear; but inaſmuch as it frequently happens that no Diſtreſs 'can be found upon Ground, Houſes, Shops or Tenements, that lie vacant or untenanted, where- 'by the neceſſary Taxes or Aſſeſſments for paving the Streets, Lanes or Paſſages, lying before ſuch 'vacant Ground, Houſes, Shops or Tenements, cannot be levied, by reaſon whereof ſuch Part of 'the ſaid Streets, Lanes and Paſſages often remains unpaved, to the great Nuſance of the Publick;'

Aſſeſſments on untenanted Grounds, &c. how to be made.

For Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, it ſhall and may be lawful to and for the ſaid Perſons now authorized, or hereafter to be authorized, by virtue of the ſaid Statute as aforeſaid, or any Seven or more of them, to order ſuch Parts of the reſpective Streets, Lanes and Paſſages, as lie before ſuch vacant or untenanted Ground, Houſes, Shops or Tenements, as often as Need ſhall be, to be well and ſufficiently paved, cleanſed and amended, and to impoſe ſuch Tax or Aſſeſſment on the Owner or Owners thereof, as ſhall be neceſſary for the doing the ſame; all which Taxes and Aſſeſſments ſhall be paid, for and upon the Account of ſuch Owner or Owners thereof, by him, her or them, who ſhall from time to time be the next and firſt Occupier or Occupiers of ſuch Ground, Houſes, Shops or Tenements, after the making or impoſing ſuch Tax or Aſſeſſment; and in caſe ſuch Occupier or Occupiers ſhall refuſe to pay the ſame, then the ſaid Taxes and Aſſeſſments ſhall be levied by Diſtreſs and Sale of the Goods and Chattles of him, her or them, ſo refuſing to pay the ſame: Which Diſtreſs and Sale ſhall be made in ſuch Manner as Diſtreſſes and Sales thereof are directed to be made by the ſaid Statute; and all and every ſuch firſt Occupier and Occupiers are hereby required and authorized to pay ſuch Sum and Sums of Money, as ſhall be ſo rated, impoſed or aſſeſſed on the Owner or Owners of ſuch Ground, Houſes, Shops or Tenements, in purſuance of this Act, and to deduct the ſame out of the Rent thereof; and the Landlord or Landlords, or Owner or Owners thereof, are hereby required to allow ſuch Deductions and Payments upon Receipt of the Reſidue of their Rents; and every Tenant paying ſuch Taxes or Aſſeſſments ſhall be acquitted and diſcharged for ſo much Money, as the ſaid Taxes or Aſſeſſments ſhall amount unto, as if the ſame had been actually paid to ſuch Perſon or Perſons, to whom his, her or their Rent ſhould have been due or payable.

XX. And, to the End that all and every the Pavements lying before any vacant or untenanted Ground, Houſe, Shop or Tenement, in any of the Streets, Lanes or Paſſages, may from time to time be effectually amended; Be it further enacted by the Authority aforeſaid, That the Chamberlain of the ſaid City for the time being, ſhall pay all and every the Taxes and Aſſeſſments which ſhall be impoſed or aſſeſſed upon the Owner or Owners of ſuch vacant or untenanted Ground, Houſes, Shops or Tenements, during the Time the ſame ſhall ſo continue vacant or untenanted, out of the City Caſh;

Taxes on vacant Grounds, &c. to be paid out of the City Caſh,

but in caſe after ſuch Payment by the ſaid Chamberlain any of the ſaid Taxes or Aſſeſſments ſhall be paid or levied by or upon the Tenant or Tenants thereof, who ſhall afterwards occupy the ſame, then and in every ſuch Caſe the ſame ſhall forthwith be repaid into the Chamber of the ſaid City.

and repaid by the next Occupiers.

'XXI. And whereas from the great Increaſe of Coaches, Carts and other Carriages, and their fre- 'quent paſſing through the Streets, Lanes and Paſſages of the ſaid City, it is become neceſſary for the 'Safety and Convenience of all Perſons paſſing within the ſaid City, that Poſts ſhould be ſet up in 'many Streets, Lanes and other Paſſages, where now there are none, to preſerve a Foot-paſſage;

Poſts to be ſet up for Foot-paſſages.

Be it therefore further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, it ſhall and may be lawful for the ſaid Perſons, authorized and to be authorized as aforeſaid, or any Seven of them, to order, deſign and ſet up Poſts in all or any the Streets, Lanes and Paſſages whatſoever, where Need ſhall be, within the ſaid City and Liberties, to preſerve Foot-paſſages; which Power ſhall be exerciſed in the ſame Manner as the Power veſted in them by the ſaid Statute, 'For the better paving and cleanſing the Streets and 'Sewers in and about the ſaid City;' and for enabling them to execute and perform the Works laſt-mentioned and appointed to be done, it ſhall alſo be lawful for them, or any Seven of them, to make ſuch Taxes and Aſſeſſments as ſhall be reaſonable, to be charged and levied in the ſame Manner as the other Taxes and Aſſeſſments may be and are directed to be charged and levied by the aforeſaid Statute, or by ſo much of this preſent Act as relates to the paving of the ſaid Streets, and in as full and ample Manner to all Intents and Purpoſes whatſoever as if the ſame was herein particularly recited.

Limitation of Actions.

XXII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Matter or Thing to be done in purſuance of this Act, then and in ſuch Caſe the Action or Suit ſhall be brought or commenced within ſix Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the City of *London*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit to be brought

General Iſſue.

ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her or their Action or Actions, Suit or Suits, or if upon Demurrer Judgment ſhall be given

Treble Coſts.

againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have in any other Caſes by Law.

Publick Act. *See farther,* 2 *Geo.* 2. *c.* 29. 18 *Geo.* 2. *c.* 33. 33 *Geo.* 2. *c.* 30.

XXIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP.

CAP. XXIII.

An Act for explaining and amending and making more effectual ſeveral Acts of Parliament made in the fourth, ſixth, and tenth Years of the Reign of his late Majeſty King GEORGE the Firſt reſpectively, for repairing the ſeveral Roads therein mentioned in the Counties of *Surrey*, *Kent*, and *Suſſex*; and for enlarging the Terms and Powers by the ſaid Acts granted; and for repairing the Road lying between *Noneſuch* and *Worceſter* Parks, in the Pariſh of *Cuddington*, in the ſaid County of *Surrey*. PR.

The Acts are continued from 25 *March* 1762, for 15 Years; and the Tolls increaſed. Continued by 25 Geo. 2. c. 51.

CAP. XXIV.

An Act for enlarging the Term and Powers granted by an Act paſſed in the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing and widening the Road leading from the* Black Bull Inn *in* Dunſtable *in the County of* Bedford, *to the Way turning out of the ſaid Road up to* Shafford Houſe *in the County of* Hertford; and for preventing the driving of Cattle through private Grounds and Paſſages, to avoid the Payment of the Toll charged upon Cattle by an Act of the firſt Year of the Reign of his late Majeſty, and the eighth Year of the Reign of his preſent Majeſty, *For repairing the Road from* South Mims *to* Saint Albans, *in the ſaid County of* Hertford. PR.

The Act is farther continued for 21 Years. Continued by 24 Geo. 2. c. 10.

CAP. XXV.

An Act for the better regulating the Nightly Watch and Bedels within the Liberty of *Saffron-Hill*, *Hatton-Garden*, and *Ely Rents*, in the Pariſh of *Saint Andrew Holborn*, in the County of *Middleſex*. PR.

'WHEREAS the well-ordering and regulating a Nightly Watch and Bedels within the Liberty of *Saffron-Hill*, *Hatton-Garden*, and *Ely Rents*, in the Pariſh of *Saint Andrew Holborn*, in the County of *Middleſex*, is of great Importance for the Preſervation of the Perſons and Properties of the Inhabitants thereof, and very neceſſary to prevent, as well the Miſchiefs which may happen from Fires, as Murders, Burglaries, Robberies and other Outrages and Diſorders: And whereas by the Laws now in being no effectual Proviſion is made for the eſtabliſhing, ordering and well-governing ſuch Nightly Watch and Bedels within the ſaid Diſtrict, for levying and collecting any Sums of Money for defraying the neceſſary Charges thereof, or for enforcing a due Application and juſt Account of any Money ſo levied and collected for that Purpoſe:' For Remedy of the aforeſaid Inconveniencies; may it pleaſe Your moſt Excellent Majeſty that it may be enacted, *&c.*

"Truſtees to be elected; to appoint Watchmen, Bedels and their Wages, and the Pound Rate to be made. Copies of Orders, *&c.* to be given to the Conſtables, *&c.* Truſtees to make Aſſeſſments and appoint Collectors. Appeal, in caſe of Grievance, to be made to the Quarter-Seſſions. Aſſeſſments not to exceed 6 *d. per* Pound of the yearly Rent. Perſons paying the Rates not intitled to Settlements, *&c.* An Account of the Monies collected, to be regiſtred, *&c.* Perſons hereby rated diſcharged from Watch and Ward."

CAP. XXVI.

An Act for Relief of Inſolvent Debtors. EXP.

"Sheriffs and Gaolers to deliver a Liſt of their Priſoners, *&c.* to the Juſtices, *&c.* To be kept by the Clerk of the Peace. Perſons inſerted in the Liſts, and Priſoners, ſhall be diſcharged. They are to deliver in a Schedule of their Eſtates, *&c.* on Oath. Schedule veſted in the Clerk of the Peace, who is to aſſign it to the Creditors, to be divided among the Creditors. Juſtices who grant Warrants for bringing Priſoners to the Quarter-Seſſions, ſhall give Notice to be ſerved on the Creditors. Priſoners to give like Notice to the Creditors, and publick Notice in the *Gazette*, 30 Days before Seſſions. The Priſoner's Oath not being diſproved, *&c.* the Juſtices are to diſcharge him. Debtors having ſerved an Apprenticeſhip, or employed in any Trade, or in the Sea Service, and actually beyond Sea, may ſurrender themſelves, and be intitled to the Benefit of the Act, but ſubject to the ſame Reſtrictions as the other Priſoners. Priſoner forſwearing himſelf, guilty of Felony. Priſoner diſcharged for Debts before 1 *Jan.* 1736. ſhall not be impriſoned for the ſame again. Perſons diſcharged may plead generally in Diſcharge of their Perſons from Execution. Plaintiff may reply generally, and deny the Matters pleaded. Not to extend to *Scotland*. Debtors in Gaols only for Fees, diſcharged. Not to diſcharge Debtors to the Crown, or owing above 500*l.* to one Perſon; but Creditor to allow 3*s.* 6*d. per* Week for his Maintenance. Diſcharges to be obtained before 1 *January*, or excluded. Diſcharge obtained fraudulently, void. Creditors may compel Debtors who chooſe to continue in Priſon to give an Account upon Oath of their Effects, *&c.* on 30 Days Notice in the *Gazette*. Such Priſoners to be examined as the reſt. Priſoners upon Proceſſes out of Courts of Conſcience to have the Benefit of the Act. Bankrupts not obtaining a Certificate of Diſcharge, *&c.* not benefited hereby."

CAP. XXVII.

An Act for laying a Duty upon Apples imported from Foreign Parts; and for continuing an Act passed in the fourth Year of the Reign of his present Majesty, *For granting an Allowance upon the Exportation of* British *made Gunpowder*; and for taking off the Drawback upon Exportation of Foreign Paper; and for the better securing the Payment of the Bounty on the Exportation of *British* made Sail Cloth; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

Preamble.

'WHEREAS great Frauds are and have been committed in the Importation of Apples from 'Foreign Parts to the Diminution of his Majesty's Revenue, in regard the same are an unrated 'Commodity, and now subject to and paying a Duty *ad Valorem* only upon the Oath of the Importer;' We Your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain*, in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be raised, levied, answered and paid unto and for the Use of his Majesty, his Heirs and Successors, for and upon all Apples, which at any time or times after the twenty-fourth Day of *June* one thousand seven hundred and thirty-seven, shall be imported or brought into the Kingdom of *Great Britain*, over and above all Customs, Subsidies, and Duties already imposed thereon, an additional Duty to be reckoned after the Rate of two Shillings for every Bushel, and so proportionably for a greater or less Quantity, to be paid down in ready Money by the Importers from time to time before the Landing of the same respectively.

Additional Duty of 2 s. per Bushel,

how to be levied and applied.

II. And be it enacted by the Authority aforesaid, That the said additional Duty upon Apples imported shall be raised, levied, recovered and paid, and be brought into his Majesty's Exchequer, and applied (except the necessary Charges of Management thereof) by such Rules, Ways, Means, and Methods, and under such Penalties and Forfeitures, and in such Manner and Form, as the other Duties upon Apples imported, or any of them, are by any Act or Acts of Parliament prescribed or appointed to be raised, levied, recovered, answered, paid and applied.

Act of 4 Geo. 2. c. 29. continued for 7 Years. 'Continued by 24 Geo. 2. c. 52.' and further by 31 Geo. 2. c. 36.

'III. And whereas an Act passed in the fourth Year of the Reign of his present Majesty, intituled, 'An Act for granting an Allowance upon the Exportation of British made Gunpowder, is near expiring, 'which Act hath been found very useful and beneficial to his Majesty's trading Subjects;' Be it further enacted by the Authority aforesaid, That the said last mentioned Act, and all and every the Authorities, Powers and Clauses therein contained, shall be and continue in full Force, and shall be executed, from and after the Expiration of the Term thereby granted for and during the further Term of seven Years, and from thence to the End of the then next Session of Parliament, in as full and ample Manner as if the same were again repeated and re-enacted in the Body of this present Act.

'IV. And whereas the Drawbacks allowed upon the Exportation of foreign Paper tend to the great 'Discouragement of the Manufacture of Paper within the Kingdom of *Great Britain*;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and thirty-seven, there shall not be allowed or made on the Re-exportation of any foreign Paper any Drawback or Repayment of any of the Customs or Duties charged and paid on the Importation thereof into this Kingdom, by any Act or Acts of Parliament; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

No Drawback on foreign Paper exported.

Former Provisions relating hereto, 1 Jac. 1. c. 24. 7 & 8 W. 3. c. 10, & 39. 12 Ann. stat. 1. c. 16. 4 Geo. 2. c. 27. 9 Geo. 2. c. 37.

'V. And whereas the making of Sail Cloth in *Great Britain* is greatly increased, and hath given a 'comfortable Support and Maintenance to many of his Majesty's Subjects employed therein, from the 'great Encouragements given thereto by Parliament; *videlicet*, By laying an additional Duty of one 'Penny *per* Ell upon the Importation of foreign made Sails and Sail Cloth, and taking off the Drawback on the Exportation thereof, and by admitting rough or undrest Flax (of which Sail Cloth is usually made) to be imported free of all Duties, and by giving a Reward or Recompence of two 'Pence for every Ell of *British* made Sail Cloth or Canvas fit for or made into Sails, exported by way 'of Merchandize, payable out of the said additional Duty of one Penny *per* Ell on foreign made 'Sails and Sail Cloth imported; and forasmuch as in many Ports of this Kingdom, from which '*British* made Sail Cloth is exported, there is not so much Money collected and received for the 'said additional Duty of one Penny *per* Ell, as is or may be sufficient to pay the said Reward 'or Recompence, whereby the Exporters at such Ports are under great Discouragement, and cannot have the Benefit of the said Reward or Recompence as in other Ports, where such Reward 'or Recompence is duly paid;' For Remedy thereof, be it enacted by the Authority aforesaid, That if the Collector of the Customs in any Port of this Kingdom shall not have sufficient Money in his Hands arising by the said additional Duty of one Penny *per* Ell, to satisfy and pay such Reward or Recompence, as is or shall be due to any Exporters of *British* made Sail Cloth or Sails as aforesaid, that then such Collector shall give to the Person intitled to such Reward or Recompence a Certificate under his Hand attested by the Comptroller, of what is due to such Person for such *British* Sail Cloth or Sails so exported, certifying to the Commissioners of the Customs at *London*

Reward due to Exporters of British Sail Cloth how to be paid, in case the Collectors of Customs have not sufficient Money.

don or *Edinburgh* reſpectively, that he hath not Money in his Hands on the Branch aforeſaid ſufficient to pay the ſame; which Certificate being affixed to or wrote upon the Debenture for the ſame, and being produced to the ſaid reſpective Commiſſioners, they are hereby authorized and required on Demand by the Perſon who ſhall bring the ſame, to cauſe the Monies thereby due to be paid in three Months by the reſpective Receivers General or Caſhiers of the Cuſtoms, out of ſuch Monies as are or ſhall be in their Hands, ariſing by the additional Duty of one Penny *per* Ell as aforeſaid. *See further* 19 *Geo.* 2. *c.* 27. 21 *Geo.* 2. *c.* 28 & 32. 26 *Geo.* 2. *c.* 32.

VI. And, for the Relief of any Perſon or Perſons, who through Neglect or Inadvertency have omitted to pay the ſeveral Rates and Duties, or any Part thereof, upon Monies given, paid, contracted or agreed for, with or in relation to any Clerk, Apprentice or Servant, which hath been put or placed to or with any Maſter or Miſtreſs to learn any Profeſſion, Trade or Employment, and to have ſuch Indentures or other Writings, which ſhall contain the Covenants, Articles, Contracts or Agreements relating to the Service of ſuch Clerk, Apprentice or Servant, ſtamped within the Times by the ſeveral Acts of Parliament for thoſe Purpoſes reſpectively limited, or who have alſo in like Manner omitted to inſert and write in Words at Length in ſuch Indentures or other Writings as aforeſaid, the full Sum or Sums of Money, or any Part thereof received, or in any wiſe directly or indirectly given, paid, agreed or contracted for, with or in relation to every ſuch Clerk, Apprentice or Servant as aforeſaid; Be it enacted by the Authority aforeſaid, That upon Payment of the Rates and Duties upon Monies, or ſuch Part of ſuch Monies ſo neglected or omitted to be paid as aforeſaid, on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, to ſuch Perſon or Perſons to whom the ſame ought to be paid, and tendering the ſaid Indentures or other Writings, to be ſtamped at the ſame Time, or at any Time on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſeven, of which timely Notice is to be given in the *London Gazette*, the ſame Indentures or other Writings ſhall be good and available in Law or Equity, and may be given in Evidence in any Court whatſoever; and the Clerk, Apprentice or Servant therein named, ſhall be capable of following and exerciſing their reſpective intended Trades or Employments, as fully as if the ſaid Rates and Duties ſo omitted had been duly paid, and the full Sum or Sums received or agreed for as aforeſaid had been inſerted; and the Perſons who have incurred any Penalties by the Omiſſions aforeſaid, ſhall be acquitted and diſcharged of and from the ſaid Penalties; any thing in this or the ſaid former Acts to the contrary in any wiſe notwithſtanding.

Clauſe of Relief for Clerks, Apprentices, &c.

Concerning Indentures ſee farther 18 *Geo.* 2. *c.* 22. 20 *Geo.* 2. *c.* 45. 32 *Geo.* 2. *c.* 23.

CAP. XXVIII.

An Act to explain and amend ſo much of an Act made in the twelfth Year of the Reign of Queen ANNE, intituled, *An Act for reducing the Laws relating to Rogues, Vagabonds, ſturdy Beggars and Vagrants into one Act of Parliament; and for the more effectual puniſhing ſuch Rogues, Vagabonds, ſturdy Beggars and Vagrants, and ſending them whither they ought to be ſent*, as relates to common Players of Interludes.

'WHEREAS by an Act of Parliament made in the twelfth Year of the Reign of her late Ma-
'jeſty Queen ANNE, intituled, *An Act for reducing the Laws relating to Rogues, Vagabonds, ſturdy*
Beggars and Vagrants into one Act of Parliament; and for the more effectual puniſhing ſuch Rogues, Vaga-
bonds, ſturdy Beggars and Vagrants, and ſending them whither they ought to be ſent, it was enacted, That
'all Perſons pretending themſelves to be Patent Gatherers or Collectors for Priſons, Gaols or Hoſpi-
'tals, and wandering abroad for that Purpoſe, all Fencers, Bearwards, Common Players of Interludes,
'and other Perſons therein named and expreſſed, ſhall be deemed Rogues and Vagabonds: And whereas
'ſome Doubts have ariſen concerning ſo much of the ſaid Act as relates to Common Players of Inter-
'ludes:' Now for explaining and amending the ſame, be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, every Perſon who ſhall, for Hire, Gain or Reward, act, repreſent or perform, or cauſe to be acted, repreſented or performed any Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Part or Parts therein, in caſe ſuch Perſon ſhall not have any legal Settlement in the Place where the ſame ſhall be acted, repreſented or performed without Authority by virtue of Letters Patent from his Majeſty, his Heirs, Succeſſors or Predeceſſors, or without Licence from the Lord Chamberlain of his Majeſty's Houſhold for the time being, ſhall be deemed to be a Rogue and a Vagabond within the Intent and Meaning of the ſaid recited Act, and ſhall be liable and ſubject to all ſuch Penalties and Puniſhments, and by ſuch Methods of Conviction, as are inflicted on or appointed by the ſaid Act for the Puniſhment of Rogues and Vagabonds who ſhall be found wandering, begging and miſordering themſelves, within the Intent and Meaning of the ſaid recited Act. 12 *Ann. ſtat.* 2. *c.* 23.

Perſons acting Plays, &c. in any Place where they have not a Settlement, or without Authority, &c. to be deemed Vagabonds.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon having or not having a legal Settlement as aforeſaid ſhall, without ſuch Authority or Licence as aforeſaid, act, repreſent or perform, or cauſe to be acted, repreſented or performed, for Hire, Gain or Reward, any Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Part or Parts therein, every ſuch Perſon ſhall for every ſuch Offence forfeit the Sum of fifty Pounds; and in caſe the ſaid Sum of fifty Pounds ſhall be paid, levied or recovered, ſuch Offender ſhall not for the ſame Offence ſuffer any of the Pains or Penalties inflicted by the ſaid recited Act. and forfeit 50*l.*

No new Plays or Additions to old ones to be acted, unleſs a Copy thereof be ſent to the Chamberlain, &c.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, no Perſon ſhall, for Hire, Gain or Reward, act, perform, repreſent or cauſe to be acted, performed or repreſented any new Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Part or Parts therein; or any new Act, Scene or other Part added to any old Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any new Prologue or Epilogue, unleſs a true Copy thereof be ſent to the Lord Chamberlain of the King's Houſhold for the time being fourteen Days at leaſt before the acting, repreſenting or performing thereof, together with an Account of the Playhouſe or other Place where the ſame ſhall be, and the Time when the ſame is intended to be firſt acted, repreſented or performed, ſigned by the Maſter or Manager, or one of the Maſters or Managers of ſuch Playhouſe or Place, or Company of Actors therein.

and Perſons acting againſt his Prohibition, &c. to forfeit 50 l. and their Licence.

IV. And be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, it ſhall and may be lawful to and for the ſaid Lord Chamberlain for the time being, from time to time, and when, and as often as he ſhall think fit, to prohibit the acting, performing or repreſenting any Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Act, Scene or Part thereof, or any Prologue or Epilogue; and in caſe any Perſon or Perſons ſhall for Hire, Gain or Reward, act, perform or repreſent, or cauſe to be acted, performed or repreſented, any new Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Act, Scene or Part thereof, or any new Prologue or Epilogue, before a Copy thereof ſhall be ſent as aforeſaid with ſuch Account as aforeſaid, or ſhall for Hire, Gain or Reward, act, perform or repreſent, or cauſe to be acted, performed or repreſented, any Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Act, Scene or Part thereof, or any Prologue or Epilogue, contrary to ſuch Prohibition as aforeſaid; every Perſon ſo offending ſhall for every ſuch Offence forfeit the Sum of fifty Pounds, and every Grant, Licence and Authority (in caſe there be any ſuch) by or under which the ſaid Maſter or Maſters or Manager or Managers ſet up, formed or continued ſuch Playhouſe, or ſuch Company of Actors, ſhall ceaſe, determine and become abſolutely void to all Intents and Purpoſes whatſoever.

No Plays to be acted but in Weſtminſter, or Places of his Majeſty's Reſidence.

V. Provided always, That no Perſon or Perſons ſhall be authorized by virtue of any Letters Patent from his Majeſty, his Heirs, Succeſſors or Predeceſſors, or by the Licence of the Lord Chamberlain of his Majeſty's Houſhold for the time being, to act, repreſent or perform for Hire, Gain or Reward, any Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Part or Parts therein, in any Part of *Great Britain*, except in the City of *Weſtminſter*, and within the Liberties thereof, and in ſuch Places where his Majeſty, his Heirs or Succeſſors, ſhall in their Royal Perſons reſide, and during ſuch Reſidence only; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Penalties how to be recovered, &c.

VI. And be it further enacted by the Authority aforeſaid, That all the pecuniary Penalties inflicted by this Act for Offences committed within that Part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, ſhall be recovered by Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, or Wager of Law ſhall be allowed; and for the Offences committed in that Part of *Great Britain* called *Scotland*, by Action or ſummary Complaint before the Court of Seſſion or Juſticiary there; or for Offences committed in any Part of *Great Britain*, in a ſummary Way before two Juſtices of the Peace for any County, Stewartry, Riding, Diviſion or Liberty where any ſuch Offence ſhall be committed, by the Oath or Oaths of one or more credible Witneſs or Witneſſes, or by the Confeſſion of the Offender; the ſame to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, rendering the Overplus to ſuch Offender, if any there be above the Penalty and Charge of Diſtreſs; and for want of ſufficient Diſtreſs the Offender ſhall be committed to any Houſe of Correction in any ſuch County, Stewartry, Riding or Liberty, for any Time not exceeding ſix Months, there to be kept to hard Labour, or to the common Gaol of any ſuch County, Stewartry, Riding or Liberty, for any Time not exceeding ſix Months, there to remain without Bail or Mainprize; and if any Perſon or Perſons ſhall think him, her or themſelves aggrieved by the Order or Orders of ſuch Juſtices of the Peace, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal therefrom to the next general Quarter Seſſions to be held for the ſaid County, Stewartry, Riding or Liberty, whoſe Order therein ſhall be final and concluſive; and the ſaid Penalties for any Offence againſt this Act ſhall belong, one Moiety thereof to the Informer or Perſon ſuing or proſecuting for the ſame, the other Moiety to the Poor of the Pariſh where ſuch Offence ſhall be committed.

Perſons acting in Publick Houſes included in this Act.

VII. And be it further enacted by the Authority aforeſaid, That if any Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Act, Scene or Part thereof, ſhall be acted, repreſented or performed in any Houſe or Place where Wine, Ale, Beer or other Liquors ſhall be ſold or retaled, the ſame ſhall be deemed to be acted, repreſented and performed for Gain, Hire and Reward.

Limitation of Actions.

VIII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be liable to be proſecuted for any Offence againſt this Act, unleſs ſuch Proſecution ſhall be commenced within the Space of ſix Calendar Months after the Offence committed; and if any Action or Suit ſhall be commenced or brought againſt any Juſtice of the Peace, or any other Perſon for doing, or cauſing to be done, any thing in purſuance of this Act, ſuch Action or Suit ſhall be commenced within ſix Kalendar Months next after the Fact done; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give the ſpecial Matter in Evidence; and if upon ſuch Action or Suit a Verdict ſhall be given for the Defendant or Defendants, or the Plaintiff or Plaintiffs or Proſecutor ſhall become

General Iſſue.

nonſuit,

nonsuit, or shall not prosecute his or their said Action or Suit, then the Defendant or Defendants shall have treble Costs, and shall have the like Remedy for the same, as any Defendant or Defendants have in other Cases by Law. Treble Costs. *See further* 13 *Geo.* 2. *c.* 24. 17 *Geo.* 2. *c.* 5.

CAP. XXIX.

An Act for enabling his Majesty to settle a Revenue for supporting the Dignity of her Royal Highness the Princess, in case she shall survive his Royal Highness the Prince of *Wales*, and for exempting such yearly Sum or Sums of Money as his Majesty hath granted or shall grant to his said Royal Highness from the Payment of Fees, Taxes and other Charges whatsoever, and for enabling his said Royal Highness to make Leases of Lands, Parcel of the Dutchy of *Cornwall*, or annexed to the same.

Most Gracious Sovereign,

'WE your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament 'assembled, being truly sensible how acceptable it will be to your Majesty, that a good, certain, 'and competent Revenue be settled for supporting the Honour and Dignity of her Royal Highness the 'Princess, in case she shall survive her Royal Consort the most Excellent Prince FREDERICK, Prince of '*Wales*, your Majesty's most dearly beloved Son, and considering the Happiness which (by the Blessing 'of Almighty God) the Subjects of these Kingdoms cannot fail to enjoy, by a Succession of Princes 'derived from her, the early Zeal and Sufferings of whose Family for the Protestant Cause ought never 'to be forgotten; and well knowing that by an Act made in the first Year of the Reign of her late 'Majesty Queen ANNE (of blessed Memory) for preserving the Inheritance of several Revenues of the 'Crown, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dig-* '*nity of the Crown*, all Grants thereof (other than such as are therein expressed) are declared to be void; 'and that by an Act made in the ninth Year of her said late Majesty's Reign, intituled, *An Act for* '*establishing a General Post Office for all her Majesty's Dominions, and for settling a weekly Sum out of the* '*Revenue thereof for the Service of the War and other her Majesty's Occasions*, it was enacted, That such 'Part of the Duties and Revenues arising in or by the General Letter Office or Post Office which was 'thereby vested in her Majesty, her Heirs and Successors, and therein mentioned to be undeterminable, 'should not be alienable, chargeable or grantable for any Estate, Term or Time whatsoever, to endure 'longer than the Life of the King or Queen that should make such Alienation, Charge or Grant re-'spectively; and that all Gifts, Grants, Alienations and Assurances whatsoever to be had or made 'of, and Charges upon the same Duties and Revenues or any Part thereof contrary to the Provision of 'that Act should be null and void;' do nevertheless most humbly, cheerfully and unanimously beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by any Letters Patent or Indenture, or by several Letters Patent or Indentures, under the great Seal of *Great Britain* hereafter to be made, to give and grant unto her said Royal Highness the Princess of *Wales*, or to such other Person or Persons as his Majesty shall think fit to be named in such Letters Patent, Indenture or Indentures, and his or their Heirs, to the Use of or in Trust for the said Princess, one Annuity or yearly Sum of fifty thousand Pounds of lawful Money of *Great Britain*, which Annuity or yearly Sum of fifty thousand Pounds, and every Part thereof, shall commence and take Effect immediately from and after the Decease of his Majesty's said dearly beloved Son, and continue from thenceforth for and during the natural Life of the said Princess, and shall be paid and payable at the four most usual Feasts or Days of Payment in the Year (that is to say) the Feast of Saint *Michael* the Archangel, the Birth of our Lord Christ, the Annunciation of the blessed Virgin *Mary*, and the Nativity of Saint *John* the Baptist, by even and equal Portions; the first Payment thereof to be made at such of the said Feasts as shall first and next happen after the Decease of his Majesty's said dearly beloved Son, in case the said Princess shall survive him as aforesaid; and that the said yearly Sum of fifty thousand Pounds shall be issuing and payable out of, and be charged and chargeable upon, such Duties and Revenues as are herein after specified, and in the Proportions following (that is to say) the yearly Sum of forty thousand Pounds, Part of the said yearly Sum of fifty thousand Pounds, shall be issuing and payable out of and be charged and chargeable upon all the Revenues and Monies arising and to arise by virtue or in pursuance of the said Act, intituled, *An Act for establishing a General Post Office for all her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War and other her Majesty's Occasions*, or by virtue or in pursuance of any Proviso, Clause, Matter or Thing therein contained, or according to any other Act or Acts of Parliament thereby referred unto, the weekly Sum of seven hundred Pounds mentioned in the said Act of the ninth Year of her late Majesty's Reign, during such Time as the said weekly Sum is to continue, and any other Monies by that Act appointed to be reserved for the Use of the Publick always excepted and foreprized.

1 Annæ, stat. 1. c. 7.

9 Annæ, c. 10.

The Princess of Wales, if she survives the Prince, to have an Annuity of 50,000 l.

for Life, to be paid quarterly,

out of the Revenues of the Post Office.

II. And it is hereby enacted, That the yearly Sum of ten thousand Pounds (being the Remainder of the said yearly Sum of fifty thousand Pounds) shall, from and after the Decease of the said Prince of *Wales*, during the Life-time of the said Princess him surviving, be charged and chargeable upon, and be payable and paid at the Days and Times before-mentioned, to the Use of the said Princess, out of

the

and hereditary Duties of Excise.

the hereditary Rates and Duties of Excise upon Beer, Ale and other Liquors, which were granted to the Crown by an Act of the twelfth Year of the Reign of King CHARLES the Second (of bleſſed Memory) confirmed by an Act of Parliament of the thirteenth Year of his Reign; and the Rates and Duties of Exciſe, which were granted or continued to his ſaid now Majeſty during his Life (which God long preſerve) by an Act of Parliament in the firſt Year of his Reign, during the Continuance thereof, ſhall likewiſe be charged and chargeable as an additional Security, for or towards making good ſuch of the Payments of the ſaid yearly Sum of ten thouſand Pounds as ſhall or may happen to incur and grow due after ſuch Deceaſe of the ſaid Prince of *Wales*, during the joint Lives of his Majeſty and of the ſaid Princeſs.

Payment of the Sums charged on the Duties of Exciſe not hereby obſtructed.

III. Provided always, That nothing in this Act contained, or to be contained in ſuch Letters Patent, Indenture or Indentures as aforeſaid, ſhall extend to hinder or obſtruct the Payments of the weekly Sum of three thouſand ſeven hundred Pounds, or the yearly Sum of ſixteen thouſand two hundred ſixty three Pounds eight Shillings and eleven Pence, by former Acts of Parliament charged upon the ſaid Rates and Duties of Exciſe, or ſome of them, or the Application thereof to the reſpective Uſes intended by ſuch former Acts concerning the ſame; any thing herein contained to the contrary notwithſtanding.

Deficiency how to be ſupplied.

IV. And be it enacted by the Authority aforeſaid, That if the ſaid Revenue of the Poſt Office, applicable to the Payment of the ſaid yearly Sum of forty thouſand Pounds, ſhall at the End of any Quarter of a Year be inſufficient to anſwer the quarterly Payment then due out of the ſame according to the true Meaning of this Act, then and in every ſuch Caſe the Comptroller of the ſaid Office for the time being ſhall and he is hereby required without Fee or Charge to make a Certificate in Writing of the Sum which ſhall be then wanting to complete the ſaid quarterly Payment, and deliver the ſame to the ſaid Princeſs, or her Order, and upon producing thereof the Commiſſioners of the Treaſury, or high Treaſurer for the time being, ſhall cauſe every ſuch Deficiency to be ſatisfied out of any Overplus Monies of the ſaid Rates and Duties of Exciſe, or out of ſome other Monies ariſing or to ariſe by any hereditary Branches of Revenue belonging to his Majeſty, his Heirs or Succeſſors, being appointed for the Uſes of the civil Government, with Preference to all other Payments hereafter to be charged upon ſuch Overplus Monies or other Branches by ſubſequent Act or Acts of Parliament, or Grants hereafter to be paſſed; and if the ſaid Rates and Duties of Exciſe, applicable to the Payment of the ſaid yearly Sum of ten thouſand Pounds, ſhall at the End of any Quarter of a Year be inſufficient to anſwer the quarterly Payment then due out of the ſame according to the true Meaning of this Act, then and in every ſuch Caſe the Comptroller of Exciſe for the time being ſhall and he is hereby required without Fee or Charge to make a Certificate in Writing of the Sum which ſhall be then wanting to compleat ſuch quarterly Payment, and deliver the ſame to the ſaid Princeſs, or her Order; and upon producing thereof the Commiſſioners of the Treaſury, or high Treaſurer for the time being, ſhall cauſe every ſuch Deficiency to be ſatisfied out of any Overplus Monies of the ſaid Poſt Office Revenues, or out of ſome other Monies ariſing or to ariſe by ſuch hereditary Branches of the Revenue appointed for Uſes of the civil Government as aforeſaid, with Preference to all Payments hereafter to be charged upon ſuch Overplus Monies or other Branches, by any ſubſequent Act or Acts of Parliament, or Grants hereafter to be paſſed; any thing in this Act, or any other Law or Statute whatſoever, to the contrary in any wiſe notwithſtanding.

Who to pay the ſaid Annuity.

V. And it is hereby enacted, That the ſaid yearly Sums amounting to fifty thouſand Pounds as aforeſaid, ſhall be paid and payable by and from the immediate Hands of all and every the Commiſſioners, Farmers, Treaſurers, Receivers and Collectors for the time being of the ſaid Revenues reſpectively, without any Fees or Charges to be demanded or taken for paying the ſame or any Part thereof; and the Acquittance and Acquittances of the ſaid Princeſs, or her Truſtees, or of her Royal Highneſs's Receiver General for the time being, ſhall be a good and ſufficient Diſcharge for the Payment thereof, without any further or other Warrant to be ſued for, had or obtained in that Behalf; and that the ſaid Annuity or yearly Sum of fifty thouſand Pounds, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions and other publick Charges whatſoever; and if the ſaid Commiſſioners, Farmers, Treaſurers, Receivers and Collectors, for the time being, of the ſaid Duties and Revenues, or any of them, ſhall refuſe or neglect to pay the ſaid reſpective yearly Sums, or any Part thereof, to the ſaid Princeſs, her Receiver General or Truſtees, that then the ſaid Princeſs or ſuch Truſtees as aforeſaid, may ſue, proſecute or implead the ſaid Commiſſioners, Farmers, Treaſurers, Receivers and Collectors, or any of them, and all or any of their Securities, Heirs, Executors and Adminiſtrators, by Bill, Plaint or Action of Debt, and ſhall and may recover Judgments, and ſue out Executions thereupon, againſt the ſaid Commiſſioners, Farmers, Treaſurers, Receivers and Collectors reſpectively, and their reſpective Securities, Heirs, Executors and Adminiſtrators, for ſuch Sum and Sums of Money then due and owing upon the ſaid Annuities amounting to fifty thouſand Pounds *per Annum*, or any Part thereof, as ſhall be in the Hands of the ſaid Commiſſioners, Farmers, Treaſurers, Receivers and Collectors reſpectively, of the ſaid reſpective Duties or Revenues at the Time when Demand ſhall be made of the Payment of the ſaid yearly Sum, or any Part thereof.

The King's Letters Patent to be effectual in Law.

VI. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Precepts, Directions and Clauſes to be contained in his Majeſty's Letters Patent, Indenture or Indentures hereafter to be made as aforeſaid, for the better and more certain Payment and Aſſurance of the ſaid yearly Sums amounting to fifty thouſand Pounds *per Annum*, and for making the ſaid reſpective Revenues liable thereunto, ſhall be and are hereby enacted to be good and effectual in the Law, according to the Tenor and Purport thereof, in the ſaid Letters Patent, Indenture or Indentures to be expreſſed, notwithſtanding any Reſtriction, or other Matter or Thing contained in the ſaid Act of Parliament made

made in the first Year of her late Majesty's Reign, intituled, *An Act for the better Support of her Majesty's Houshold, and of the Honour and Dignity of the Crown*; and notwithstanding any Restriction, or other Matter or Thing contained in the said Act of the ninth Year of her said late Majesty's Reign for establishing the Post Office, and any Mis-recital, Non-recital, Omission, or other Defect in the said Letters Patent, Indenture or Indentures hereafter to be made, in any wise notwithstanding.

Persons Interests in the Revenues not affected hereby.

VII. Saving to all and every Person and Persons, Bodies Politick or Corporate, their Heirs, Executors, Administrators and Assigns (other than the King's Majesty, his Heirs and Successors, and other than to such Person or Persons who do or may stand seized or possessed in Trust for his Majesty, his Heirs and Successors) all such Right, Title, Interest and Demand whatsoever, which they or any of them have, or may have, of, in or to, or out of the Revenues aforesaid, or any Part thereof, before the making of this Act, as fully and effectually to all Intents and Purposes, as if this Act had not been made; this Act or any thing therein contained to the contrary notwithstanding.

The 50,000 l. allowed the Prince of Wales by his Majesty, free of Taxes.

'VIII. And whereas his Majesty hath granted to his dearly beloved Son the Prince of *Wales* 'the yearly Sum of fifty thousand Pounds for Support of himself and his Family, to be paid out 'of the Revenues appointed for defraying the Charges of the Civil Government, and supporting 'the Honour and Dignity of the Crown;' Be it further enacted and declared by the Authority aforesaid, That such yearly Sum or Sums of Money as his Majesty hath granted, directed or appointed, or shall grant, direct or appoint, to or for the Use and Benefit of the said Prince of *Wales*, out of the Revenues aforesaid, shall be paid to his Royal Highness, or to his Use, or for his Benefit, without any Fees or Charges to be demanded or taken by the Officers of the Exchequer, or any others, for Payment thereof, and that the said yearly Sum or Sums of Money, and every Part thereof, shall be free and clear from all Taxes, Impositions and other publick Charges whatsoever; any Law or Statute to the contrary notwithstanding.

Leases of Lands in Cornwall made by the Prince effectual in Law.

'IX. And whereas the said Prince now stands seised of the Dutchy of *Cornwall*, and the Possession 'thereof, of an Estate of Inheritance under a special Form of Limitation differing from the ordinary 'Rules of Inheritance at Common Law, whereupon some Questions may grow what Estates in the same 'the said most Excellent Prince may legally grant, and whether Leases made by his said Royal 'Highness of any Manors, Lands, Tithes, Tenements or Hereditaments, Parcel of the said Duchy, 'or annexed to the same, will be good and effectual in Law longer than for the Life of his said 'Royal Highness;' For avoiding of which Doubt, and for the Ease and Quiet of the Minds of such Persons as have taken, or hereafter shall take, Leases from the said Prince, and to the End such Persons may be sure to have good and indefeazible Estates, and be encouraged to lay out Monies in building and repairing, or otherwise improving the several Lands and Tenements to them demised, and to be demised; Be it further enacted by the Authority aforesaid, That all Leases or Grants made or to be made by his said Royal Highness, of any Manors, Offices, Messuages, Parks, Lands, Tithes, Tenements or Hereditaments, Parcel of the Possessions of the said Duchy of *Cornwall*, or annexed to the same, shall be good and effectual in Law, according to the Purport and Contents of the said Leases or Grants, against his Majesty, his Heirs and Successors, and against his said Royal Highness, and his Heirs, and against all and every Person and Persons who shall inherit or succeed to the said Duchy, according to the said Limitation or otherwise.

Such Leases to be for no more than 3 Lives, or 31 Years, &c.

X. Provided always, That every such Lease or Grant so made or to be made of any Manors, Offices, Messuages, Parks, Lands, Tithes, Tenements or Hereditaments in Possession, be and shall be made for three Lives or fewer, or for thirty-one Years or under, or for some Term of Years determinable upon one, two, or three Lives, and not above; and if such Lease or Grant be made in Reversion or Expectancy, that then the same together with the Estates in Possession do not exceed three Lives, or the Term of thirty-one Years, and be not in any wise made dispunishable of Waste, and so as upon every such Lease or Grant be or shall be reserved the ancient or most usual Rent or more, or such Rent as hath been reserved, yielded or paid for such of the Premisses as are or shall be contained therein, for the greater Part of twenty Years next before the making of the said Leases, and shall be reserved, due and payable to such as shall have the Inheritance or other Estate of the said Duchy, and where no such Rent hath been reserved or payable, that then upon every such Lease there be or shall be reserved a reasonable Rent, not being under the twentieth Part of the clear yearly Value of the Manors, Messuages, Parks, Lands, Tithes, Tenements or Hereditaments contained in such Lease or Grant.

Confirmation of the Validity of such Leases.

XI. And be it further enacted by the Authority aforesaid, That all Covenants, Conditions, Reservations, and Agreements contained in every such Lease or Grant so made or to be made as aforesaid shall be good and effectual in Law, according to the Words and Contents of the same, as well for and against them to whom the Reversion of the same Manors, Offices, Messuages, Parks, Lands, Tithes, Tenements or Hereditaments shall come, as for and against them to whom the Interest of such Leases shall come respectively, as if his said Royal Highness the Prince at the Time of making such Covenants, Conditions, Reservations, and Agreements, had been seised of an absolute Estate in Fee Simple in the same Manors, Offices, Messuages, Parks, Lands, Tithes, Tenements, or Hereditaments.

Persons Rights in the said Duchy not affected hereby.

XII. Saving always, to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators and Assigns (other than His said Majesty, his Heirs and Successors, and other than his said Royal Highness the Prince, and his Heirs, and all and every Person and Persons that shall hereafter have, inherit, and enjoy the said Duchy of *Cornwall* by Force of any Act of Parliament or other Limitation whatsoever) all such Rights, Titles, Estates, Customs, Interests, Tenures,

nures, Terms, Claims and Demands whatſoever, of what Nature, Kind, or Quality ſoever, of, in, to, or out of the ſaid Manors, Offices, Meſſuages, Parks, Lands, Tithes, Tenements or Hereditaments, or any of them, Parcel of or annexed to the ſaid Duchy of *Cornwall*, as they or any of them had or ought to have had before the making of this Act, to all Intents and Purpoſes, and in as large and ample Manner and Form, as if this Act had never been made; this Act or any thing herein contained to the contrary notwithſtanding.

CAP. XXX.

An Act for repealing the Duties payable *ad Valorem*, upon Foreign Oyſters imported into this Kingdom, and for laying another Duty thereon.

Moſt Gracious Sovereign,

Preamble.

'WHEREAS the ſeveral Duties upon Oyſters imported into this Kingdom, are now payable 'according to the Value ſworn to or affirmed by the Importers, which Method of aſcertaining 'the Value of ſuch Oyſters by Experience has been found to be liable to great Frauds, ſuch Importers 'frequently undervaluing the Oyſters ſo imported, to the Detriment of the Publick Revenue and Diſ-'couragement of the Oyſter Dredgers of this Kingdom;' For remedying the ſaid Abuſe, as well as encouraging our own Fiſhery, we your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain*, in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Proviſions and Clauſes contained in any former Act or Acts of Parliament, ſo far as they relate to the aſcertaining the Value of Oyſters imported from *France* according to the Oaths or Affirmations of the Importers, ſhall from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty ſeven be and are hereby repealed and made void.

Former Acts relating to the Value of French Oyſters repealed.

French Oyſters rated at 7d. per Buſhel.

II. And be it further enacted by the Authority aforeſaid, That in lieu of the ſaid former Duties payable *ad Valorem*, and repealed by this Act, all Oyſters which ſhall at any Time or Times after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, be imported from *France* into any Port or Place within this Kingdom, ſhall upon the Importation thereof be rated at ſeven Pence *per* Buſhel ſtrike Meaſure, according to the *Wincheſter* Corn Buſhel, and ſhall pay the old Subſidy granted by the Act of Tonnage and Poundage made in the twelfth Year of the Reign of King CHARLES the Second, according to that Rate and Meaſure, and not according to the Values ſworn to, or affirmed by the Importers, and in that Proportion for a greater or leſs Quantity.

Old Subſidy, &c. to be paid according to the Rate.

III. And be it further enacted by the Authority aforeſaid, That in all Caſes where any of the ſaid Oyſters are by Law ſubject or liable to the Payment of the further Subſidy, the one third Subſidy, the two thirds Subſidy, the additional Impoſt, or the Duty payable upon Goods imported from *France*, or any of them, according to the reſpective Values ſet thereon for the ſaid Old Subſidy, or in Proportion thereto, the ſame ſhall from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, be paid proportionably according to the particular Value ſet thereon for the Old Subſidy aforeſaid, and not according to the Oath or Affirmation of the Importer; any thing in the reſpective Acts, which granted the ſaid Duties, or in any other Act to the contrary notwithſtanding.

No Drawback on Exportation.

IV. And be it declared and enacted by the Authority aforeſaid, That upon the Exportation of any of the ſaid Oyſters ſo imported, within the Time allowed by Law, the Duties paid or ſecured for the ſame at Importation as aforeſaid, ſhall not be drawn back or allowed to the Exporter.

Duties how to be levied.

V. And be it enacted and declared by the Authority aforeſaid, That the ſeveral Subſidies, Impoſitions, and Duties upon the ſaid Oyſters, ſhall be paid or ſecured, and ſhall be raiſed, levied, and collected in ſuch Manner and Form, and by ſuch Ways and Means, and under ſuch Penalties and Forfeitures, and with ſuch Diſcounts and Allowances, as are mentioned and expreſſed in the ſeveral Acts of Parliament which granted or continued the ſame reſpectively; and all Powers, Penalties, Proviſions, Articles and Clauſes therein contained (except in ſuch Caſes where any Alteration is made by this Act) ſhall continue in full Force and Effect, during the Continuance of the ſaid reſpective Subſidies, Impoſitions, and other Duties, and ſhall be applied, practiſed and executed, for the raiſing, levying, collecting, ſecuring, anſwering, paying, and appropriating the ſaid reſpective Subſidies, Impoſitions, and other Duties, according to the true Intent and Meaning of this preſent Act, as fully and effectually to all Intents and Purpoſes, as if the ſaid Clauſes, Matters and Things had been repeated and enacted in the Body of this preſent Act; any Law or other Matter or Thing to the contrary notwithſtanding.

CAP. XXXI.

An Act for regulating the Company of Watermen, Wherrymen and Lightermen rowing on the River *Thames*, between *Graveſend* in the County of *Kent*, and *Windſor* in the County of *Berks*.

Preamble, reciting the Act 2 & 3 P. & M. c. 16.

'WHEREAS amongſt ſeveral Laws heretofore made, for the better regulating and governing all 'Perſons free of the Company of Watermen and Wherrymen, owning, rowing, or working 'Boats, Barges, and other Craft upon the River of *Thames*, from *Graveſend* in the County of *Kent*, to '*Windſor*

'*Windſor* in the County of *Berks*, there was an Act paſſed in the firſt Year of the Reign of King 'JAMES the Firſt, whereby ſuch Watermen and Wherrymen were reſtrained from taking any Appren- 'tices who were not of the full Age of eighteen Years, unleſs they were the Sons of free Watermen and 'Wherrymen, whom they might retain as their Apprentices at the Age of ſixteen Years: And whereas 'by an Act paſſed in the eleventh and twelfth Years of the Reign of his late Majeſty King WILLIAM 'the Third, for the Explanation and better Execution of former Acts made touching Watermen and 'Wherrymen rowing on the of River *Thames*, and for the better ordering and governing the ſaid Wa- 'Watermen, Wherrymen and Lightermen upon the ſaid River between *Graveſend* and *Windſor*, the 'ſaid Wherrymen, Watermen and Lightermen were made one Company, and were impowered to make 'reaſonable and lawful Rules, Orders and Conſtitutions for their Government; and in purſuance there- 'of an Order was made, That no Waterman ſhall have any more than one Apprentice at one Time, 'nor ſhall be capable of taking any Apprentice, until ſuch Maſter hath been a Freeman ſeven Years, 'nor ſhall take a Second Apprentice until his firſt be dead, or the Term expired; and that not any 'Lighterman ſhall take any Apprentice, until he is the real Owner of two Lighters, nor ſhall have any 'more than one Apprentice at one Time: And whereas by an Act paſſed in the fourth Year of the Reign 'of her late Majeſty Queen ANNE, for the better ordering and governing the Watermen and Lighter- 'men upon the River of *Thames*, the ſaid Clauſe in the ſaid Statute of the firſt of King JAMES the 'Firſt, as alſo the ſaid Order, and all and every other Order and Rule made for reſtraining any Water- 'man, Wherryman or Lighterman taking and breeding Apprentices, were repealed and made void, in 'order for the better Increaſe of Seamen for the Service of the Royal Navy: And whereas in conſe- 'quence of the ſaid laſt recited Act ſuch Watermen, Wherrymen and Lightermen are at Liberty to take 'what Number of Apprentices, and at what Age they think fit, though they have not ſufficient Buſi- 'neſs to employ and maintain ſuch Apprentices, nor any Habitation or Place of Abode to retain and 'keep them at, and though ſuch Apprentices are too weak for the Work or Labour required in ſuch 'Occupation, whereby ſuch Apprentices become idle and profligate, and many and great Damages 'have frequently happened and muſt daily happen to Goods and Paſſengers by the Unſkilfulneſs of 'ſuch Apprentices, and the good Intention of the ſaid Act in breeding able and ſufficient Seamen for 'the Royal Navy is eluded; For Remedy whereof be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-ſeven, it ſhall not be lawful for any Perſon whatſoever (although free of the ſaid Company) that now or hereafter ſhall keep, uſe, hire or work any Wherry-boat, Tilt-boat, Barge, or other Veſſel for carrying Paſſengers or Goods for Hire or Gain upon the River of *Thames*, between *Graveſend* and *Windſor* aforeſaid, to bind, take, retain, employ, have or keep, to ſerve him or her to work or row upon the ſaid River, any Perſon as an Apprentice, until ſuch Time as ſuch Perſon ſo to be taken ſhall arrive to be of the full Age of Fourteen Years at the leaſt, and not to exceed the Age of twenty Years, which ſhall be made appear by Certificate ſigned by the Miniſter or Churchwardens for the time being of the Pariſh or Place where ſuch Perſon ſo to be bound was or ſhall be born, or by the Oath of two or more credible Witneſſes, or their Affirmation in caſe they ſhall be of the People called *Quakers*.

1 Jac. 1. c. 16. limiting the Age of Apprentices to be taken by Watermen.

Act 11 & 12 W. 3. c. 21. giving Power to the Company of Watermen to make Rules for their Government.

Purſuant to which an Order made, reſtricting Watermen, &c. in relation to Apprentices.

Act 4 Annæ, c. 13. repealing the Clauſe of 1 Jac. 1. and making void the ſaid Order; and allowing Watermen to take what Number of Apprentices they pleaſed, and at any Age.

Inconveniences reſulting from this Licence.

Commencement of the preſent Act.

No Apprentice to be taken under 14 Years of Age, nor above 20.

II. And be it further enacted by the Authority aforeſaid, That ſuch Apprentice ſhall be bound to his ſaid Maſter or Miſtreſs by Indentures of Apprenticeſhip as uſual in the like Caſes of Apprenticeſhip, and be enrolled in the Book or Rolls of the ſaid Company, to ſerve his ſaid Maſter or Miſtreſs as an Apprentice upon the ſaid River for and during the Space of ſeven Years at the leaſt; upon Pain that every Maſter or Perſon acting contrary hereto ſhall for every ſuch Offence, upon Conviction thereof before the Lord Mayor of the City of *London* for the time being, or before any one or more Juſtice or Juſtices of the Peace for the time being for the ſaid City, or for the County, City, Town Corporate, Liberty or Place, where the Offender ſhall be found, or the Offence ſhall be committed, by the Oath of one or more credible Witneſs or Witneſſes, ſhall for every ſuch Offence forfeit and pay the Sum of ten Pounds of lawful Money of *Great Britain*.

Apprentices to be taken for 7 Years at the leaſt; and to be bound by Indentures as uſual, and enrolled in the Book of the Company; on Penalty of the Maſter's forfeiting 10 l.

III. And be it further enacted by the Authority aforeſaid, That all and every Apprentice or Apprentices, which ſhall hereafter be bound contray to the true Intent and Meaning of this Act, ſhall not thereby obtain any Freedom by ſuch Apprenticeſhip, or be intitled to any the Privileges and Advantages by ſuch Apprenticeſhip, which Watermen, Wherrymen and Lightermen free of the ſaid Company are intitled to; but ſhall be ſubject and liable to pay for every Time he ſhall work, row, or navigate any Boat, Barge, Lighter, or other Veſſel, being thereof convicted in Manner aforeſaid, the Sum of ten Pounds.

Penalty on Apprentices bound contrary to the true Intent of this Act.

IV. Provided nevertheleſs, That no Freeman of the ſaid Company, nor his Widow, ſhall at one and the ſame Time be capable to take and retain more Apprentices than two, nor ſhall take the Second Apprentice till the firſt hath ſerved as an Apprentice for the Space of four Years at the leaſt of his ſaid Apprenticeſhip, under the Penalty of ten Pounds of lawful Money of *Great Britain*.

No more than 2 Apprentices to be taken at one Time; the firſt to have ſerved 4 Years when the ſecond is taken; on Penalty of 10 l.

V. And, to avoid the great Inconveniencies which happen by Wherrymen and ſuch other Watermen and Lightermen as aforeſaid daily taking Apprentices, before ſuch Wherrymen, Watermen or Lightermen are Houſekeepers, or have any ſettled Habitation for themſelves and their Apprentices to lodge in, whereby pilfering and diſorderly Actions are frequently committed; Be it alſo further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Wherryman, Waterman or Lighterman, though a Freeman of the ſaid Company, or his Widow, to take, retain or keep any Perſon as his or her Apprentice, unleſs ſuch Waterman, Wherryman or Lighterman, or the Widow of ſuch Waterman, Wherryman or Lighterman ſhall be the Occupier of ſome Houſe or Tenement wherein to lodge him

No Member of the Company, though a Freeman, to take an Apprentice, till he has a ſettled Habitation to lodge his Apprentice in.

Apprentice to be lodged in the ſame Houſe with his Maſter or Miſtreſs on Pain of forfeiting 10 l.

him or herſelf and his or her Apprentice or Apprentices; and ſuch Waterman, Wherryman or Lighterman, or his or their Widow or Widows, ſhall keep ſuch Apprentice or Apprentices to lodge and lie in the ſame Houſe or Tenement wherein he or ſhe doth lodge or lie, upon Pain that every Maſter or Miſtreſs ſo from time to time acting otherwiſe, and offending againſt this Act, being thereof convicted in Manner aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of ten Pounds of lawful Money of *Great Britain*.

Penalty of 10 l. on producing falſe Certificates.

VI. And, to prevent any Perſon or Perſons producing forged or falſe Certificates; Be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall knowingly and wilfully produce any forged or falſe Certificate, and ſhall be thereof convicted before the Lord Mayor of the ſaid City of *London*, or before any one or more Juſtice or Juſtices of the Peace for the ſaid City for the time being, by the Oath of one or more credible Witneſs or Witneſſes, he, ſhe or they ſhall for every ſuch Offence forfeit and pay the Sum of ten Pounds of lawful Money of *Great Britain*.

Proprietors of 12 Lighters, &c. may take 2 Apprentices at one Time. And Proprietors of 20 may take 4, and no more. Provided ſuch Proprietors make Oath of their owning ſuch Number of Lighters, &c.

VII. Provided nevertheleſs, That any Waterman, Wherryman or Lighterman, being the real Owner or Proprietor of twelve Lighters, Barges or Flat-bottomed Boats in his own Right, may take and retain to his own Uſe and Service two Apprentices at any one Time; and the real Owner or Proprietor of twenty Lighters, Barges or Flat-bottomed Boats in his own Right, may take and retain to his own Uſe and Service four Apprentices, and no more; provided ſuch Owner or Proprietor of ſuch Lighters, Barges, or Flat-bottomed Boats ſhall firſt take an Oath before the ſaid Lord Mayor of the City of *London* for the time being, or before any one or more Juſtice or Juſtices of the Peace for the ſaid City of *London*, the City of *Weſtminſter*, or Counties of *Middleſex*, *Eſſex*, *Surry*, *Kent*, *Bucks*, or *Berks*, (which Oath they are hereby impowered and required to adminiſter) that he or ſhe is *bona fide* the real Owner or Proprietor of the Numbers of Lighters, Barges or Flat-bottomed Boats as aforeſaid, and ſhall produce ſuch Oath ſo taken in Writing, under the Hand and Seal or Hands and Seals of the ſaid Lord Mayor, or one or more Juſtice or Juſtices of the Peace for the ſaid Cities or Counties aforeſaid, to the Rulers and Overſeers of the ſaid Company, or the major Part of them, at any of their publick Courts or Aſſemblies.

Number of Paſſengers limited.

No Tilt-boat, &c. to take more than 37, and 3 by the Way; nor any other Boat more than 8, and 2 by the Way; nor any Ferry-boat on Sundays, more than 8,

VIII. And, for preventing the loſing the Lives of Perſons paſſing on the River *Thames* between *Graveſend* and *Windſor* aforeſaid; Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, it ſhall not be lawful for any Perſon or Perſons, who ſhall work or navigate any Tilt-boat, Row-barge, or any other Boat or Wherry, for Hire or Gain, to receive, take into, or carry in any ſuch Tilt-boat or Row-barge, at one and the ſame Time, any more than thirty-ſeven Paſſengers, and three more Paſſengers only if brought on Board by the Way; nor to receive, take into, or carry in any other Boat or Wherry, any more than eight Paſſengers, and two more only if called in by the Way; nor to receive, take into, or carry in any Ferry-boat or Wherry allowed to work on *Sundays*, any more than eight Paſſengers at one and the ſame Time; and if any Perſon or Perſons, who ſhall work or navigate any ſuch Tilt-boats, Row-barges, Ferry-boats, or other Boats or Wherries, ſhall receive, take into, or carry in any ſuch Tilt-boats, Row-barges, Ferry-boats, or other Boats or Wherries, a greater Number of Paſſengers than what are limited reſpectively as aforeſaid, every ſuch Perſon or Perſons ſo offending, and being thereof convicted by the Oath of one or more credible Witneſs or Witneſſes, or by the Confeſſion of the Party or Parties before the Lord Mayor of the City of *London* for the time being, or one or more Juſtice or Juſtices of the Peace for the City, County, Town Corporate, Liberty, or Place where the Offence ſhall be committed, or the Offender ſhall be found, or on View of any ſuch Juſtice or Juſtices, ſhall for the firſt Offence forfeit the Sum of five Pounds, and for the ſecond Offence forfeit the Sum of ten Pounds; one Moiety of ſuch Forfeitures to go to the Informer, and the other Moiety to ſuch Uſes as the other Penalties and Forfeitures impoſed by this Act are particularly directed to be applied; and every Perſon or Perſons who ſhall offend in the Premiſſes a third Time, ſhall be diſfranchiſed for twelve Months from working, rowing, or navigating any Boat, Wherry, Veſſel or other Craft, and from enjoying any the Privileges, the Members of the ſaid Company of Watermen, Wherrymen and Lightermen are intitled to, and do enjoy; and in caſe any greater Number of Perſons ſhall be received, taken into, or carried in any ſuch Tilt-boats, Row-barges, Ferry-boats, or other Boats or Wherries than are reſpectively allowed to be carried as aforeſaid, and any Paſſenger or Paſſengers ſhall then be drowned, every ſuch Perſon or Perſons who ſhall work or navigate ſuch Tilt-boats, Row-barges, Ferry-boats, or other Boats or Wherries offending therein, and being thereof lawfully convicted, ſhall be deemed guilty of Felony, and ſhall be tranſported as Felons.

on pain of forfeiting for the firſt Offence 5 l. for the ſecond 10 l. for the third to be diſfranchiſed for 12 Months. In caſe any Perſon ſhall be drowned where a greater Number is taken in, the Watermen ſhall be tranſported as Felons.

The Burthen of Tilt-boats and other Boats navigated between London Bridge and Graveſend aſcertained. Penalty of 10 l.

IX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall row, work, or navigate any Tilt-boat which ſhall not be of the Burthen of Fifteen Tons, nor row, work, or navigate any Boat or Wherry which ſhall not be of the Burthen of three Tons, in the Long Ferry between *London Bridge* and *Graveſend*; except ſuch Boat as ſhall be hired by any one Perſon for his own Uſe; upon Pain of forfeiting for every ſuch Offence the Sum of ten Pounds; one Moiety whereof ſhall go to the Informer, and the other Moiety to ſuch Uſes as the other Penalties and Forfeitures impoſed by this Act are particularly directed to be applied.

No Graveſend Wherries with cloſe Decks, or Bails nailed down, to be navigated;

'X. And whereas there have of late Years been worked and navigated in the Long Ferry between 'London Bridge and Graveſend divers Boats and Wherries which have been built in Imitation of Tilt-'boats with cloſe Decks, whereby the Lives of his Majeſty's Subjects have been often in imminent 'Danger, and many Perſons have been drowned;' Therefore to prevent the ſame for the future, be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, it ſhall not be lawful for any Perſon or Perſons whatſoever to row, work, or navigate any Boat or Wherry with a cloſe Deck, commonly called *Graveſend Wherries*, or with Bails

Bails nailed to the ſaid Boats and Wherries, and which are not moveable, for the carrying or recarrying of Paſſengers for Hire or Gain between *London Bridge* and *Graveſend* aforeſaid (Tilt-boats only excepted) upon Pain that every Perſon or Perſons ſo offending, and being thereof convicted in the Manner aforeſaid, ſhall forfeit and pay the Sum of ten Pounds; one Moiety whereof ſhall go to the Informer, and the other Moiety to ſuch Uſes as the other Penalties and Forfeitures impoſed by this Act are particularly directed to be applied.

Tilt-boats excepted; on the Penalty of 10 l.

XI. And be it further enacted by the Authority aforeſaid, That when and as often as any Watermen or Wherrymen rowing in or belonging to ſuch Boat or Boats ſhall wilfully or negligently loſe his or their Tide or Tides, either from *Billingſgate* to *Graveſend*, or from *Graveſend* to *Billingſgate*, by putting on Shore for the taking in of other Paſſenger or Paſſengers than whom they at firſt departed and ſet out with (except as herein is directed) or by waiting or loitering by the Way, by Means whereof the ſaid Paſſengers reſpectively therein ſhall be ſet or landed ſhort by the Space of two Miles or upwards of either of the ſaid Ports or Places to which they are bound, that then and in every ſuch Caſe all and every ſuch Paſſenger or Paſſengers ſhall be, and is and are hereby diſcharged from paying for their ſaid reſpective Paſſages or Voyages; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Watermen loſing their Tide from Billingſgate to Graveſend, &c. Paſſengers diſcharged from paying.

'XII. And whereas many Inconveniencies and Caſualties have frequently happened, and do often 'ariſe and happen, to the endangering of the Lives of his Majeſty's Subjects paſſing and repaſſing by 'Water to and from *London* and *Graveſend* in Tilt-boats and other Boats and Wherries, which are na-'vigated for Hire or Gain, for want of a due Regulation of the Time and Times of Departure of the 'ſaid Tilt-boats and other Boats and Wherries at and from the ſaid reſpective Ports and Places of *Lon-'don* and *Graveſend*, and for want of navigating the ſaid Boats reſpectively with good and able Hands;' Be it therefore further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-ſeven, the Rulers and Overſeers of the ſaid Company of Watermen, Wherrymen, and Lightermen, or the major Part of them, ſhall from time to time appoint two or more proper Officers, who ſhall give their conſtant Attendance, as well by Night as by Day, at every Time of High Water at *London Bridge* and the Firſt of Flood at *Graveſend*; that is to ſay, One or more of ſuch Officers at *Billingſgate*, and one or more of other ſuch Officers at *Graveſend*, who as near as is poſſible at every Time and Times of High Water, and the Firſt of Flood aforeſaid, ſhall publickly ring a Bell at each of the ſaid Places reſpectively, to be provided and hung up for that Purpoſe by the ſaid Rulers and Overſeers or the major Part of them, and to continue ringing of the ſame by the Space and Time of fifteen Minutes, to give Notice to the ſaid reſpective Tilt-boats and other Boats and Wherries who deſign to paſs the ſaid Ferry between *London* and *Graveſend* by that Tide, to put off and ſet forward on their ſaid reſpective Ferries or Voyages, either from *London* to *Graveſend*, or from *Graveſend* to *London*, as the Caſe ſhall be; and if after ringing of ſuch Bell at each of the ſaid Places reſpectively by the Time and Space aforeſaid any ſuch Boat or Boats plying or waiting for Paſſengers, or having Paſſengers on board, or there being and deſigning to paſs the ſaid Ferries, or either of them, with Paſſengers on board, ſhall not immediately depart, and effectually proceed on their ſeveral and reſpective Voyages, without lying by in the River, or putting again on Shore within two Miles of the ſaid reſpective Ports or Places of *Billingſgate* or *Graveſend*, as the Caſe may be, for the taking in of any Goods, Paſſenger or Paſſengers; or if any ſuch Boat or Boats ſhall not be provided with, and during the ſaid whole Ferry or Voyage be navigated by, two ſufficient and able-bodied Men, the younger thereof to be of the Age of eighteen Years at the leaſt; then and in every ſuch Caſe, and ſo as often as the ſame ſhall happen, the Owner and Owners of all and every ſuch Boat and Boats not departing, or lying by, or putting on Shore, or not being provided with, and navigated by, two able and ſufficient bodied Men, as aforeſaid, ſhall forfeit and pay the Sum of five Pounds, being firſt convicted thereof on the Oath of one or more credible Witneſs or Witneſſes, before one or more of his Majeſty's Juſtices of the Peace of the Counties, Cities, Town Corporate, Liberty, or Place where the ſaid Offence or Offences ſhall be committed, or the Offender can be found, to be levied and recovered upon the ſaid Boat or Boats, Wherry or Wherries, Sails, Tilts, and Tackle thereto belonging, and on the Goods and Chattles of all and every the Owners of ſuch Boat or Boats, Wherry or Wherries reſpectively, in ſuch Manner as the other Penalties and Forfeitures to be incurred by this Act are directed to be levied; one Moiety of ſuch Penalties and Forfeitures to go to the Rulers and Overſeers of the ſaid Company of Watermen, Wherrymen, and Lightermen; and the other Moiety thereof to the Informer or Informers who ſhall proſecute for the ſame.

Clauſe regulating the Times of Departure of Tilt-boats, &c. from London and Graveſend.

The Rulers of the Watermens Company to appoint two Officers to attend at Billingſgate at High Water, and at Graveſend at the firſt of Flood; who ſhall ring a Bell to give Notice to the Tilt-boats and Wherries to put off.

If ſuch Wherrymen, &c. do not put off, &c. the Owners of ſuch boats ſhall forfeit 5 l.

XIII. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Overſeers and Rulers of the Company of Watermen, Wherrymen, and Lightermen, or the major Part of them, ſhall neglect or ſet up, to cauſe to be ſet up, ſuch Bell or Bells at the Places aforeſaid (which they are hereby authorized and impowered to do) and to appoint a proper Officer or Officers as aforeſaid, to ring the ſame, within the Space of fourteen Days after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, or ſhall neglect to appoint ſuch proper Perſon or Perſons from time to time thereafter, to ring the ſame; the ſaid Rulers and Overſeers ſhall forfeit and pay the Sum of fifty Pounds, one Moiety whereof ſhall go to the Poor of the Pariſh where ſuch Offence ſhall be committed, and the other Moiety to ſuch Perſon or Perſons who ſhall inform and ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Privilege, Protection, Wager of Law, or more than one Imparlance ſhall be allowed.

Penalty of 50 l. on the Company of Watermen, on Neglect of ſetting up the ſaid Bells, and appointing proper Perſons to ring them.

The ſaid Penalty to go one Half to the Poor, the other to the Informer.

Penalty of 40 s. on such Persons as are appointed to ring the said Bells, for every Neglect.

XIV. And in case any such Officer or Officers so to be appointed as aforesaid, shall neglect to ring such Bell or Bells at the time and times herein directed, he shall forfeit and pay for every such Offence the Sum of forty Shillings, to be levied, recovered and applied in the same Manner as the other Penalties and Forfeitures are by this Act directed to be levied, recovered and applied.

Penalties incurred by this Act how to be recovered.

XV. And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures which shall be incurred and forfeited by virtue of this Act, except such of them as are hereby otherwise directed to be levied and recovered, shall and may be levied and recovered by Distress and Sale of the Offender's Goods and Chattles by Warrant or Warrants under the Hand and Seal or Hands and Seals of the Lord Mayor of the said City of *London*, or one or more Justice or Justices of the Peace for the said City for the time being, or one or more Justice or Justices of the Peace for any County, City, Town Corporate, Liberty or Place where the Offence shall be committed, or the Offender shall be found; and for want of sufficient Distress it shall be lawful to and for the said Lord Mayor of the said City of *London* for the time being, or any one or more Justice or Justices of the Peace for the said City, or for the County, City, Town Corporate, Liberty or Place where the Offence shall be committed, or the Offender shall be found, and he and they are hereby required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to commit such Offender to the next common or publick Workhouse or House of Correction, there to remain without Bail or Mainprize, and to be kept to hard Labour for any Time not exceeding one Month, nor less than fourteen Days: And when the said Penalties and Forfeitures (except such of them as are hereby otherwise directed to be paid and applied) shall be levied or recovered, the same shall be paid to the Rulers and Overseers of the said Company, or the major Part of them, for the time being; and shall be by them paid and distributed to the poor aged and decayed Freemen of the said Company, and their Widows: And all Prosecutions for the said Penalties and Forfeitures shall be commenced within one Month next after the Offence shall be committed, and not afterwards.

Power of Commitment, for want of sufficient Distress.

Penalties, not otherwise directed, how to be applied.

All Prosecutions for Penalties to be commenced in a Month.

The Penalties incurred by this Act may be sued for by the Rulers and Overseers of the Company of Watermen, or any two of them.

XVI. And be it enacted by the Authority aforesaid, That all the Penalties and Forfeitures which shall be incurred or forfeited by virtue of this Act, shall and may be sued and prosecuted for by the Rulers and Overseers of the said Company, or any two of them for the time being.

Proviso in favour of Persons navigating Boats, &c. by virtue of the Act 4 Geo. 2. c. 24.

XVII. Provided always, That nothing herein contained shall extend, or be construed to extend, to hinder or prevent any Person or Persons working or navigating any flat-bottomed Boats or Barges, who are intitled to work and navigate the same by virtue of an Act passed in the fourth Year of his present Majesty's Reign, intituled, *An Act to explain and amend a Clause in an Act passed in the second Year of his Majesty's Reign (for making more effectual several Acts relating to Watermen, Wherrymen, and Lightermen rowing on the River* Thames) *so far as the same relates to Ferry-boats and flat-bottomed Boats*, in such Manner, and to and from such Places, as in and by the said Act is directed and prescribed, nor to subject them, or any of them, to any of the Penalties and Forfeitures by this Act to be imposed.

All Suits commenced in pursuance of this Act, to be prosecuted within 6 Months after the Fact, where to be tried.

Defendants may plead the General Issue.

If a Verdict go against the Plaintiff; if he be nonsuited, &c. the Defendant to have Treble Costs.

XVIII. And be it further enacted by the Authority aforesaid, That if any Suit or Action shall be commenced or prosecuted against any Person or Persons, for any Thing to be done in pursuance of this Act, every such Suit or Action shall be brought and commenced within six Months next after the Fact committed, and not afterwards; and shall be brought and tried in the City of *London*, or Counties of *Middlesex*, *Surrey*, *Essex*, *Kent*, *Bucks*, or *Berks*, and not elsewhere; and the Defendant or Defendants therein may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear to be so done, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall or may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs in any other Cases by Law.

This Act to be deemed a Publick Act.

XIX. And it is hereby further enacted and declared, That this Act shall be deemed and taken to be a Publick Act, and all Judges, Justices, and other Persons, are to take Notice thereof as such in all Courts and Places whatsoever, without specially pleading the same.

CAP.

CAP. XXXII.

An Act for continuing *An Act for the more effectual puniſhing wicked and evil diſpoſed Perſons, going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice*; and for continuing two Clauſes to prevent the cutting or breaking down the Bank of any River, or Sea Bank; and to prevent the malicious cutting of Hop-binds, contained in an Act paſſed in the ſixth Year of his preſent Majeſty's Reign; and for the more effectual Puniſhment of Perſons removing any Materials uſed for ſecuring Marſh or Sea Walls, or Banks, and of Perſons maliciouſly ſetting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal, and of Perſons unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaſes, or beating or wounding Keepers, or other Officers, in Foreſts, Chaſes, or Parks; and for more effectually ſecuring the Breed of Wildfowl.

Preamble, reciting the Acts

'WHEREAS the Laws herein after mentioned, which by Experience have been found uſeful and beneficial, are near expiring;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the more effectual puniſhing wicked and evil-diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice*, which was to continue in Force from the firſt Day of *June* one thouſand ſeven hundred and twenty-three, for the Space of three Years, and from thence to the End of the then next Seſſion of Parliament; and which by an Act made in the twelfth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, was continued from the Expiration thereof for five Years, and from thence to the End of the then next Seſſion of Parliament; and which by a Clauſe in another Act made in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for making perpetual the ſeveral Acts therein mentioned, for the better Regulation of Juries, and for impowering the Juſtices of Seſſion or Aſſizes for the Counties Palatine of* Cheſter, Lancaſter, *and* Durham, *to appoint a ſpecial Jury in Manner therein mentioned; and for continuing the Act for regulating the Manufacture of Cloth in the Weſt Riding of the County of* York (*except a Clauſe therein contained*) *and for continuing an Act for the more effectual puniſhing wicked and evil-diſpoſed Perſons going armed in Diſguiſe, and for other Purpoſes therein mentioned; and to prevent the cutting or breaking down the Bank of any River, or any Sea Bank; and to prevent the malicious cutting Hop-binds; and for continuing an Act in the thirteenth and fourteenth Years of the Reign of King* CHARLES *the Second, for preventing Theft and Rapine on the Northern Borders of* England; *and for reviving and continuing certain Clauſes in two other Acts made for the ſame Purpoſe*; was further continued from the firſt Day of *September* one thouſand ſeven hundred and thirty-three, to the firſt Day of *September* one thouſand ſeven hundred and thirty-ſix, and from thence to the End of the then next Seſſion of Parliament, is near expiring; ſhall be, and is hereby further continued from the Expiration thereof, until the firſt Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, and from thence to the End of the then next Seſſion of Parliament, and no longer.

9 Geo. 1. c. 22.

12 Geo. 1. c. 30.

6 Geo. 2. c. 37.

13 & 14 Car. 2. c. 22.

continued.

'Farther continued by 24 Geo. 2. c. 57.'

and made perpetual by 31 *Geo.* 2. c. 42.

II. And be it further enacted by the Authority aforeſaid, That the Clauſe in the ſaid Act made in the ſaid ſixth Year of the Reign of his preſent Majeſty, which enacts, That if any Perſon or Perſons, during the Continuance of the ſaid Act made in the ſaid ninth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, ſhall unlawfully and maliciouſly break or cut down the Bank or Banks of any River, or any Sea Banks, whereby any Lands ſhall be overflowed or damaged, every ſuch Perſon, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death without Benefit of Clergy; ſhall be and is hereby further continued, during the Continuance of the laſt before mentioned Act.

Clauſes in the Act 6 Geo. 2. c. 37. § 5.

Made perpetual by 31 *Geo.* 2. c. 42.

III. And be it further enacted by the Authority aforeſaid, That another Clauſe in the ſaid Act made in the ſaid ſixth Year of the Reign of his preſent Majeſty, which enacts, That if any Perſon or Perſons, during the Continuance of the ſaid Act made in the ninth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, ſhall unlawfully and maliciouſly cut any Hop-binds, growing on Poles in any Plaintation of Hops, every ſuch Perſon or Perſons, being thereof lawfully convicted, ſhall be guilty of Felony, and ſhall ſuffer Death without Benefit of Clergy; ſhall be, and is hereby further continued, during the Continuance of the before-mentioned Act, intituled, *An Act for the more effectual puniſhing wicked and evil-diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice.*

continued.

Made perpetual by 31 *Geo.* 2. c. 42.

IV. And be it further enacted by the Authority aforeſaid, That all the Proviſions made in the before-mentioned Act of the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, for the more ſpeedy and eaſy bringing the Offenders againſt the ſaid Act to Juſtice, and the Perſons who ſhall conceal, aid, abet, or ſuccour ſuch Offenders, and for making Satisfaction and Amends to all and every the Perſon and Perſons, their Executors and Adminiſtrators, for the Damages they ſhall have ſuſtained

Proviſions of 9 Geo. 1. c. 22. in Force, in caſe of Offence againſt this Act.

or ſuffered by any Offender or Offenders againſt the ſaid Act, and for the Encouragement of Perſons to apprehend and ſecure ſuch Offender and Offenders, and for the better and more impartial Trial of any Indictment or Information which ſhall be found, commenced or proſecuted for any of the Offences committed againſt the ſaid Act, together with all Reſtrictions, Limitations and Mitigations by the ſaid Act directed, ſhall during the Continuance of the ſaid Act extend to and be of Force and Effect in all Caſes of Offences committed by unlawfully and maliciouſly breaking down or cutting down the Bank or Banks of any River, or any Sea Bank, whereby any Lands ſhall be overflowed or damaged, or by unlawfully and maliciouſly cutting any Hop-binds growing on Poles in any Plantation of Hops, or by wilfully and maliciouſly ſetting on Fire, or cauſing to be ſet on Fire, any Mine, Pit, or Delph of Coal, or Cannel Coal.

Made perpetual by 31 Geo. 2. c. 42.

'V. And whereas it frequently happens, that many idle and diſorderly Perſons employed in Fiſh-'ing Boats, and others reſiding near the Sea Coaſts, do unlawfully and maliciouſly cut off, draw 'up, burn and deſtroy the Piles, which are drove into the Marſh, or Sea Walls and Banks, where-'by the Chalk and other Materials uſed for ſecuring the ſaid Walls and Banks fall away, and often-'times take away the ſaid Chalk and other Materials uſed for that Purpoſe, and thereby frequent 'Inundations happen to the Lands lying within the ſaid Walls and Banks, to the great Loſs and 'Damage of the Owners and Occupiers of the ſaid Lands;' For Remedy thereof, be it therefore further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times hereafter unlawfully cut off, draw up, or remove and carry away any Piles, Chalk, or other Materials, which are, or at any Time hereafter ſhall be, driven into the Ground, and uſed for the ſecuring any Marſh, or Sea Walls or Banks, in order to prevent the Lands lying within the ſame from being overflowed and damaged, it ſhall and may be lawful to and for any one or more of his Majeſty's Juſtices of the Peace reſiding near the Place where the ſaid Offence or Offences ſhall be committed, and ſuch Juſtice or Juſtices is and are hereby reſpectively authorized and required, upon Complaint or Information upon Oath of ſuch Offence (which Oath or Oaths ſuch Juſtice or Juſtices is and are hereby impowered to adminiſter) to ſummon the Party or Parties ſo complained of, or to iſſue his or their Warrant or Warrants to apprehend and bring before him or them the Perſon or Perſons ſo accuſed, complained of or ſuſpected; and upon his, her or their Appearance, or Neglect to appear, to proceed to examine the Matter of Fact with which he, ſhe or they are charged, and upon due Proof thereof made, either by Confeſſion of the Party or Parties ſo accuſed, or upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to determine the ſame, and to convict the Offender or Offenders; and every Perſon offending herein, and being thereof convicted as aforeſaid, ſhall forfeit and pay the Sum of twenty Pounds, one Moiety thereof to the Informer, and the other Moiety to the Overſeer of and for the Uſe of the Poor of the Pariſh wherein ſuch Offence ſhall be committed; the ſame to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, together with the Charges of ſuch Diſtreſs and Sale, rendring the Overplus (if any be) to the Owner or Owners thereof; and for want of ſufficient Diſtreſs the ſaid Juſtice or Juſtices are hereby required to commit the Perſon or Perſons convicted as aforeſaid to the Houſe of Correction, there to remain and be kept at hard Labour for the Space of ſix Months.

Piles, Chalk, &c. uſed for the Security of Marſhes, not to be removed,

on Forfeiture of 20 l. to be levied by Diſtreſs,

or Impriſonment for 6 Months.

VI. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, and during the Continuance of the before mentioned Act of the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, if any Perſon or Perſons ſhall wilfully and maliciouſly ſet on Fire, or cauſe to be ſet on Fire, any Mine, Pit, or Delph of Coal or Cannel Coal, every Perſon ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

Perſons ſetting Mines of Coal on Fire to ſuffer Death.

Made perpetual by 31 Geo. 2. c. 42.

'VII. And whereas ſeveral wicked and diſorderly Perſons armed with Fire-arms, Swords, Staves, 'Flails, and other offenſive Weapons, have frequently entred into ſeveral of his Majeſty's Foreſts 'and Chaces, and into the Chaces of ſeveral of his Majeſty's Subjects, and there unlawfully hunted, 'taken and killed great Numbers of Deer, and alſo many Times violently aſſaulted, beat and wound-'ed the Keepers or Officers of ſuch Foreſts, Chaces, and alſo of Parks, to the great Damage and 'Terror of many of his Majeſty's peaceable Subjects: And whereas the ſaid Act of the ninth Year 'of his ſaid late Majeſty hereby intended to be continued, intituled, *An Act for the more effectual 'puniſhing wicked and evil-diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to 'the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to 'juſtice*, does not extend to the unlawful courſing, hunting, taking in Toils, killing, wounding or 'taking away any Red or Fallow Deer fed or kept in open Foreſts or Chaces where Deer are 'uſually kept, but only to ſuch as are incloſed with Pales, Rails or other Fences; and ſuch Offences 'in unincloſed Places are only puniſhable by the Statute made in the third and fourth Years of 'the Reign of their late Majeſties King WILLIAM and Queen MARY, intituled, *An Act for the more 'effectual Diſcovery and Puniſhment of Deer Stealers*, and which inflicts only a pecuniary Penalty for 'ſo doing, whereby ſuch wicked and diſorderly Perſons are the more emboldened to commit ſuch 'Offences therein, and it is become neceſſary to make ſome further Proviſion for the Prevention 'thereof;' Be it therefore enacted by the Authority aforeſaid, That if any Perſon or Perſons who ſhall hereafter be convicted of unlawfully courſing, hunting, taking in Toils, killing, wounding or taking away any Red or Fallow Deer in any open or unincloſed Foreſt or Chace where Deer are uſually kept, ſhall during the Continuance of the ſaid Act of the ninth Year of his late Majeſty, be guilty of a ſecond Offence of the like Nature, and ſhall be thereof lawfully convicted upon Indictment or Information, ſuch Perſon or Perſons ſhall by Judgment of the Court wherein he or they

9 Geo. 1. c. 22.

Perſons convicted a ſecond Time of hunting and taking away of Deer out of unincloſed Foreſts or Chaſes, to be tranſported.

they ſhall be ſo convicted, be tranſported to one of his Majeſty's Plantations in *America* for the Space of ſeven Years, in like Manner as other Offenders may be tranſported by the Laws now in Force; and if ſuch Perſon or Perſons ſhall return into any Part of *Great Britain* or *Ireland* within the ſaid ſeven Years, every ſuch Perſon or Perſons ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy.

Such Offenders how to be tried.

VIII. And to the Intent that ſuch Conviction may be with as little Trouble and Expence as poſſible, Be it further enacted by the Authority aforeſaid, That ſuch Offender or Offenders ſhall and may be tried for every ſuch ſecond Offence as aforeſaid before the Juſtices of Aſſize, *Oyer* and *Terminer*, or Gaol-delivery, of and for that County, City or Place where ſuch ſecond Offence ſhall be ſo done and committed; and that the Juſtice or Juſtices of the Peace before whom ſuch Offender or Offenders was or were convicted of ſuch firſt and former Offence, ſhall certify a true Copy of ſuch Conviction under his or their Hands and Seals to the Quarter-Seſſions of the County, wherein ſuch Offence was committed, to be held next after ſuch Conviction had, there to be kept amongſt the Records of ſuch Quarter-Seſſions; and the Clerk of the Peace of ſuch County ſhall at the Requeſt of the Proſecutor or any other in his Majeſty's Behalf certify a Tranſcript under his Hand and Seal, briefly and in few Words containing the Effect and Tenor of the firſt and former Conviction of ſuch Offender or Offenders, which Certificate being produced in Court, ſhall be a ſufficient Proof that ſuch Offender or Offenders hath or have been before convicted of and for ſuch firſt and former Offence.

Perſons armed coming into a Foreſt with an Intention to ſteal Deer, and beating and wounding the Keepers, to be tranſported.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons armed as aforeſaid ſhall, at any Time after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſeven, and during the Continuance of the ſaid laſt mentioned Act of the ninth Year of his late Majeſty, come into any Foreſt, Chaſe or Park, wherein Deer are uſually kept (be the ſame incloſed or not incloſed) with an Intent to courſe, hunt, take in Toils, kill, wound or take away any Red or Fallow Deer, and ſhall there unlawfully beat or wound any Keeper or Keepers, Page or Pages of any ſuch Foreſt, Chace or Park, where Deer are uſually kept, their Servants or Aſſiſtants, in the Execution of his or their Office or Offices, and be thereof lawfully convicted; every ſuch Perſon or Perſons ſhall be tranſported to one of his Majeſty's Plantations in *America* for the Space of ſeven Years, in like Manner as other Offenders may be tranſported by the Laws now in Force; and if ſuch Perſon or Perſons ſhall return into any Part of *Great Britain* or *Ireland* within the ſaid ſeven Years, every ſuch Perſon and Perſons ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy.

Made perpetually 31 Geo. 2. c. 42.

Act 9 Annæ, c. 25.

'X. And whereas by an Act of Parliament paſſed in the ninth Year of the Reign of her late 'Majeſty Queen ANNE, intituled, *An Act for making an Act of the fifth Year of her Majeſty's Reign, 'for the better Preſervation of the Game, perpetual, and for making the ſame more effectual*, it is enact-'ed, That if any Perſon, between the firſt Day of *July* and firſt Day of *September* in any Year, 'ſhall by Hays, Tunnels or other Nets, drive and take any Wild Duck, Teal, Widgeon, or any 'other Water Fowl, in any Places of Reſort for Wild Fowl, in the Moulting Seaſon, the Offen-'der being convicted thereof before one Juſtice of the Peace where the Offence ſhall be committed, 'and by the Oath of one credible Witneſs, ſhall forfeit five Shillings for every ſuch Fowl ſo taken, 'one Moiety to the Informer, the other to the Poor of the Pariſh where the Offence was done, to 'be levied by a Warrant of the Juſtice of the Peace before whom the Offender was convicted, by 'Diſtreſs and Sale of his Goods, and for want of Diſtreſs to be committed to the Houſe of Cor-'rection for any Time not exceeding one Month, nor leſs than fourteen Days, there to be whipt 'and kept to hard Labour; and the Juſtice of the Peace ſhall cauſe ſuch Hays and Nets to be ſeiz-'ed and immediately deſtroyed in his Preſence: And whereas the ſaid Act hath been found by Ex-'perience to be ineffectual, by reaſon that the Wild Fowl begin to moult before the Firſt of *July*, 'and have not done moulting by the firſt of *September*, ſo that great Numbers of Wild Fowl 'are yearly deſtroyed contrary to the true Intent and Meaning of the ſaid Act;' Therefore for Remedy thereof, be it enacted by the Authority aforeſaid, That if any Perſon ſhall, in any Year between the firſt Day of *June* and the firſt Day of *October*, by Hays, Tunnels or other Nets, drive and take any Wild Duck, Teal, Widgeon, or any other Water Fowl, in any Marſhes, Fens, or other Places of Reſort for Wild Fowl, and ſhall be thereof convicted in ſuch Manner as in the ſaid Act of the ninth Year of her late Majeſty Queen ANNE is preſcribed, he ſhall be liable to the ſame Penalties to be levied in like Manner, as by virtue of the ſaid Act he would be liable to, if ſuch Offence was committed between the firſt Day of *July* and the firſt Day of *September*, and for want of Diſtreſs be committed to the Houſe of Correction, and there puniſhed as by the ſaid Act is directed.

Penalty on taking Wild Fowl in Nets in the Moulting Seaſon.

Farther Proviſions relating hereto, 26 Geo. 2. c. 2. 28 Geo. 2. c. 12.

CAP. XXXIII.

An Act for making navigable the River *Rodon*, from a little below a Mill called *Barking Mill* in the County of *Eſſex*, to *Illford* Bridge in the ſaid County. PR.

'WHEREAS the River *Rodon*, running from *Great Illford* in the County of *Eſſex* to *Barking* 'in the ſame County, was till lately wholly unpaſſable for any Boats, Lighters or other Veſ-'ſels, fit to carry any Goods or Merchandizes from *Great Illford* to *Barking* aforeſaid: And where-'as by one Indenture, bearing Date on or about the twenty-ſecond Day of *May* one thouſand ſeven 'hundred and thirty-ſix, and made or mentioned to be made between ſeveral of the Land Owners 'on each Side of the ſaid River *Rodon* and the Owners or Leſſees of the Mill thereupon at *Barking* aforeſaid

'aforeſaid of the one Part, and *Joſeph Goodman* of the Precinct of Saint *Catharine's* near the *Tower*, in 'the County of *Middleſex* Eſquire, of the other Part, reciting amongſt other Things, that the clearing 'and effecting a Paſſage for flat-bottomed Boats, Barges, and other ſmall Boats and Veſſels upon the 'ſaid River, from *Barking* aforeſaid to *Great Illford* aforeſaid, would be very beneficial to *Great Illford* 'aforeſaid, and to ſuch Part of the ſaid County of *Eſſex* as was near or adjacent thereunto, and would 'be very convenient for the Carriage of Corn, Coals and other Goods and Merchandizes to and from '*Great Illford* aforeſaid and Parts adjacent, and to and from *London* and other Parts, as likewiſe for the 'Carriage of Chalk and other Manure for improving the Lands in and near *Great Illford* aforeſaid, 'and the ſaid Parts adjacent thereunto; and reciting further that the ſaid *Joſeph Goodman* did propoſe 'at his own proper Coſts and Charges to make the ſaid River navigable from *Barking* aforeſaid to *Great* '*Illford* aforeſaid; it is witneſſed by the ſaid Indenture, that the ſaid ſeveral Land Owners, according 'to their reſpective Eſtates and Intereſts, did covenant with the ſaid *Joſeph Goodman*, that they would 'from time to time and at all Times from thenceforth permit him the ſaid *Joſeph Goodman*, his Heirs, 'and Aſſigns, with Workmen and others neceſſary for that Purpoſe, to come upon their Lands and 'Hereditaments reſpectively, for the clearing and cleanſing the ſaid River, in order to make the ſame 'navigable, and for removing any Impediments that might be in the ſaid River to hinder the Naviga-'tion thereof; and ſuch of the ſaid Land Owners as had an Inheritance in Fee-ſimple in their ſaid 'Lands and Hereditaments did thereby further give and grant unto the ſaid *Joſeph Goodman* full Power 'and Authority to dig down or cut away any Part of the ſaid Lands and Hereditaments belonging to 'them, not exceeding thirty Feet in Breadth at any one Place, in Order to enlarge the ſaid River for 'the more eaſy making the ſame navigable: And he the ſaid *Joſeph Goodman* did thereby covenant and 'agree with the ſaid Land Owners, their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, 'from time to time to make Satisfaction to the ſaid Land Owners, their Heirs, Executors, Adminiſtra-'tors and Aſſigns reſpectively, for all Damages which ſhould accrue to them or their ſaid Lands and 'Hereditaments, by reaſon of ſuch coming upon, or ſuch digging down or cutting away the ſame as 'aforeſaid, to be aſcertained in Manner therein mentioned, or in Default thereof to be recovered by 'Action: And whereas the ſaid *Joſeph Goodman* did ſoon after the making of the ſaid Indenture begin 'to make the ſaid River navigable from *Barking* to *Great Illford* aforeſaid, for Flat-bottom Boats, 'Barges and other ſmall Boats and Veſſels, as herein before mentioned, and hath ſince made ſo con-'ſiderable a Progreſs therein, that the ſame is almoſt compleated, and is willing at the ſole Charge and 'Expence of him the ſaid *Joſeph Goodman*, his Heirs and Aſſigns, fully to finiſh and perfect the ſame as 'ſoon as may be: And whereas ſeveral Eſtates and Intereſts in all or the greateſt Part of the ſaid Lands 'and Hereditaments lying within or on each Side of the ſaid River are limited to Perſons not in being, 'or to Infants or Feme-coverts, or are under ſome Entail or Settlement, by reaſon whereof ſuch Perſons 'will not be bound by the Covenants in the ſaid Indenture: And whereas the ſaid *Joſeph Goodman*, and 'the ſaid ſeveral other Parties to the ſaid Indenture who had executed the ſame, being fully ſenſible 'thereof, have agreed that the ſaid Indenture ſhould be of no Force or Effect, from and after the 'paſſing of an Act of Parliament relating to the Premiſſes, except only as to ſuch Acts, Matters and 'Things as have been done before the making thereof: And whereas the Liberty of coming upon the 'ſaid Lands and Hereditaments for removing any Impediments or Obſtructions in the ſaid River, in 'order to make the Navigation thereof ſafe and eaſy, will be precarious, and cannot be ſecured to the 'ſaid *Joſeph Goodman*, his Heirs and Aſſigns, without the Aid of an Act of Parliament: And whereas 'the making Rivers navigable is a Means to advance Trade, increaſe Watermen, and is for the Good 'and Advantage of the Publick in general, beſides the particular Benefit which will thereby accrue to 'the Towns or other Parts adjacent or near to ſuch Rivers;' Be it therefore enacted, &c.

"*Joſeph Goodman* impowered to make the ſaid River navigable, making Satisfaction for Damages. Com-"miſſioners appointed for adjuſting Rates and Damages. On Non-appearance of the Parties, the "Commiſſioners may proceed to enquire of the Damage. If the Water be raiſed above its uſual "Height, Satisfaction is to be made for Damage of adjacent Lands. Rates for Conveyance of Goods: "For every Chaldron of Coals, *London* Meaſure, 1 *s.* For every Hundred of Deals, 2 *s.* For every "Load of Timber, fifty Feet to the Load, 2 *s.* For every ten Packs of Wool, ten Tod to the Pack, 2 *s.* "For every Load of Wheat or Barley, five Quarters to the Load, 1 *s.* For every Load of Oats, 9 *d.* "For every Load of Beans and Peaſe, 1 *s.* For every Load of Malt, 1 *s.* For every Ton of other "Goods, 1 *s.* 6 *d.* Proprietors of the Mill may carry Materials for its Repair, and their Corn, Toll-free. "Maſters of Boats, *&c.* reſponſible for Damages. Perſons having Eſtates adjacent to the River, may "keep Pleaſure-boats. Privileges of Fiſhing and Fowling not taken away."

CAP. XXXIV.

An Act to diſable *Alexander Wilſon*, Eſquire, from taking, holding or enjoying any Office or Place of Magiſtracy, in the City of *Edinburgh*, or elſewhere in *Great Britain*; and for impoſing a Fine upon the Corporation of the ſaid City. EXP.

'WHEREAS upon *Tueſday* the ſeventh Day of *September* in the Year of our Lord one thou-'ſand ſeven hundred and thirty-ſix, there was a moſt ſeditious and outrageous Riot in the City 'of *Edinburgh*, in that Part of *Great Britain* called *Scotland*, notoriouſly concerted and carried on by 'great Numbers of wicked, diſorderly and blood-thirſty Perſons, who did with open Force and Violence 'ſeize the Arms of the City Guard, poſſeſs themſelves of the City Gates, and by ſetting fire to and

'breaking

'breaking open the Door of the *Talbooth* of the ſaid City did unlawfully and audaciouſly reſcue and ſet at 'large ſeveral Criminals therein confined: And whereas Captain *John Porteous*, then a Priſoner there 'under Sentence of Death, but graciouſly reprieved by the Queen's moſt Excellent Majeſty, as Guar- 'dian of the Realm, was by the ſaid Rioters in a cruel Manner dragged from the ſaid Priſon, and 'moſt barbarouſly hanged by the Neck and murdered, in manifeſt Violation of the publick Peace, in 'Defiance and Subverſion of legal Government, in high Contempt of our Sovereign Lord the King and 'his Laws, and to the moſt preſumptuous and unparallelled Obſtruction of the Royal Mercy: And 'whereas for ſome Time before the committing of the ſaid Murther and Riot it was commonly re- 'ported in the ſaid City of *Edinburgh*, that ſome ſuch atrocious Fact would be attempted, which by 'proper Care in the Magiſtrates, Citizens and Inhabitants of the ſaid City might have been prevented; 'notwithſtanding which, *Alexander Wilſon* Eſquire, then and now Provoſt of the ſaid City, and then 'actually reſident in the ſaid City, and fully apprized of the ſaid wicked Deſign, did not take any Pre- 'cautions to prevent the ſaid Murther and Riot, nor uſe the proper or neceſſary Means to ſuppreſs the 'ſame, or to preſerve the Peace of the ſaid City, or after the Perpetration of the ſaid Fact, to diſcover, 'apprehend or ſecure the Authors, Actors or Abettors thereof, in manifeſt Violation of the Truſt and 'Duty of his Office of chief Magiſtrate of the ſaid City: Nor were any Means or Endeavours uſed by 'the Citizens and Inhabitants of the ſaid City to prevent or ſuppreſs the ſaid notorious Riot, or to 'hinder the ſaid inhuman and barbarous Murther, or to diſcover the Perſons concerned therein, in order 'to bring them to Juſtice:' Now in order to expreſs the higheſt Deteſtation and Abhorrence of the ſaid Murther and Riot, and to the End that the ſaid enormous Miſbehaviours and Neglects of Duty herein before mentioned may not go unpuniſhed, and that other Perſons may not preſume through Hopes of Impunity to be guilty of the like for the future; Be it enacted, *&c.*

"The Provoſt diſabled from holding any Office of Magiſtracy. A new Provoſt to be choſen. Fine on "the Corporation."

CAP. XXXV.

An Act for the more effectual bringing to Juſtice any Perſons concerned in the barbarous Murther of Captain *John Porteous*, and puniſhing ſuch as ſhall knowingly conceal any of the ſaid Offenders. EXP.

'WHEREAS upon *Tueſday* the ſeventh Day of *September* in the Year of our Lord one thouſand 'ſeven hundred and thirty-ſix, great Numbers of wicked, deſperate and blood-thirſty Perſons of 'moſt deteſtable Principles unlawfully aſſembled within the City of *Edinburgh*, in that Part of *Great Bri- 'tain* called *Scotland*, with open Force and Violence ſeized the Arms of the City Guard, poſſeſſed them- 'ſelves of the City Gates, broke open the Door of the *Talbooth* of the ſaid City, and laid violent Hands 'upon Captain *John Porteous* then a Priſoner there under Sentence of Death, but graciouſly reprieved by 'the Queen's moſt Excellent Majeſty as Guardian of the Realm, and having in a cruel Manner dragged 'him from the ſaid Priſon, hanged him by the Neck, and barbarouſly murthered him, in manifeſt Viola- 'tion of the Publick Peace, in Defiance and Subverſion of legal Government, in high Contempt of our 'Sovereign Lord the King and his Laws, and to the moſt preſumptuous and unparellelled Obſtruction of 'the Royal Mercy: And whereas many of the wicked and deſperate Perſons acting, aiding and aſſiſting 'in committing the ſaid Outrages, Riot and barbarous Murther, have abſconded and fled to avoid their 'being brought to Juſtice: And whereas upon Diſcoveries already made, criminal Letters under the Seal 'of the Court of Juſticiary in that Part of *Great Britain* called *Scotland*, have been raiſed and executed 'againſt ſeveral of the ſaid Perſons; and, upon further Diſcovery, the like Proceſs may be iſſued out of 'the ſaid Court againſt others who have likewiſe withdrawn themſelves;' Be it therefore enacted, *&c.*

"Fugitives not ſurrendering themſelves, to ſuffer Death. Upon their Surrender to be committed. Per- "ſons concealing them to ſuffer Death. This Act to be read every firſt *Sunday* in the Month for one "Year."

CAP. XXXVI.

An Act for enlarging the Term and Powers granted by an Act paſſed in the eighth Year of the Reign of his late Majeſty King GEORGE the Firſt, *For repairing the Highways from the Stones End at* Whitechapel Church, *in the County of* Middleſex, *to* Shenfield, *and to the furthermoſt Part of the Pariſh of* Woodford, *leading to the Town of* Epping, *in the County of* Eſſex; and for repairing the Road leading from the Cauſeway in the Pariſh of *Low Layton* (through *Wanſtead*) to the End of the Pariſh of *Woodford* next to the Pariſh of *Chigwell*, in the ſaid County of *Eſſex*. PR.

The Tolls are farther continued for 21 Years.

CAP. XXXVII.

An Act to prevent the Act made in the twenty-firſt Year of the Reign of King JAMES the Firſt, intituled, *An Act for Limitation of Actions, and for avoiding Suits in Law*, being pleaded, inſiſted on or taken Advantage of, by any Perſons claiming under the laſt Will of *Richard Norton* Eſquire, of *Southwick*, deceaſed, againſt any Claim, Title or Demand which *Thomas Norton* Eſquire, hath to or upon the Manor of *Old Alresford*, and Lands in the County of *Southampton*, ſettled by Indenture of the fifth of *March* one thouſand ſix hundred and fifty-ſeven, or the Rents and Profits thereof. PR.

Anno undecimo GEORGII II.

[a] *Vicesimo quarto* Januar. *Anno Regni, &c. undecimo. Continuat. usque ad et in* Jovis *decimum octav.* Januar. *Anno Regni, &c. duodecimo.* In Recordo.

AT the Parliament begun and holden at *Weſtminſter*, the fourteenth Day of *January*, *Anno Dom.* one thouſand ſeven hundred and thirty-four, [a] in the eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And from thence continued by ſeveral Prorogations to the twenty-fourth Day of *January* 1737, being the Fourth Seſſion of this preſent Parliament.

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-eight. EXP.

CAP. II.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for repairing the Road leading from the *Trent Bridge* in the County of the Town of *Nottingham*, through *Coſtock*, otherwiſe *Cortlingſtock Lane*, to the Bridges commonly known by the Name of *Cotes Bridges*, in the County of *Leiceſter*. PR.

Certain Tolls are granted from 10 *May* 1728, for 21 Years.

CAP. IV.

An Act for laying a Duty of Two Pennies *Scots*, or one ſixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, vended, tapped or ſold within the Town of *Aberbrothock*, and Liberties thereof. PR.

The Duty is granted from 1 *May* 1738, for 25 Years, *&c.*

CAP. V.

An Act for taking down and rebuilding the Church of the Pariſh of *All Saints* in the City of *Worceſter*. PR.

CAP. VI.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, one of the third, and the other of the tenth Year of the Reign of his late Majeſty King GEORGE the Firſt, *For repairing the Highways from that Part of* Counters Bridge *which lies in the Pariſh of* Kenſington, *in the County of* Middleſex, *leading through the Towns of* Brentford *and* Hounſlow, *to the* Powder Mills *in the Road to* Staines, *and to* Cranford Bridge *in the ſaid County*, *in the Road to* Colnbrooke. PR.

The Tolls are farther continued for 21 Years, and to the End of the next Seſſion of Parliament.

CAP. VII.

An Act for continuing the Term and Powers granted and given by the Acts paſſed in the eleventh and twelfth Years of the Reign of King WILLIAM the Third, and in the ninth and tenth Years of the Reign of his late Majeſty King GEORGE, for repairing the Harbour of *Dover* in the County of *Kent*; and for reſtoring the Harbour of *Rye* in the County of *Suſſex*, to its ancient Goodneſs. PR.

Preamble, reciting the Act 9 Geo. 1. c. 30.

11 & 12 W. 3. c. 5.

2 Annæ, c. 7.

WHEREAS an Act of Parliament paſſed in the ninth Year of the Reign of his late Majeſty King GEORGE, intituled, *An Act for compleating the Repairs of the Harbour of* Dover, *in the County of* Kent; *and for reſtoring the Harbour of* Rye *in the County of* Suſſex, *to its ancient Goodneſs*, reciting, That an Act was made in the eleventh and twelfth Years of the Reign of his late Majeſty King WILLIAM the Third, for the Repair of the ſaid Harbour of *Dover*; and that a Duty of three Pence *per* Ton was thereby laid upon all ſuch Ships and Veſſels as are in the ſaid laſt-mentioned Act deſcribed, for raiſing a Sum of Money therein mentioned; which ſaid Duty was to commence from the firſt Day of *May*, which was in the Year of our Lord one thouſand ſeven hundred, and to have Continuance till the firſt Day of *May*, which was in the Year of our Lord one thouſand ſeven hundred and nine; and alſo reciting, That the ſaid laſt-mentioned Act was, by another Act made in the Second Year of the Reign of her late Majeſty Queen ANNE, continued from the thirtieth Day of *April* one thouſand ſeven hundred and nine, until the firſt Day of *May* one thouſand ſeven hundred and eighteen; and likewiſe

'likewiſe reciting, That the ſaid two laſt-mentioned Acts were by another Act made in the fourth Year 4 Geo. 1. c. 13.
'of the Reign of his late Majeſty King GEORGE, further continued from the ſaid firſt Day of *May*
'one thouſand ſeven hundred and eighteen, until the firſt Day of *May* one thouſand ſeven hundred
'and twenty-ſeven; and it was, by the ſaid Act paſſed in the ninth Year of the Reign of his ſaid
'late Majeſty King GEORGE, further recited, That it was found, the ſaid Sum intended to be raiſed
'by the ſaid Act of the eleventh and twelfth Years of his ſaid late Majeſty King WILLIAM the Third,
'was not ſufficient for the Purpoſes of the ſaid former Acts (ſeveral Breaches and unforeſeen Accidents
'having happened by Storms and the Rage of the Sea, and extraordinary Works having been found
'neceſſary to be done for ſecuring the ſaid Harbour of *Dover*) and that unleſs a further Sum was
'raiſed the ſaid Harbour could not be effectually repaired and ſecured according to the Intent of the
'ſaid former Acts, but that the uſeful Works then begun and carried on for the Benefit of the Pub-
'lick, would be wholly loſt, and the ſaid Harbour again fall to decay, and the Town itſelf be in Dan-
'ger of being utterly loſt and deſtroyed; and it was alſo recited by the ſaid Act made in the ninth
'Year of his ſaid late Majeſty King GEORGE, That the ancient Harbour of *Rye* was formerly of great
'Uſe and Benefit to Trade and Navigation, but the ſame was then choaked up and almoſt ruined by
'the ſhifting of the Beach without, and ſettling of the Sullage within, and by ſtopping the Flux of
'the Tide, ſo that for preventing the utter Loſs of the ſaid Harbour of *Rye* it was neceſſary to open
'the ſame, and to let the Tide have free Courſe through certain Places in the ſaid laſt Act mentioned
'near to the ſaid Harbour, or into ſuch other Cut or Channel as ſhould be found moſt proper and
'expedient to reſtore the ſaid Harbour; wherefore, and to the End the Works at *Dover* Harbour
'might be compleated and finiſhed, and the ſame Harbour be effectually repaired and ſecured, and that
'the ſaid Harbour of *Rye* might be repaired and reſtored to its ancient Goodneſs, and ſecured for the
'Benefit of Trade and Navigation, it was by the ſaid laſt-mentioned Act enacted, That the ſaid Acts
'reſpectively made in the eleventh and twelfth Years of the Reign of his late Majeſty King WILLIAM
'the Third, and the ſecond Year of the Reign of her late Majeſty Queen ANNE (for the Repair of *Dover*
'Harbour) and every Clauſe, Matter or Thing in them or either of them contained, and not altered by
'the ſaid Act made in the ninth Year of the Reign of his ſaid late Majeſty King GEORGE, ſhould con-
'tinue and be in full Force and Virtue till the firſt Day of *May*, which ſhall be in the Year of our Lord
'one thouſand ſeven hundred and forty-four, for the Purpoſes in the ſaid former Acts, and the ſaid Act
'of the ninth Year of his ſaid late Majeſty King GEORGE, mentioned; and that the ſaid Duty of three
'Pence *per* Tun granted by the ſaid firſt-recited Act, made in the eleventh and twelfth Years of the
'Reign of his ſaid late Majeſty King WILLIAM the Third, for the Repair of *Dover* Harbour, upon
'all Ships and Veſſels therein deſcribed, ſhould by virtue of the ſaid Act made in the ninth Year of the
'Reign of his ſaid late Majeſty King GEORGE, from the ſaid firſt Day of *May* one thouſand ſeven hun-
'dred and twenty-three, be collected and received in ſuch Manner, and by ſuch Officers and Perſons
'reſpectively, as in and by the ſaid recited Act of the eleventh and twelfth Years of the Reign of his
'ſaid late Majeſty King WILLIAM the Third, was directed and appointed; which ſaid Duty of three
'Pence *per* Tun was by the ſaid Act of the ninth Year of his ſaid late Majeſty King GEORGE, directed
'to be appropriated, divided and paid for the Benefit of the ſaid Harbours of *Dover* and *Rye* reſpective-
'ly, in Manner following; that is to ſay, one third thereof ſhould be paid to the Treaſurer for *Dover*
'Harbour for the time being, to be applied to ſuch Uſes and Purpoſes, as in and by the ſaid former
'Acts are directed; and the other two thirds ſhould be paid to ſuch Perſon as ſhould be appointed
'Treaſurer for the ſaid Harbour of *Rye*: And whereas by another Act paſſed in the tenth Year of 10 Geo. 1. c. 7.
'the Reign of his ſaid late Majeſty King GEORGE, for making more effectual the ſaid Act made in
'the ninth Year of his Reign, for compleating the Repairs of the ſaid Harbour of *Dover*, and for re-
'ſtoring the ſaid Harbour of *Rye* to its ancient Goodneſs, ſo far as the ſame related to the Harbour of
'*Rye*, it was recited, That it was found, that the ſaid Harbour of *Rye* might be made more uſeful and
'commodious, by opening and making a new Cut or Channel from the *Winchelſea* Channel, right out
'to the Sea, than if the Method propoſed by the ſaid recited Act made in the ninth Year of the Reign
'of his ſaid late Majeſty King GEORGE, ſhould be purſued: but it being doubted whether the Powers
'given by the ſaid laſt-mentioned Act did extend to the making any new Cut or Channel elſewhere
'than in the Places deſcribed in the ſaid Act; therefore to explain and amend the ſaid laſt-mentioned
'Act, it is enacted, That the Commiſſioners and the Truſtees for repairing and reſtoring to its ancient
'Goodneſs the ſaid Harbour of *Rye*, and their Succeſſors, or any eleven or more of them, ſhall and may
'erect, or order and cauſe to be done from time to time, all Matters and Things which they ſhall find
'or judge neceſſary for opening or making any new Cut or Channel from *Winchelſea* Water to the Sea,
'and for doing all other Works neceſſary for effecting the Purpoſes of the ſaid Act paſſed in the tenth
'Year of the Reign of his ſaid late Majeſty King GEORGE: And whereas very large Sums of Money
'have been laid out and expended in carrying on the Repairs of both the ſaid Harbours, and great Pro-
'greſs hath been made in ſuch Repairs, but the ſame cannot be finiſhed and compleated, unleſs the
'Term and Powers granted and given in and by the ſaid former Acts be further continued and en-
'larged;' To the end therefore that ſo uſeful and beneficial Works for the Service of Trade and Navi-
gation may be effectually carried on and performed, may it pleaſe Your Majeſty that it may be enact-
ed, *&c.*

"The Act of 9 *Geo.* 1. *c.* 30. continued for 21 Years. The Duties to diſcharge Debts contracted by this *Further continued*
"and the former Acts. Duties aſſignable for Money borrowed." *by* 31 Geo. 2. c. 8.

CAP. VIII.

An Act for continuing the Terms and Powers granted and given by the Acts paſſed in the twelfth and thirteenth Year of the Reign of his late Majeſty King WILLIAM, and the tenth Year of her late Majeſty Queen ANNE, *For recovering, ſecuring and keeping in Repair the Harbour of* Minehead, *in the County of* Somerſet. P R.

Preamble, reciting the Act 12 & 13 W. 3. c. 9.

'WHEREAS by an Act of Parliament made in the twelfth and thirteenth Years of the Reign of his late Majeſty King WILLIAM the Third, intituled, *An Act for recovering, ſecuring and keeping in Repair the Harbour of* Minehead, *for the Benefit and Support of the Navigation and Trade of this Kingdom*; certain Duties (over and beſides the ancient and cuſtomary Duties and Acknowledgments before the paſſing the ſaid Act accuſtomed to be paid to *Tregonwell Lutterell*, Eſquire, and his Anceſtors) were by the ſaid recited Act laid upon ſuch Goods, Merchandizes and Shipping, as are therein particularly mentioned; which Duties were granted to commence from and after the twenty-fourth Day of *June*, which was in the Year of our Lord one thouſand ſeven hundred and one, and to have Continuance for the Term of twenty-one Years, and to the End of the then next Seſſion of Parliament, for building out a new Head, clearing the Beach, and other Works for the ſecuring, preſerving, amending and maintaining the Pier and Harbour of *Minehead*: And whereas, in purſuance of the ſaid Act, a new Head hath been built by the Order of the Truſtees impowered to put the ſaid Act in Execution; but the ſaid whole Duties not being ſufficient to defray the Charge of compleating and finiſhing the ſaid Pier, excluſive of the yearly Expence of repairing what had been done, by reaſon of the great Rage and conſtant flowing of the Sea on the ſame, all the ſaid Rates, Duties and Sums of Money by the ſaid Act laid and granted, were, by another Act made in the tenth Year of the Reign of her late Majeſty Queen ANNE (for prolonging the Term for Payment of the ſaid Duties granted by the ſaid recited Act made in the twelfth and thirteenth Year of his late Majeſty King WILLIAM the Third) further continued, charged upon and made payable for an additional Term of ſixteen Years, to commence from and after the Expiration of the ſaid Term of twenty-one Years ſo granted and given as aforeſaid: And whereas the Money collected by the Duties granted and continued hath been duly laid out for the ſeveral Purpoſes in the ſaid recited Acts mentioned, but the ſame hath proved deficient to defray the Expences thereof; and it being neceſſary to keep the Mouth of the ſaid Harbour clear from the Beach or great Quantities of Stones that are continually forced into it by the Violence of the Sea, whereby the ſame is frequently choaked up, and to carry on other Works in order to ſecure the ſaid Harbour, and to keep the ſame in Repair for the Benefit and Support of the Navigation and Trade of this Kingdom, which cannot be done unleſs the Terms and Powers granted and given by the ſaid former Acts (which will expire on the twenty-fourth Day of *June*, one thouſand ſeven hundred and thirty-eight) be further continued and enlarged:' To the End therefore that the ſaid Works may be compleated and finiſhed, and the Mouth of the ſaid Harbour kept clear of the Beach, and the ſaid Pier be effectually repaired and ſecured for the future, may it pleaſe your Majeſty that it may be enacted, *&c.*

1 Annæ, c. 24.

"The former Acts continued for 40 Years. If the Harbour be not kept in Repair, the Duties to "ceaſe."

CAP. IX.

An Act for the Relief of ſuch Priſoners for Debt as have by unavoidable Accidents loſt the Benefit of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the Relief of Inſolvent Debtors*; and for the Indemnity of ſuch Sheriffs and Gaolers as have incurred any Penalties on Account of ſuch Priſoners not being diſcharged; and for extending the Benefit of the ſaid Act to Creditors, whoſe Debtors were committed to Priſon ſince the firſt Day of *January* one thouſand ſeven hundred and thirty, and were detained there upon the firſt Day of *January* one thouſand ſeven hundred and thirty-ſix, and have choſe to continue there. Sheriffs, *&c.* to make a Liſt of Priſoners, and deliver it to the Seſſions, *&c.* Priſoners intitled to a Diſcharge by the late Debtors Act, to be releaſed by the Juſtices after 24 *June* 1738. Sheriffs, *&c.* Treſpaſſers againſt the former Act indemnified, if they conform to this Act. E X P.

CAP. X.

An Act for enlarging the Term and Powers granted and given by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George*, *For repairing the Roads from* Lemsford Mill, *in the County of* Hertford, *to* Welwyn, *and from thence to* Cory's Mill, *and from* Welwyn, *through* Codicot, *to* Hitchen *in the ſaid County*; and alſo for repairing the Roads from *Cory's Mill* to *Hitchen* aforeſaid. P R.

The Tolls granted by 12 Geo. 1. c. 10. are farther continued for 21 Years, and to the End of the next Seſſion of Parliament.

CAP.

CAP. XI.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees and Lessees. EXP.

CAP. XII.

An Act for continuing of an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Lastage and Ballastage in the River* Thames.

'WHEREAS an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Lastage and Ballastage in the River* Thames, which was to be in Force from the first Day of *June* one thousand seven hunred and thirty-three, for and during the Space of five Years, and from thence to the End of the then next Session of Parliament, is near expiring: And whereas the said Act has been found to be a very useful Law, and to tend greatly to the Preservation of the said River *Thames*, and thereby to promote and encourage the Trade of this Kingdom;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and all and every the Powers, Authorities, Clauses and Provisions therein contained shall be and continue, and the same is and are hereby continued in Force, from and after the Expiration of the Term in the said Act limited as aforesaid, for and during the further Term of seven Years thence next ensuing, and to the End of the then next Session of Parliament, and no longer.

Preamble, reciting the Act 6 Geo. 2. c. 29.

Continuation for 7 Years.

'Farther continued by 18 Geo. 2. c. 21.'

CAP. XIII.

An Act to enlarge the Term and Powers granted by an Act of Parliament made and passed in the third Year of the Reign of his late Majesty King *George*, intituled, *An Act to enable the Parishioners of the Parish of Saint* Mary Rotherhith, *in the County of* Surrey, *by certain funeral Rates therein mentioned, to finish the said Parish Church*, and to enable the said Parishioners to raise such further Sums of Money as shall be necessary for purchasing a convenient Piece of Ground for an additional burial Ground, and for other the Purposes therein mentioned. PR.

CAP. XIV.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and thirty-eight. EXP. 2 s. in the Pound.

CAP. XV.

An Act to empower the Court of Lord Mayor and Aldermen of the City of *London* to set the Price upon all Coals, commonly called *Sea Coals*, imported into the Port of *London* from *Newcastle* and the Ports adjacent thereunto, for the Space of one Year; and to oblige, for the Term therein mentioned, Fitters and others vending and loading Ships with Sea-Coals at *Newcastle* and the Ports adjacent thereunto, to deliver such Coals to any Masters of Ships applying for the same; and for further obliging Buyers and Sellers of Sea-Coals at *Billingsgate* or other Place of Sale within the Bills of Mortality, to sign their Contracts for Coals; and for the Admeasurement of all Carriages whatsoever used in loading Ships with Coals in the Port of *Newcastle* and Members thereunto belonging. "Lord Mayor and Aldermen to set the Price upon all Sea-Coals imported into the Port of *London*, for one Year; who have "Power to call before them all Persons, and examine them as Witnesses, *&c.* Persons selling Coals at "a higher Price to forfeit 36 *s.* for every Chaldron. Persons aggrieved may appeal to the Quarter-Sessions, *&c.* Fitters, *&c.* of Sea-Coals at *Newcastle*, &c. refusing to deliver to Master of Ship, a Loading of Coals, upon his offering Money, *&c.* for them, to forfeit 500 *l.* until 1 *May* 1739." EXP.

'VI. AND whereas by an Act made in the third Year of his present Majesty's Reign, intituled, *An Act for the better Regulation of the Coal Trade*, it was enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and thirty, all Bargains or Contracts for Coals between Buyer and Seller at the Market of *Billingsgate*, or other Place of Sale within the Bills of Mortality, shall by the Crimp or Factor who has the Disposal of such Coals, be fairly entered, with the Conditions thereof, in the Pocket or other Book of such Crimp or Factor, subscribed by the Seller and the Buyer, and witnessed by the said Crimp or Factor; yet, notwithstanding such Act, many of the Buyers and Sellers of Coals have neglected or refused to sign such Contracts in Manner aforesaid;' Therefore be it enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and thirty-eight, if any Buyer or Seller of Coals at *Billingsgate*, or other Place of Sale within the Bills of Mortality, being thereunto required, shall refuse or neglect to sign the Contracts in such Manner as by the said recited Act is directed, that then and in such Case every such Buyer and Seller respectively so refusing or neglecting shall, for every such Offence, forfeit the Sum of fifty Pounds, one Moiety thereof to his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same in any of his Majesty's Courts of Record at *Westminster* within the Space of six Months after such Offence committed.

3 Geo. 2. c. 26.

Buyers and Sellers of Coals at Billingsgate to sign all Contracts made between them, under Penalty of 50 *l.*

VII. And

Master of Ship to produce to his Owner a Copy of such Contract signed by the Crimp or Factor, under Penalty of 50 l.

VII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *June*, every Master of a Ship carrying Coals as aforesaid shall after every respective Voyage made by him produce to his Owner or Owners (when required) a Copy of such Contract or Contracts signed by the Crimp or Factor, in whose Book the said Contract is or shall be entered as aforesaid; and in case of Refusal such Master so refusing shall forfeit and pay the Sum of fifty Pounds, to be recovered and disposed of as aforesaid.

6 & 7 W. 3. c. 10.

'VIII. And whereas by an Act made and passed in the sixth and seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the better Admeasurement of Keels and Keel Boats in the Port of* Newcastle, *and the Members thereunto belonging*, it was enacted, That Commissioners should from time to time be appointed by his then Majesty, his Heirs and Successors, for the admeasuring and marking all and any the Keels, Pan-keels, and Pan-boats, and other Boats, and Wains, and Carts used, or any Time thereafter to be used for the Carriage of Coals in the Port of *Newcastle* upon *Tyne*, *Sunderland* upon the River *Wear*, *Cullercoats*, *Seaton Sluice*, *Blythe Nook*, and all other Places within the Counties of *Northumberland* and *Durham*, and all and every the Members, Havens, Rivers, Creeks, and Places whatsoever, to the said Port of *Newcastle*, and Counties aforesaid belonging, which said Admeasurement should be by a dead Weight of Lead or Iron or otherwise, as should seem meet to the said Commissioners, or any three of them, allowing fifty-three hundred Weight to every Chaldron of Coals; and which said Keels, Boats, Wains, or Carts were thereby directed to be admeasured or marked at the Times and Places, and in Manner therein mentioned: And whereas since the making the said recited Act divers Persons concerned in the Coal Trade have used and employed Waggons, Barrows, and other Carriages, not mentioned, specified or comprized within the Directions of the said Act, whereby divers Frauds, Deceits, and Abuses have arisen, to the great Prejudice and Damage of the Buyers and Sellers of Coals, and the Diminution of his Majesty's Customs;' Wherefore for preventing such Frauds and Abuses for the future, Be it further enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and thirty-eight, it shall and may be lawful to and for the Commissioners appointed or to be appointed by virtue and in pursuance of the said former Act, or any three or more of them, to admeasure, weigh, and mark, or cause to be admeasured, weighed, and marked, all Waggons, Barrows, and all other Carriages whatsoever, used, or hereafter to be used and employed in loading Ships with Coals in the Port of *Newcastle*, and Members thereunto belonging; and that such Admeasurement, Weighing, and Marking shall be made and taken by such Rules and Methods, and at such Places, as in and by the said former Act is directed and appointed concerning the Wains and Carts thereby directed and appointed to be admeasured.

Commissioners appointed by Act of 6 & 7 W. 3. may admeasure, mark, &c. all Waggons, &c. used in loading Ships with Coals.

Publick Act.

IX. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act to all Intents and Purposes, and shall be judicially taken Notice of as such by all Judges, Justices and other Persons whatsoever, without the same being specially pleaded or set forth.

Concerning Coals see further 13 *Geo.* 2. *c.* 21. 14 *Geo.* 2. *c.* 41. 17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. *c.* 15.

CAP. XVI.

An Act for continuing the Duty of Two Pennies *Scots*, or one sixth Part of a Penny *Sterling* on each Pint of Ale and Beer that shall be vended or sold within the Town of *Invernes* and Privileges thereof, for paying the Debts of the said Town, and other Purposes therein mentioned. P R.

The Duty is further continued for 21 Years, and to the End of the next Session of Parliament.

CAP. XVII.

An Act for securing the Estates of Papists conforming to the Protestant Religion, against the Disabilities created by several Acts of Parliament relating to Papists; and for rendring more effectual the several Acts of Parliament made for vesting in the two Universities in that Part of *Great Britain* called *England* the Presentations of Benefices belonging to Papists.

3 *Car.* 1. *c.* 3.
30 *Car.* 2. *st.* 2.
1 *W. & M. st.* 1. *c.* 9, 15, 17, & 26.
11 & 12 *W.* 3. *c.* 4.
12 *Ann. st.* 2. *c.* 14.
1 *Geo.* 1. *st.* 2. *c.* 55.
3 *Geo.* 1. *c.* 18.
9 *Geo.* 1. *c.* 18 & 24.
10 *Geo.* 1. *c.* 4.

'WHEREAS Persons professing or educated in the Popish Religion, are by divers Acts of Parliament subjected to several Disabilities and Incapacities, which may affect Persons conforming from the Popish to the Protestant Religion: And whereas many Persons have already conformed to the Protestant Religion, and are willing to submit to his Majesty's Government in as full an ample Manner as any other of his Majesty's Subjects, and others are likely so to do;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person or Persons being reputed Owner or Owners, or in Possession or Receipt of the Rents and Profits of any Manors, Messuages, Lands, Tenements, or Hereditaments, or of any Interest therein, who having been, or reputed to be a Papist or Papists, or educated in the Popish Religion, hath or have conformed to, or hereafter shall conform to and profess, the Protestant Religion, and hath or have taken, or shall take the Oaths of Allegiance, Supremacy, and Abjuration, and also subscribed, or shall subscribe, the Declarations set down and expressed in an Act of Parliament made in the thirtieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*, to be by him, her, or them repeated and subscribed in the Courts of *Chancery* or *King's*

Owners of any Estate being Papists, on conforming, &c.

King's Bench, or Quarter-Seſſions of the County where ſuch Perſon or Perſons ſhall reſide (all which ſhall be recorded in one of his Majeſty's Courts of Record at *Weſtminſter*, or ſuch Quarter-Seſſions as aforeſaid) and all and every Perſon and Perſons being Proteſtants, claiming under ſuch Perſon or Perſons conforming and performing the Requiſites as aforeſaid, for their own Benefit, or for the Benefit of any other Proteſtant or Proteſtants, and not for the Benefit of any Papiſt or Papiſts, ſhall hold, poſſeſs, and enjoy all ſuch Manors, Meſſuages, Lands, Tenements, and Hereditaments, freed and diſcharged of and from the Diſabilities and Incapacities in the ſaid Acts, or any of them, contained, incurred, or ſuppoſed to be incurred by ſuch Perſon or Perſons ſo reputed Owner or Owners, or in Poſſeſſion or Receipt of the Rents and Profits as aforeſaid, or by any other Perſon or Perſons, by, from, or through whom the Title to ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, or any Intereſt therein, was or ſhall be derived, or ſuppoſed to be derived, for ſuch Eſtate, Right, Title, or Intereſt, as he, ſhe, or they had, or would have had, if no ſuch Diſability or Incapacity had been incurred; unleſs the Perſon or Perſons intitled to take Advantage of ſuch Diſability, Incapacity, or Defect of Title, hath or have actually and *bona fide* recovered, or ſhall hereafter recover, ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, by Judgment or Decree, in ſome Action or Suit already commenced, or hereafter to be commenced, ſix Calendar Months at leaſt before the making of ſuch Record, and to be proſecuted with due Diligence.

and all Proteſtants claiming under them, to poſſeſs ſuch Eſtate, freed of the Diſabilities incurred by ſuch Owners, &c. unleſs the Perſons intitled to take Advantage of ſuch Diſability ſhall recover by Judgment in ſome Action to be commenced within 6 Calendar Months before ſuch Conforming.

II. Provided nevertheleſs, That this Act, or any thing herein contained, ſhall not take away or prejudice the Right of any Perſon or Perſons intitled to take Advantage of ſuch Diſability or Incapacity, who now is or are in the actual Poſſeſſion of, or ſhall have, precedent to the making of ſuch Record, been in quiet Poſſeſſion of any ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, by the Space of two Calendar Months.

Not to prejudice the Right of any Perſon, who ſhall have been in Poſſeſſion 2 Calendar Months.

III. Provided always, and be it further enacted by the Authority aforeſaid, That if any ſuch Perſon or Perſons ſo conforming as aforeſaid, ſhall, after ſuch Conformity, return to, or again profeſs, the Popiſh Religion, every ſuch Perſon and Perſons ſhall for ever afterwards be diſabled from, and be incapable of, having or enjoying any Benefit, Privilege, or Advantage of this Act, and ſhall from thenceforth be liable to the ſame Diſabilities, Incapacities and Forfeitures, as if he, ſhe or they had not taken the ſaid Oaths, and ſubſcribed the Declaration as aforeſaid; any thing herein contained to the contrary notwithſtanding.

Perſons returning to the Popiſh Religion, not to have any Benefit by this Act.

IV. Provided always, That nothing in this Act contained ſhall extend to take away or prejudice the Right of any Perſon intitled to any Remainder or Reverſion in any ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, in caſe ſuch Perſon ſhall purſue his or her ſaid Right by ſome Action or Suit to be commenced within the Space of twelve Calendar Months next after the precedent Eſtate or Eſtates, on which ſuch Remainder or Reverſion depends and is expectant, ſhall be determined; or within twelve Calendar Months, from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-eight, if ſuch precedent Eſtate or Eſtates be already determined by the Death or Deaths of any Perſon or Perſons, whoſe Deaths have been concealed from, or not known to, the Perſon intitled to ſuch Remainder or Reverſion, by reaſon of their having been buried beyond the Seas, or in a private and clandeſtine Manner at Home, and ſhall proſecute ſuch Action or Suit with due Diligence.

This Act not to prejudice the Right of any Perſon intitled to any Reverſion, if purſued within 12 Calendar Months, &c.

'V. And whereas by an Act made in the twelfth Year of the Reign of Queen ANNE, for rendring more effectual an Act made in the third Year of the Reign of King JAMES the Firſt, intituled, *An Act to prevent and avoid Dangers which may grow by Popiſh Recuſants*; and alſo one other Act made in the firſt Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act to veſt in the two Univerſities the Preſentations of Benefices belonging to Papiſts*; it was enacted, That every Papiſt or Perſon making Profeſſion of the Popiſh Religion, and every Child, not being a Proteſtant, under the Age of one and twenty Years, of every ſuch Papiſt or Perſon profeſſing the Popiſh Religion, and every Mortgagee, Truſtee, or Perſon any ways intruſted directly or indirectly, mediately or immediately, by or for any ſuch Papiſt or Perſon making Profeſſion of the Popiſh Religion, or ſuch Child as aforeſaid, whether ſuch Truſt be declared by Writing or not, ſhould be diſabled and made incapable to preſent, collate, or nominate to any Benefice, Prebend, or Eccleſiaſtical Living, School, Hoſpital, or Donative, or to grant any Avoidance of any Benefice, Prebend, or Eccleſiaſtical Living, and that every ſuch Preſentation, Collation, Nomination and Grant, and every Admiſſion, Inſtitution, and Induction to be made thereupon, ſhould be utterly void and of no Effect to all Intents, Conſtructions, and Purpoſes whatſoever; and that in every ſuch Caſe the Chancellor and Scholars of the Univerſity of *Oxford*, and the Chancellor and Scholars of the Univerſity of *Cambridge*, ſhould reſpectively have the Preſentation, Nomination, Collation and Donation of and to every ſuch Benefice, Prebend or Eccleſiaſtical Living, School, Hoſpital, and Donative, ſet, lying and being in the reſpective Counties, Cities, and other Places and Limits in the ſaid Act of the third Year of King JAMES mentioned, as in and by the ſaid Act is directed and appointed in the Caſe of a Popiſh Recuſant Convict: And whereas for the better Diſcovery of all ſecret Truſts and fraudulent Conveyances made by Papiſts or Perſons making Profeſſion of the Popiſh Religion, of their Advowſons and Right of Preſentation, Nomination, and Donation to any Benefices or Eccleſiaſtical Livings, ſeveral Proviſions were made by the ſaid Act of the twelfth Year of the Reign of Queen ANNE, which have been fraudulently evaded by Perſons obtaining from ſuch Papiſts, without a full and valuable Conſideration, Grants of ſuch Advowſons and Right of Preſentation, Nomination, and Donation, upon Confidence only, that ſuch Grantees will, at the Requeſt of ſuch Papiſts, preſent to ſuch Benefices or Eccleſiaſtical Livings, Clerks nominated by ſuch Papiſts, who have been preſented accordingly, contrary to the true Intent and Meaning of the ſaid Acts, and to the great Hurt of the Proteſtant Intereſt of this Kingdom;' Be it

12 Annæ, ſt. 2. c. 14. and 1 W. & M. ſt. 1. c. 26.

Every Grant made after 6 May 1738, of any Eccleſiaſtical Living, &c. by any Papiſt, &c. void,

unleſs made for a valuable Conſideration to a Proteſtant Purchaſer, &c.

it therefore enacted by the Authority aforeſaid, That every Grant to be made from and after the ſixth Day of *May* one thouſand ſeven hundred and thirty-eight, of any Advowſon or Right of Preſentation, Collation, Nomination, or Donation, of and to any Benefice, Prebend, or Eccleſiaſtical Living, School, Hoſpital, or Donative, and every Grant or any Avoidance thereof, by any Papiſt, or Perſon making Profeſſion of the Popiſh Religion, or any Mortgagee, Truſtee, or Perſon any ways intruſted directly or indirectly, mediately or immediately, by or for any ſuch Papiſt or Perſon making Profeſſion of the Popiſh Religion, whether ſuch Truſt be declared by Writing or not, ſhall be null and void, unleſs ſuch Grant ſhall be made *bona fide*, and for a full and valuable Conſideration to and for a Proteſtant Purchaſer or Proteſtant Purchaſers, and meerly and only for the Benefit a of Proteſtant or Proteſtants; and that every ſuch Grantee, or Perſon claiming under any ſuch Grant, ſhall be deemed to be a Truſtee for a Papiſt or Perſon profeſſing the Popiſh Religion as aforeſaid, within the true Intent and Meaning of the ſaid Act; and that all ſuch Grantees, or Perſons claiming under ſuch Grants, and their Preſentees, ſhall be compelled to make ſuch Diſcovery relating to ſuch Grants and Preſentations made thereupon, and by ſuch Methods, as in and by the ſaid Act of the twelfth Year of the Reign of Queen ANNE, are directed in the Caſe of Truſtees of Papiſts or Perſons profeſſing the Popiſh Religion; and that every Deviſe to be made from and after the ſaid ſixth Day of *May* by any Papiſt or Perſon profeſſing the Popiſh Religion, of any ſuch Advowſon or Right of Preſentation, Collation, Nomination, or Donation, or any ſuch Avoidance, with Intent to ſecure the Benefit thereof to the Heirs or Family of ſuch Papiſt or Perſon profeſſing the Popiſh Religion, ſhall be null and void; and that all ſuch Deviſees, and Perſons claiming under ſuch Deviſes, and their Preſentees, ſhall in the like Manner, and by ſuch Methods, be compelled to diſcover, whether to the beſt of their Knowledge and Belief, ſuch Deviſes were not made with the ſaid Intent.

Every Deviſe made of any Eccleſiaſtical Living after 6 May 1738, by a Papiſt, void.

See farther 33 *Geo.* 2. *c.* 13.

CAP. XVIII.

An Act to continue two ſeveral Acts therein mentioned; one for encouraging the Growth of Coffee in his Majeſty's Plantations in *America*, and the other for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*.

Preamble.

'WHEREAS the Laws herein after-mentioned are found to be very uſeful and beneficial to the 'Publick, and are ſo near expiring, that it is fit they ſhould now be continued;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for encouraging the Growth of Coffee in his Majeſty's Plantations in* America, which was to be in Force from the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-five, to the twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-nine, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby continued from the Time therein limited for the Expiration thereof, for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament.

The Act 5 Geo. 2. c. 24. relating to Coffee, continued for 7 Years.
'Farther continued by 25 Geo. 2. c. 35.'
And again by 32 *Geo.* 2. *c.* 23.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in* America, which was to be in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-three, for the Space of five Years, and to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby continued from the Time therein limited for the Expiration thereof, for the further Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament.

The Act 6 Geo. 2. c. 13. relating to Sugar, continued for 7 Years.
'Farther continued by 26 Geo. 2. c. 32.'
And again by 1 *Geo.* 3. *c.* 9.

CAP. XIX.

An Act for the more effectual ſecuring the Payment of Rents, and preventing Frauds by Tenants.

Preamble.

'WHEREAS the ſeveral Laws heretofore made for the better Security of Rents, and to prevent 'Frauds committed by Tenants, have not proved ſufficient to obtain the good Ends and Purpoſes 'deſigned thereby, but rather the fraudulent Practices of Tenants, and the Miſchief intended by the 'ſaid Acts to be prevented, have of late Year, increaſed, to the great Loſs and Damage of their Leſſors 'or Landlords;' For Remedy whereof, may it pleaſe your moſt Excellent Majeſty, that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-eight, in caſe any Tenant or Tenants, Leſſee or Leſſees, for Life or Lives, Term of Years, at Will, Sufferance, or otherwiſe, of any Meſſuages, Lands, Tenements, or Hereditaments, upon the Demiſe or holding whereof any Rent is or ſhall be reſerved, due, or made payable, ſhall fraudulently or clandeſtinely convey away, or carry off or from ſuch Premiſſes, his, her or their Goods or Chattles, to prevent the Landlord or Leſſor, Landlords or Leſſors, from diſtraining the ſame for Arrears of Rent ſo reſerved, due, or made payable; it ſhall and may be lawful to and for every Landlord or Leſſor, Landlords or Leſſors, within that Part of *Great Britain* called *England*, Dominion of *Wales*, or the Town of *Berwick* upon *Tweed*, or any Perſon or Perſons by him, her, or them for that Purpoſe lawfully impowered, within the Space of thirty Days next enſuing ſuch conveying away or carrying off ſuch

Former Proviſions concerning Rents, 32 *H.* 8. *c.* 37. 8 *Ann. c.* 14. 4 *Geo.* 2. *c.* 28.

Landlords may diſtrain and ſell Goods fraudulently carried off the Premiſſes within 30 Days,

ſuch Goods or Chattels as aforeſaid, to take and ſeize ſuch Goods and Chattels, wherever the ſame ſhall be found, as a Diſtreſs for the ſaid Arrears of Rent; and the ſame to ſell, or otherwiſe diſpoſe of, in ſuch Manner as if the ſaid Goods and Chattels had actually been diſtrained by ſuch Leſſor or Landlord, Leſſors or Landlords, in and upon ſuch Premiſſes for ſuch Arrears of Rent; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

unleſs ſold to any Perſon not privy to the Fraud.

II. Provided always, That no Landlord or Leſſor, or other Perſon intitled to ſuch Arrears of Rent, ſhall take or ſeize any ſuch Goods or Chattels as a Diſtreſs for the ſame, which ſhall be ſold *bona fide*, and for a Valuable Conſideration, before ſuch Seizure made, to any Perſon or Perſons not privy to ſuch Fraud as aforeſaid; any thing herein contained to the contrary notwithſtanding.

Penalty on the ſaid Fraud, or aſſiſting thereto.

III. And to deter Tenants from ſuch fraudulent conveying away their Goods and Chattels, and others from wilfully aiding or aſſiſting therein, or concealing the ſame; Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, if any ſuch Tenant or Leſſee ſhall fraudulently remove and convey away his or her Goods or Chattels as aforeſaid, or if any Perſon or Perſons ſhall wilfully and knowingly aid or aſſiſt any ſuch Tenant or Leſſee in ſuch fraudulent conveying away or carrying off of any Part of his or her Goods or Chattels, or in concealing the ſame; all and every Perſon and Perſons ſo offending ſhall forfeit and pay to the Landlord or Landlords, Leſſor or Leſſors, from whoſe Eſtate ſuch Goods and Chattels were fraudulently carried off as aforeſaid, double the Value of the Goods by him, her, or them reſpectively carried off or concealed as aforeſaid; to be recovered by Action of Debt in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Courts of Seſſion in the Counties Palatine of *Cheſter*, *Lancaſter*, or *Durham* reſpectively, or in the Courts of Grand Seſſions in *Wales*; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, nor more than one Imparlance.

If the Goods exceed not the Value of 50 l. Landlords to have Recourſe to 2 Juſtices.

IV. Provided always, and be it enacted by the Authority aforeſaid, That where the Goods and Chattels ſo fraudulently carried off or concealed ſhall not exceed the Value of fifty Pounds, it ſhall and may be lawful for the Landlord or Landlords, from whoſe Eſtate ſuch Goods or Chattels were removed, his, her, or their Bailiff, Servant, or Agent, in his, her or their Behalf, to exhibit a Complaint in Writing againſt ſuch Offender or Offenders, before two or more Juſtices of the Peace of the ſame County, Riding, or Diviſion of ſuch County, reſiding near the Place whence ſuch Goods and Chattels were removed, or near the Place where the ſame were found, not being intereſted in the Lands or Tenements whence ſuch Goods were removed; who may ſummon the Parties concerned, examine the Fact, and all proper Witneſſes, upon Oath, or if any ſuch Witneſs be one of the People called *Quakers*, upon Affirmation required by Law; and in a ſummary Way determine, whether ſuch Perſon or Perſons be guilty of the Offence, with which he or they are charged; and to enquire in like Manner of the Value of the Goods and Chattels by him, her or them reſpectively ſo fraudulently carried off or concealed as aforeſaid; and, upon full Proof of the Offence, by Order under their Hands and Seals, the ſaid Juſtices of Peace may and ſhall adjudge the Offender or Offenders to pay double the Value of the ſaid Goods and Chattels to ſuch Landlord or Landlords, his, her, or their Bailiff, Servant, or Agent, at ſuch Time as the ſaid Juſtices ſhall appoint: And in caſe the Offender or Offenders, having Notice of ſuch Order, ſhall refuſe or neglect ſo to do, may and ſhall, by Warrant under their Hands and Seals, levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders; and for want of ſuch Diſtreſs, may commit the Offender or Offenders to the Houſe of Correction, there to be kept to hard Labour without Bail or Mainprize for the Space of ſix Months, unleſs the Money ſo ordered to be paid as aforeſaid ſhall be ſooner ſatisfied.

Appeal from them to the Quarter-Seſſions.

V. Provided alſo, That it ſhall and may be lawful for any Perſon, who thinks himſelf aggrieved by ſuch Order of the ſaid two Juſtices, to appeal to the Juſtices of Peace at their next General or Quarter Seſſions to be held for the ſame County, Riding or Diviſion of ſuch County, who may and ſhall hear and determine ſuch Appeal, and give ſuch Coſts to either Party as they ſhall think reaſonable, whoſe Determination therein ſhall be final.

The 2 Juſtices Order, on ſuch Appeal, not to be executed.

VI. Provided alſo, That where the Party appealing ſhall enter into a Recognizance with one or two ſufficient Surety or Sureties in double the Sum ſo ordered to be paid, with Condition to appear at ſuch General or Quarter Seſſions, the Order of the ſaid two Juſtices ſhall not be executed againſt him in the mean Time.

Landlords may break open Houſes to ſeize Goods fraudulently ſecured therein;

VII. And be it further enacted by the Authority aforeſaid, That where any Goods or Chattels fraudulently or clandeſtinely conveyed or carried away by any Tenant or Tenants, Leſſee or Leſſees, his, her, or their Servant or Servants, Agent or Agents, or other Perſon or Perſons aiding or aſſiſting therein, ſhall be put, placed, or kept in any Houſe, Barn, Stable, Out-houſe, Yard, Cloſe or Place locked up, faſtened, or otherwiſe ſecured, ſo as to prevent ſuch Goods or Chattels from being taken and ſeized as a Diſtreſs for Arrears of Rent; it ſhall and may be lawful for the Landlord or Landlords, Leſſor or Leſſors, his, her or their Steward, Bailiff, Receiver or other Perſon or Perſons impowered to take and ſeize, as a Diſtreſs for Rent, ſuch Goods and Chattels (firſt calling to his, her, or their Aſſiſtance the Conſtable, Headborough, Borſholder, or other Peace Officer of the Hundred, Borough, Pariſh, Diſtrict or Place, where the ſame ſhall be ſuſpected to be concealed, who are hereby required to aid and aſſiſt therein; and in caſe of a Dwelling-houſe Oath being alſo firſt made before ſome Juſtice of the Peace of a reaſonable Ground to ſuſpect that ſuch Goods or Chattles are therein) in the Day-time, to break open and enter into ſuch Houſe, Barn, Stable, Out-houſe, Yard, Cloſe, and Place, and to take and ſeize ſuch Goods and Chattles for the ſaid Arrears of Rent, as he, the or they might have done by virtue of this or any former Act, if ſuch Goods and Chattels had been put in any open Field or Place.

and may diſtrain Stock or Cattle on the Premiſſes, for Arrears of Rent.

VIII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-eight, it ſhall and may be lawful to and for every Leſſor or Landlord, Leſſors or Landlords, or his, her or their Steward, Bailiff, Receiver, or other Perſon or Perſons impowered by him, her or them, to take and ſeize, as a Diſtreſs for Arrears of Rent, any Cattle or Stock of their reſpective Tenant or Tenants, feeding or depaſturing upon any Common, appendant or appurtenant, or any ways belonging to all or any Part of the Premiſſes demiſed or holden; and alſo to take and ſeize all Sorts of Corn and Graſs, Hops, Roots, Fruits, Pulſe, or other Product whatſoever, which ſhall be growing on any Part of the Eſtates ſo demiſed or holden, as a Diſtreſs for Arrears of Rent; and the ſame to cut, gather, make, cure, carry and lay up, when ripe, in the Barns, or other proper Place on the Premiſſes ſo demiſed or holden; and in caſe there ſhall be no Barn or proper Place on the Premiſſes ſo demiſed or holden, then in any other Barn or proper Place which ſuch Leſſor or Landlord, Leſſors or Landlords ſhall hire or otherwiſe procure for that Purpoſe, and as near as may be to the Premiſſes; and in convenient Time to appraiſe, ſell or otherwiſe diſpoſe of the ſame, towards Satisfaction of the Rent for which ſuch Diſtreſs ſhall have been taken, and of the Charges of ſuch Diſtreſs, Appraiſement and Sale, in the ſame Manner as other Goods and Chattels may be ſeized, diſtrained and diſpoſed of; and the Appraiſement thereof to be taken when cut, gathered, cured, and made, and not before.

Tenants to have Notice of the Place where the Diſtreſs is lodged.

IX. Provided always, That Notice of the Place where the Goods and Chattles ſo diſtrained ſhall be lodged or depoſited, ſhall, within the Space of one Week after the lodging or depoſiting thereof in ſuch Place, be given to ſuch Leſſee or Tenant, or left at the laſt Place of his or her Abode; and that if after any Diſtreſs for Arrears of Rent ſo taken, of Corn, Graſs, Hops, Roots, Fruits, Pulſe, or other Product, which ſhall be growing as aforeſaid, and at any Time before the ſame ſhall be ripe and cut, cured or gathered, the Tenant or Leſſee, his or her Executors, Adminiſtrators or Aſſigns, ſhall pay, or cauſe to be paid to the Leſſor or Landlord, Leſſors or Landlords, for whom ſuch Diſtreſs ſhall be taken, or to the Steward or other Perſon uſually employed to receive the Rent of ſuch Leſſor or Leſſors, Landlord or Landlords, the whole Rent which ſhall be then in Arrear, together with the full Coſts and Charges of making ſuch Diſtreſs, and which ſhall have been occaſioned thereby; that then, and upon ſuch Payment, or lawful Tender thereof actually made, whereby the End of ſuch Diſtreſs will be fully anſwered, the ſame and every Part thereof ſhall ceaſe; and the Corn, Graſs, Hops, Roots, Fruits, Pulſe, or other Product ſo diſtrained, ſhall be delivered up to the Leſſee or Tenant, his or her Executors, Adminiſtrators or Aſſigns; any Thing herein before contained to the contrary notwithſtanding.

Diſtreſs of Corn, &c. to ceaſe, if Rent be paid before it be cut.

'X. And whereas great Difficulties and Inconveniencies frequently ariſe to Landlords and Leſſors 'and other Perſons taking Diſtreſſes for Rent, in removing the Goods and Chattels or Stock di-'ſtrained off the Premiſſes, in Caſes where by Law they may not be impounded and ſecured there-'upon; and alſo to the Tenants themſelves many Times, by the Damage unavoidably done to ſuch 'Goods and Chattles, or Stock, in the Removal thereof;' Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, it ſhall and may be lawful to and for any Perſon or Perſons lawfully taking any Diſtreſs for any Kind of Rent, to impound, or otherwiſe ſecure the Diſtreſs ſo made, of what Nature or Kind ſoever it may be, in ſuch Place, or on ſuch Part of the Premiſſes chargeable with the Rent, as ſhall be moſt fit and convenient for the impounding and ſecuring ſuch Diſtreſs; and to appraiſe, ſell and diſpoſe of the ſame upon the Premiſſes, in like Manner, and under the like Directions and Reſtraints to all Intents and Purpoſes, as any Perſon taking a Diſtreſs for Rent may now do off the Premiſſes, by virtue of an Act made in the ſecond Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for enabling the Sale of Goods diſtrained for Rent, in caſe the Rent be not paid in a reaſonable Time*; or of one other Act made in the fourth Year of his preſent Majeſty, intituled, *An Act for the more effectual preventing Frauds committed by Tenants, and for the more eaſy Recovery of Rents, and Renewal of Leaſes*; and that it ſhall and may be lawful to and for any Perſon or Perſons whatſoever, to come and go to and from ſuch Place or Part of the ſaid Premiſſes, where any Diſtreſs for Rent ſhall be impounded and ſecured as aforeſaid, in order to view, appraiſe and buy, and alſo in order to carry off or remove the ſame, on account of the Purchaſer thereof; and that if any Pound-breach or Reſcous ſhall be made of any Goods and Chattels, or Stock diſtrained for Rent, and impounded or otherwiſe ſecured by virtue of this Act, the Perſon or Perſons aggrieved thereby ſhall have the like Remedy, as in Caſes of Pound-breach or Reſcous is given and provided by the ſaid Statute.

Diſtreſſes may be ſecured, and ſold on the Premiſſes.

2 W. & M. c. 5.

4 Geo. 2. c. 28.

'XI. And whereas the Poſſeſſion of Eſtates in Lands, Tenements and Hereditaments is rendered 'very precarious by the frequent and fraudulent Practice of Tenants, in attorning to Strangers, who 'claim Title to the Eſtates of their reſpective Landlord or Landlords, Leſſor or Leſſors, who by that 'Means are turned out of Poſſeſſion of their reſpective Eſtates, and put to the Difficulty and Expence 'of recovering the Poſſeſſion thereof by Actions or Suits at Law;' For Remedy thereof, be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-eight, all and every ſuch Attornment and Attornments of any Tenant or Tenants of any Meſſuages, Lands, Tenements or Hereditaments, within that Part of *Great Britain* called *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, ſhall be abſolutely null and void to all Intents and Purpoſes whatſoever; and the Poſſeſſion of their reſpective Landlord or Landlords, Leſſor or Leſſors, ſhall not be deemed or conſtrued to be any wiſe changed, altered or affected by any ſuch Attornment or Attornments: Provided always, That

Attornment of Tenants, void.

That nothing herein contained ſhall extend to vacate or affect any Attornment made purſuant to and in conſequence of ſome Judgment at Law, or Decree or Order of a Court of Equity, or made with the Privity and Conſent of the Landlord or Landlords, Leſſor or Leſſors, or to any Mortgagee after the Mortgage is become forfeited. Exception.

'XII. And whereas great Inconveniencies have frequently happened to Landlords by their Tenants 'ſecreting Declarations in Ejectment, which have been delivered to them, or by refuſing to appear 'to ſuch Ejectments, or to ſuffer their Landlords to take upon them the Defence thereof;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, every Tenant, to whom any Declaration in Ejectment ſhall be delivered for any Lands, Tenements or Hereditaments, in that Part of *Great Britain* called *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, ſhall forthwith give Notice thereof to his or her Landlord or Landlords, or his, her or their Bailiff or Receiver, under Penalty of forfeiting the Value of three Years improved or Rack Rent of the Premiſſes ſo demiſed or holden in the Poſſeſſion of ſuch Tenant, to the Perſon of whom he or ſhe holds; to be recovered by Action of Debt to be brought in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Counties Palatine of *Cheſter*, *Lancaſter* and *Durham* reſpectively, or in the Courts of Grand-ſeſſions in *Wales*; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor any more than one Imparlance. Againſt Tenants ſecreting Ejectments.

XIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Court where ſuch Ejectment ſhall be brought, to ſuffer the Landlord or Landlords to make him, her or themſelves Defendant or Defendants, by joining with the Tenant or Tenants, to whom ſuch Declaration in Ejectment ſhall be delivered, in caſe he or they ſhall appear; but in caſe ſuch Tenant or Tenants ſhall refuſe or neglect to appear, Judgment ſhall be ſigned againſt the caſual Ejector for want of ſuch Appearance; but if the Landlord or Landlords of any Part of the Lands, Tenements or Hereditaments, for which ſuch Ejectment was brought, ſhall deſire to appear by himſelf or themſelves, and conſent to enter into the like Rule that by the Courſe of the Court the Tenant in Poſſeſſion in caſe he or ſhe had appeared ought to have done; then the Court where ſuch Ejectment ſhall be brought ſhall and may permit ſuch Landlord or Landlords ſo to do, and order a Stay of Execution upon ſuch Judgment againſt the caſual Ejector, until they ſhall make further Order therein. Landlord impowered to make himſelf Defendant by joining with the Tenant, &c.

XIV. And to obviate ſome Difficulties that many Times occur in the Recovery of Rents, where there Demiſes are not by Deed, Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* it ſhall and may be lawful to and for the Landlord or Landlords, where the Agreement is not by Deed, to recover a reaſonable Satisfaction for the Lands, Tenements or Hereditaments, held or occupied by the Defendant or Defendants, in an Action on the Caſe, for the Uſe and Occupation of what was ſo held or enjoyed; and if in Evidence on the Trial of ſuch Action any Parol Demiſe or any Agreement (not being by Deed) whereon a certain Rent was reſerved ſhall appear, the Plaintiff in ſuch Action ſhall not therefore be nonſuited, but may make uſe thereof as an Evidence of the *Quantum* of the Damages to be recovered. Rents how to be recovered, where the Demiſes are not by Deed.

'XV. And whereas where any Leſſor or Landlord, having only an Eſtate for Life in the Lands, 'Tenements or Hereditaments demiſed, happens to die before or on the Day, on which any Rent 'is reſerved, or made payable, ſuch Rent, or any Part thereof, is not by Law recoverable by the 'Executors or Adminiſtrators of ſuch Leſſor or Landlord; nor is the Perſon in Reverſion entitled 'thereto, any other than for the Uſe and Occupation of ſuch Lands, Tenements or Hereditaments, 'from the Death of the Tenant for Life; of which Advantage hath been often taken by the Un'der-tenants, who thereby avoid paying any Thing for the ſame;' For Remedy whereof be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, where any Tenant for Life ſhall happen to die before or on the Day, on which any Rent was reſerved or made payable upon any Demiſe or Leaſe of any Lands, Tenements or Hereditaments, which determined on the Death of ſuch Tenant for Life, that the Executors or Adminiſtrators of ſuch Tenant for Life ſhall and may in an Action on the Caſe recover of and from ſuch Under-tenant or Under-tenants of ſuch Lands, Tenements or Hereditaments, if ſuch Tenant for Life die on the Day on which the ſame was made payable the whole, or if before ſuch Day then a Proportion, of ſuch Rent according to the Time ſuch Tenant for Life lived, of the laſt Year, or Quarter of a Year, or other Time in which the ſaid Rent was growing due as aforeſaid, making all juſt Allowances or a proportionable Part thereof reſpectively. Rents recoverable from Under-tenant, where Tenants for Life die before the Rent is payable.

'XVI. And whereas Landlords are often great Sufferers by Tenants running away in Arrear, and 'not only ſuffering the demiſed Premiſſes to lie uncultivated without any Diſtreſs thereon, whereby 'their Landlords or Leſſors might be ſatisfied for the Rent-arrear, but alſo refuſing to deliver up 'the Poſſeſſion of the demiſed Premiſſes, whereby the Landlords are put to the Expence and De'lay of recovering in Ejectment;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, if any Tenant holding any Lands, Tenemenrs or Hereditaments, at a Rack-rent, or where the Rent reſerved ſhall be full three fourths of the yearly Value of the demiſed Premiſſes, who ſhall be in Arrear for one Year's Rent, ſhall deſert the demiſed Premiſſes, and leave the ſame uncultivated or unoccupied, ſo as no ſufficient Diſtreſs can be had to countervail the Arrears of Rent; it ſhall and may be lawful to and for two or more Juſtices of the Peace of the County, Riding, Diviſion or Place (having no Intereſt in the demiſed Premiſſes) at the Requeſt of the Leſſor or Landlord, Leſſors or Landlords, or his, her or their Bailiff or Receiver, to go upon and view the ſame, and to affix, or cauſe Proviſion for Landlords, where Tenants deſert the Premiſſes.

to be affixed, on the moſt notorious Part of the Premiſſes Notice in Writing, what Day (at the Diſtance of fourteen Days at leaſt) they will return to take a Second View thereof; and if upon ſuch ſecond View the Tenant, or ſome Perſon on his or her Behalf, ſhall not appear, and pay the Rent in Arrear, or there ſhall not be ſufficient Diſtreſs upon the Premiſſes; then the ſaid Juſtices may put the Landlord or Landlords, Leſſor or Leſſors, into the Poſſeſſion of the ſaid demiſed Premiſſes; and the Leaſe thereof to ſuch Tenant, as to any Demiſe therein contained only, ſhall from thenceforth become void.

Tenants may appeal from the Juſtices.

XVII. Provided always, That ſuch Proceedings of the ſaid Juſtices ſhall be examinable in a ſummary Way by the next Juſtice or Juſtices of Aſſize of the reſpective Counties, in which ſuch Lands or Premiſſes lie; and if they lie in the City of *London* or County of *Middleſex*, by the Judges of the Courts of *King's Bench* or *Common Pleas*; and if in the Counties Palatine of *Cheſter*, *Lancaſter* or *Durham*, then before the Judges thereof; and if in *Wales*, then before the Courts of Grand-ſeſſions reſpectively; who are hereby reſpectively impowered to order Reſtitution to be made to ſuch Tenant, together with his or her Expences and Coſts, to be paid by the Leſſor or Landlord, Leſſors or Landlords, if they ſhall ſee Cauſe for the ſame; and in caſe they ſhall affirm the Act of the ſaid Juſtices, to award Coſts not exceeding five Pounds for the frivolous Appeal.

Tenants holding Premiſſes after the Time they notify for quitting them, to pay double Rent.

'XVIII. And whereas great Inconveniencies have happened, and may happen to Landlords, whoſe 'Tenants have Power to determine their Leaſes, by giving Notice to quit the Premiſſes by them 'holden, and yet refuſing to deliver up the Poſſeſſion, when the Landlord hath agreed with an-'other Tenant for the ſame;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, in caſe any Tenant or Tenants ſhall give Notice of his, her or their Intention to quit the Premiſſes by him, her or them holden, at a time mentioned in ſuch Notice, and ſhall not accordingly deliver up the Poſſeſſion thereof at the time in ſuch Notice contained; that then the ſaid Tenant or Tenants, his, her or their Executors or Adminiſtrators, ſhall from thenceforward pay to the Landlord or Landlords, Leſſor or Leſſors, double the Rent or Sum, which he, ſhe or they ſhould otherwiſe have paid; to be levied, ſued for and recovered at the ſame Times, and in the ſame Manner, as the ſingle Rent or Sum before the giving ſuch Notice could be levied, ſued for or recovered; and ſuch double Rent or Sum ſhall continue to be paid, during all the Time ſuch Tenant or Tenants ſhall continue in Poſſeſſion as aforeſaid.

2 W. & M. c. 5.

'XIX. And whereas it hath ſometimes happened, that upon a Diſtreſs made for Rent juſtly due, 'the Directions of the Statute made in the ſecond Year of the Reign of King WILLIAM and Queen 'MARY, intituled, *An Act for enabling the Sale of Goods diſtrained for Rent, in caſe the Rent be not paid 'within a reaſonable Time*, have not been ſtrictly purſued, but through Miſtake or Inadvertency of 'the Landlord or other Perſon intitled to ſuch Rent and diſtraining for the ſame, or of the Bailiff or 'Agent of ſuch Landlord or other Perſon, ſome Irregularity or tortious Act hath been afterwards 'done in the Diſpoſition of the Diſtreſs ſo ſeized or taken, as aforeſaid; for which Irregularity or 'tortious Act the Party diſtraining hath been deemed a Treſpaſſer *ab initio*, and in an Action brought 'againſt him as ſuch the Plaintiff hath been intitled to recover, and has actually recovered, the full 'Value of the Rent, for which ſuch Diſtreſs was taken: And whereas it is a very great Hardſhip 'upon Landlords and other Perſons entitled to Rents, that a Diſtreſs duly made ſhould be thus in 'Effect avoided for any ſubſequent Irregularity;' Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-eight, where any Diſtreſs ſhall be made for any Kind of Rent juſtly due, and any Irregularity or unlawful Act ſhall be afterwards done by the Party or Parties diſtraining, or by his, her or their Agents; the Diſtreſs itſelf ſhall not be therefore deemed to be unlawful, nor the Party or Parties making it be deemed a Treſpaſſer or Treſpaſſers *ab initio*; but the Party or Parties aggrieved by ſuch unlawful Act or Irregularity ſhall or may recover full Satisfaction for the ſpecial Damage he, ſhe or they ſhall have ſuſtained thereby, and no more, in an Action of Treſpaſs or on the Caſe at the Election of the Plaintiff or Plaintiffs: Provided always, That where the Plaintiff or Plaintiffs ſhall recover in ſuch Action, he, ſhe or they ſhall be paid his, her or their full Coſts of Suit, and have all the like Remedies for the ſame as in other Caſes of Coſts.

Diſtreſſes for Rent not unlawful, &c. for any Irregularity in the Diſpoſition of them;

nor Tenants to recover by Action, on Tender of Amends.

XX. Provided nevertheleſs, That no Tenant or Tenants, Leſſee or Leſſees, ſhall recover in any Action for any ſuch unlawful Act or Irregularity as aforeſaid, if Tender of Amends hath been made by the Party or Parties diſtraining, his, her or their Agent or Agents, before ſuch Action brought.

In Actions againſt Perſons intitled to Rents, the Defendants may plead the General Iſſue, &c.

XXI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, in all Actions of Treſpaſs or upon the Caſe to be brought againſt any Perſon or Perſons intitled to Rents or Services of any Kind, his, her or their Bailiff or Receiver, or other Perſon or Perſons, relating to any Entry by virtue of this Act, or otherwiſe, upon the Premiſſes chargeable with ſuch Rents or Services, or to any Diſtreſs or Seizure, Sale or Diſpoſal of any Goods or Chattels thereupon; it ſhall and may be lawful to and for the Defendant or Defendants in ſuch Actions to plead the General Iſſue, and give the ſpecial Matter in Evidence; any Law or Uſage to the contrary notwithſtanding: And in caſe the Plaintiff or Plaintiffs in ſuch Action ſhall become nonſuit, diſcontinue his, her or their Action, or have Judgment againſt him, her or them, the Defendant or Defendants ſhall recover double Coſts of Suit.

'XXII. And whereas great Difficulties often ariſe in making Avowries or Conuzance upon Di-'ſtreſſes for Rent, Quit-rents, Reliefs, Heriots, and other Services;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred

dred and thirty-eight, it ſhall and may be lawful to and for all Defendants in Replevin to avow or make Conuzance generally, that the Plaintiff in Replevin, or other Tenant of the Lands and Tenements whereon ſuch Diſtreſs was made, enjoyed the ſame under a Grant or Demiſe at ſuch a certain Rent, during the Time wherein the Rent diſtrained for incurred, which Rent was then and ſtill remains due; or that the Place where the Diſtreſs was taken was Parcel of ſuch certain Tenements, held of ſuch Honour, Lordſhip or Manor, for which Tenements the Rent, Relief, Heriot or other Service diſtrained for, was at the Time of ſuch Diſtreſs and ſtill remains due; without further ſetting forth the Grant, Tenure, Demiſe or Title of ſuch Landlord or Landlords, Leſſor or Leſſors, Owner or Owners of ſuch Manor; any Law or Uſage to the contrary notwithſtanding: And if the Plaintiff or Plaintiffs in ſuch Action ſhall become nonſuit, diſcontinue his, her or their Action, or have Judgment given againſt him, her or them, the Defendant or Defendants in ſuch Replevin ſhall recover double Coſts of Suit.

Defendants in Replevin to avow, &c. that the Plaintiff held the Premiſſes at a certain Rent, &c.

XXIII. And to prevent vexatious Replevins of Diſtreſſes taken for Rent, Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, all Sheriffs, and other Officers having Authority to grant Replevins, may and ſhall in every Replevin of a Diſtreſs for Rent, take in their own Names, from the Plaintiff, and two reſponſible Perſons as Sureties, a Bond in double the Value of the Goods diſtrained (ſuch Value to be aſcertained by the Oath of one or more credible Witneſs or Witneſſes not intereſted in the Goods or Diſtreſs, which Oath the Perſon granting ſuch Replevin is hereby authorized and required to adminiſter) and conditioned for proſecuting the Suit with Effect and without Delay, and for duly returning the Goods and Chattels diſtrained in caſe a Return ſhall be awarded, before any Deliverance be made of the Diſtreſs; and that ſuch Sheriff, or other Officer as aforeſaid, taking any ſuch Bond, ſhall at the Requeſt and Coſts of the Avowant or Perſon making Conuzance aſſign ſuch Bond to the Avowant or Perſon aforeſaid, by indorſing the ſame, and atteſting it under his Hand and Seal in the Preſence of two or more credible Witneſſes; which may be done without any Stamp, provided the Aſſignment ſo indorſed be duly ſtamped before any Action brought thereupon; and if the Bond ſo taken and aſſigned be forfeited, the Avowant, or Perſon making Conuzance, may bring an Action and recover thereupon in his own Name; and the Court where ſuch Action ſhall be brought may by a Rule of the ſame Court give ſuch Relief to the Parties upon ſuch Bond, as may be agreeable to Juſtice and Reaſon; and ſuch Rule ſhall have the Nature and Effect of a Defeazance to ſuch Bond.

To prevent vexatious Replevins.

Replevin Bonds may be aſſigned.

CAP. XX.

An Act for the more effectual ſecuring the Payments of certain Sums of Money directed by an Act made in the forty-third Year of the Reign of Queen ELIZABETH, intituled, *An Act for Relief of the Poor*, to be paid by the reſpective Treaſurers of every County in *England* and *Wales*, for the Relief of the poor Priſoners of the *King's Bench* and *Marſhalſea* Priſons.

'WHEREAS by an Act made in the forty-third Year of the Reign of her late Majeſty Queen ELIZABETH, intituled, *An Act for Relief of the Poor*, a Proviſion is made for raiſing, collecting and paying the ſeveral Sums of Money therein mentioned, for and towards the Relief of the poor Priſoners of the *King's Bench* and *Marſhalſea* Priſons, the good Intent of which Act hath not been anſwered for want of a proper Method to enforce the Payment of the ſaid Money by the Treaſurers of the ſeveral Counties, who are directed by the ſaid Statute to pay the ſame;' For Remedy thereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-eight, every Treaſurer of every County within *England* and *Wales* ſhall on or before the firſt Day of *Trinity Term* yearly and every Year pay over to the Lord Chief Juſtice of *England*, and Knight Marſhal for the Time being, or to ſuch Perſon or Perſons as they ſhall reſpectively appoint, taking their Acquittances for the ſame, or in Default of the ſaid Chief Juſtice to the next moſt ancient Juſtice of the *King's Bench*, the ſeveral and reſpective Sums of Money which ſhall be then due from every ſuch reſpective County, equally to be divided between the Priſoners of the *King's Bench* and *Marſhalſea* Priſons for the charitable Purpoſes in the ſaid Act in that Behalf mentioned.

Preamble, reciting the Act 43 Eliz. c. 2. 22 & 23 *Car.* 2. c. 20. 8 & 9 *W.* 3. c. 27. 11 & 12 *W.* 3. c. 19. 1 *Ann. ſt.* 2. *c.* 6. 5 *Ann. c.* 9. 9 *Geo.* 1. *c.* 28. 11 *Geo.* 1. *c.* 22.

Treaſurers of Counties to pay the Monies to the Lord Chief Juſtice, &c.

II. And be it further enacted by the Authority aforeſaid, That if any ſuch Treaſurer ſhall neglect or refuſe to pay over ſuch reſpective Sums of Money, or any Part thereof, in Manner aforeſaid, that then upon the Report of the ſaid Chief Juſtice, or of the ſaid next moſt ancient Juſtice of the ſaid Court of *King's Bench*, being made, or upon the Certificate of the ſaid Knight Marſhal, or the Certificate or Certificates on Oath of ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, being delivered to the ſaid Court, of ſuch Neglect or Refuſal, it ſhall and may be lawful for the ſaid Court of *King's Bench* to make a Rule on every ſuch Treaſurer ſo neglecting or refuſing as aforeſaid, requiring ſuch Treaſurer to pay the Money ſo reported or certified to be due as aforeſaid; and Obedience to ſuch Rule ſhall and may be enforced by the ſaid Court in ſuch Manner and by ſuch Ways and Means as Rules of the ſaid Court of *King's Bench* are uſually enforced.

or on Refuſal, to be compelled by Rule of King's Bench.

III. And that the ſaid Treaſurers may be the better amenable to the ſaid Court of *King's Bench*; Be it further enacted by the Authority aforeſaid, That every Perſon who now is or hereafter ſhall be elected or appointed Treaſurer of any County in *England* or *Wales*, ſhall, within thirty Days after the

Treaſurers to give in their Names, &c. to the Clerk of the Crown,

the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-eight, or within thirty Days after his Election or Appointment reſpectively into ſuch Office of Treaſurer, tranſmit his Name and Place of Abode to the Clerk of the Crown in his Majeſty's ſaid Court of *King's Bench*, to be by him entred or regiſtred in a Book to be kept for that Purpoſe; for which Entry no Fee or Reward ſhall be taken: And in caſe any ſuch Treaſurer ſhall neglect or refuſe to tranſmit his Name and Place of Abode as aforeſaid; that then, upon the Report of the ſaid Clerk of the Crown made to the ſaid Court of ſuch Neglect or Refuſal, every ſuch Treaſurer ſhall be liable to be proceeded againſt in the ſame Manner as in the Caſe of neglecting or refuſing to pay ſuch Money as aforeſaid.

and to ſtand to the Charge of Rules of the ſaid Court.

IV. And be it further enacted by the Authority aforeſaid, That from time to time, and as often as there ſhall be Occaſion for the ſaid Court of *King's Bench* to make any Rule as aforeſaid on any of the ſaid Treaſurers in purſuance of this Act, the whole Coſt and Charge of making ſuch Rule, and all ſubſequent Charges ariſing therefrom, ſhall be paid by the Treaſurer whoſe Default or Neglect ſhall cauſe the making of ſuch Rule.

Concerning Priſoners, ſee farther 16 *Geo.* 2. *c.* 31.

27 *Geo.* 2. *c.* 3 & 17. 32 *Geo.* 2. *c.* 28.

CAP. XXI.

An Act to impower the preſent Truſtees under the laſt Will and Teſtament of *John Marſhall* Gentleman, deceaſed, to lay out a certain Sum of Money, now in their Hands, for pulling down and rebuilding the Pariſh Church of *Chriſt Church* in the County of *Surrey*, and for incloſing a Piece of Ground lately purchaſed for an additional Church Yard to the ſaid Church. P R.

CAP. XXII.

An Act for puniſhing ſuch Perſons as ſhall do Injuries and Violences to the Perſons or Properties of his Majeſty's Subjects with Intent to hinder the Exportation of Corn.

Preamble.

For former Laws concerning Corn, refer to 1 & 2 *P. & M. c.* 5. 22 *Car.* 2. *c.* 13. 1 *Jac.* 2. *c.* 19. 1 *W. & M. ſ.* 1. *c.* 12 & 34. 11 & 12 *W.* 3. *c.* 20. 12 & 13 *W.* 3. *c.* 10. 5 *Ann. c.* 29. 2 *Geo.* 2. *c.* 18. 5 *Geo.* 2. *c.* 12.

'WHEREAS many diſorderly and evil-minded Perſons have of late frequently aſſembled themſelves in great Numbers, committed great Violences, and done many Injuries to the Perſons and Properties of his Majeſty's Subjects, with Intent to hinder the Exportation of Corn, whereby many of his Majeſty's Subjects have been deterred from buying of Corn and Grain, and following their lawful Buſineſs therein, to their great Loſs and Damage, as well as the great Damage and Prejudice of the Farmers and Landholders of this Kingdom, and of the Nation in general;' For the better preventing ſuch wicked and diſorderly Practices, and more eaſily and effectually bringing ſuch Offenders to condign Puniſhment, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall from and after the four and twentieth Day of *June* one thouſand ſeven hundred and thirty-eight, wilfully and maliciouſly beat, wound or uſe any other Violence to or upon any Perſon or Perſons, with Intent to deter or hinder him or them from buying of Corn or Grain in any Market or other Place within this Kingdom; or ſhall unlawfully ſtop or ſeize upon any Waggon, Cart or other Carriage, or Horſe, loaded with Wheat, Flour, Meal, Malt or other Grain, in or on the Way to or from any City, Market Town, or Sea Port of this Kingdom, and wilfully and maliciouſly break, cut, ſeparate or deſtroy the ſame, or any Part thereof, or the Harneſs of the Horſes drawing the ſame; or ſhall unlawfully take off, drive away, kill or wound any of ſuch Horſes, or unlawfully beat or wound the Driver or Drivers of ſuch Waggon, Cart or other Carriage, or Horſe, ſo loaded, in order to ſtop the ſame; or ſhall, by cutting of the Sacks, or otherwiſe, ſcatter or throw abroad ſuch Wheat, Flour, Meal, Malt or other Grain, or ſhall take or carry away, ſpoil or damage the ſame, or any Part thereof; every and all ſuch Perſon and Perſons being thereof lawfully convicted before any two or more Juſtices of the Peace of the County, Shire, Stewartry, Riding, Diviſion, Town or Place Corporate, wherein ſuch Offence or Offences ſhall be committed, or before the Juſtices of the Peace in open Seſſions (who are hereby authorized and impowered ſummarily and finally to hear and determine the ſame) ſhall be ſent to the Common Gaol, or to the Houſe of Correction, there to continue and be kept to hard Labour for any Time not exceeding the Space of three Months, nor leſs than one Month; and ſhall by the ſame Juſtices be alſo ordered to be once publickly and openly whipped by the Maſter or Keeper of ſuch Gaol or Houſe of Correction, in ſuch City, Market Town or Sea Port, in or near to which ſuch Offence ſhall be committed, on the firſt convenient Market Day, at the Market Croſs or Market Place there, between the Hours of eleven and two of the Clock.

Perſons uſing Violence to hinder the Purchaſe or Carriage of Corn,

to be impriſoned,

and publickly whipped,

Committing the like Offences a ſecond Time,

II. And be it further enacted by the Authority aforeſaid, That if any ſuch Perſon or Perſons ſo convicted ſhall commit any of the Offences aforeſaid a ſecond Time; or if from and after the ſaid four and twentieth Day of *June* one thouſand ſeven hundred and thirty-eight, any Perſon or Perſons ſhall wilfully and maliciouſly pull, throw down, or otherwiſe deſtroy any Storehouſe or Granary, or other Place where Corn ſhall be then kept in order to be exported; or ſhall unlawfully enter any ſuch Storehouſe, Granary or other Place, and take and carry away any Corn, Flour, Meal or Grain therefrom, or ſhall throw abroad or ſpoil the ſame, or any Part thereof; or ſhall unlawfully enter on Board any Ship, Barge, Boat or Veſſel, and ſhall wilfully and maliciouſly take and carry away, caſt or throw out therefrom, or otherwiſe ſpoil or damage, any Meal, Flour, Wheat or Grain therein intended for Exportation; every Perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall be tranſported for the Space of ſeven Years, in like

deſtroying Granaries or the Corn therein,

or in Veſſels, &c.

Felony.

Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm; and if any ſuch Offender ſo tranſported ſhall return into this Kingdom before the Expiration of the ſaid ſeven Years, he or ſhe ſhall ſuffer Death as a Felon without Benefit of Clergy.

III. Provided always, That no Attainder for any Offence made Felony by virtue of this Act ſhall make or work any Corruption of Blood, Loſs of Dower, or Diſinheritance of Heir or Heirs. Proviſoes.

IV. Provided alſo, That no Perſon who ſhall be puniſhed for any Offence by virtue of this Act ſhall be puniſhed for the ſame Offence by virtue of any other Law or Statute whatſoever.

V. And be it further enacted by the Authority aforeſaid, That from and after the four and twentieth Day of *June* one thouſand ſeven hundred and thirty-eight, the Inhabitants of every hundred in that Part of *Great Britain* called *England*, wherein any ſuch Offence as aforeſaid ſhall be committed, ſhall make full Satisfaction and Amends to all and every the Perſon and Perſons, their Executors, and Adminiſtrators, for the Damages they ſhall have ſuſtained or ſuffered by any Injury or Violence done to their Properties by any Offender or Offenders againſt this Act; and that every Perſon and Perſons, who ſhall ſuſtain Damages in their Properties by any of the ſaid Offences, ſhall and are hereby enabled to ſue for and recover ſuch his or their Damages (the Sum to be recovered not exceeding one hundred Pounds) againſt the ſaid Hundred, who by this Act ſhall be made liable to anſwer all or any Part thereof; ſuch Damages to be ſued for, levied and raiſed, in ſuch Manner and Form, and by and under the like Methods and Directions, as are preſcribed and mentioned in Caſes of Actions for Robberies on the Highway, in and by an Act made in the ſeven and twentieth Year of the Reign of Queen ELIZABETH, intituled, *An Act for the following Hue and Cry*, and by one other Act made in the eighth Year or the Reign of his preſent Majeſty, intituled, *An Act for the Amendment of the Laws relating to the Actions on the Statute of Hue and Cry*, except ſo much thereof as relates to giving, leaving or publiſhing Notice, or making freſh Suit and Hue and Cry, or any other Matter otherwiſe provided for by this Act. Satisfaction for ſuch Damages recoverable from the hundred, (not exceeding 100 l.) as in Caſes of Robbery.

VI. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be enabled to recover any Damages by virute of this Act, unleſs he or they by themſelves or by their Servants within two Days after ſuch Damage or Injury done him or them by any ſuch Offender or Offenders as aforeſaid, ſhall give Notice of ſuch Offence done and committed to one of the Conſtables of the Hundred, or to the Conſtable, Borſholder, Headborough or Tythingman of the Town, Pariſh, Village, Hamlet or Tything, in or near which ſuch Fact ſhall be committed; and ſhall, within ten Days after ſuch Notice give in his or their Examinations upon Oath, or the Examination upon Oath of his or their Servants being preſent at the Time of the Fact being committed, or having the Care of ſuch his or their Properties, to which ſuch Damage or Injury ſhall be done, before any Juſtice of the Peace of the County, Liberty or Diviſion, where ſuch Fact ſhall be committed, whether he or they do know the Perſon or Perſons that committed ſuch Fact, or any of them; and if upon ſuch Examination it be confeſſed, that he or they do know the Perſon or Perſons that committed the ſaid Fact, or any of them, that then he or they ſo confeſſing ſhall be bound by Recognizance to proſecute ſuch Offender or Offenders according to this Act, or otherwiſe according to the Laws of the Realm But Notice is to be given within 2 Days after the Fact to a Conſtable; and Examination upon Oath within 10 Days.

VII. Provided alſo, and be it enacted by the Authority aforeſaid, That where any Offence ſhall be committed againſt this Act, and any one of the ſaid Offenders ſhall be apprehended and lawfully convicted of ſuch Offence within the Space of twelve Months after the Offence committed; no Hundred or Franchiſe therein ſhall in any wiſe be ſubject or liable to make any Satisfaction to the Party or Parties injured for the Damages he or they ſhall have ſuſtained; any thing in this Act contained to the contrary notwithſtanding. If any One of the Offenders be convicted within 12 Months, the hundred releaſed.

VIII. Provided alſo, That no Perſon who ſhall ſuſtain any Damage by reaſon of any Offence to be committed by any Offender contrary to this Act, ſhall be enabled hereby to ſue or bring any Action againſt any Hundred where ſuch Offence ſhall be committed, till after the Expiration of one Year; nor unleſs the Party or Parties ſubſtaining ſuch Damage, ſhall commence his, her, or their Action or Suit within two Years next after the Offence ſhall be committed. Actions not to be brought againſt hundreds under 1, or after 2 Years.

Concerning Corn ſee farther

24 *Geo.* 2. *c.* 56. 26 *Geo.* 2. *c.* 15. 30 *Geo.* 2. *c.* 1 & 7. [31 *Geo.* 2. *c.* 1 & 25. 32 *Geo.* 2. *c.* 2 & 8.

CAP. XXIII.

An Act to explain and amend an Act paſſed in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act for rebuilding the Pariſh Church of Saint* Leonard Shoredith *in the County of* Middleſex. P R.

'WHEREAS by an Act of Parliament made and paſſed in the eighth Year of the Reign of his preſent Majeſty, intituled, *An Act for rebuilding the Pariſh Church of Saint* Leonard Shoreditch *in the County of* Middleſex, it is amongſt other Things enacted, That the ſeveral Funeral Rates and Duties mentioned and ſpecified in a certain Indenture, bearing Date the eighth Day of *April* in the Year of our Lord one thouſand ſeven hundred and thirty-five, made between the Vicar of the ſaid Pariſh of the one Part, and the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of the other Part, then intended to be inrolled in the High Court of *Chancery*, ſhould be collected, levied and paid in the ſaid Pariſh, and be veſted in the Truſtees by the ſaid Act appointed, to and for the ſeveral Uſes and Purpoſes therein expreſſed; which Indenture hath been ſince inrolled: And whereas the ſaid receited Act has been or may be conſtrued to extend to the Funeral Rates, Fees, or Duties claimed by the Vicar, Clerk, and Sexton of the ſaid Pariſh, ſuch Fees, Rates, or Duties ſo claimed by them being inſerted in ſuch Indenture, which it was not their Intention ſhould be applied to the Purpoſes of that Act;' May it pleaſe your moſt Excellent Majeſty, that it may be enacted, &c.

The Act 8 Geo. 2. c. 27. not to affect the Vicar, Clerk, or Sexton's Fees, &c.

CAP.

CAP. XXIV.

An Act to amend an Act passed in the twelfth and thirteenth Year of the Reign of King WILLIAM the Third, intituled, *An Act for preventing any Inconveniencies that may happen by Privilege of Parliament.*

Preamble, reciting the Act 12 & 13 W. 3. c. 3.

'WHEREAS for the preventing all Delays the King or his Subjects may receive in any of his 'Courts of Law or Equity, and for their Ease in the Recovery of their Rights and Titles to any 'Lands, Tenements, or Hereditaments, and their Debts, or other Dues, for which they have Cause 'of Suit or Action, an Act was made in the twelfth and thirteenth Year of the Reign of King 'WILLIAM the Third, intituled, *An Act for preventing any Inconveniencies that may happen by Privilege 'of Parliament*; whereby nevertheless the Privilege of Parliaments is restrained only in Actions or Suits 'commenced or prosecuted in the Courts, and for the Causes, therein particularly mentioned: And 'whereas great Inconveniencies may happen to his Majesty, and his Subjects, with respect to their 'Rights and Titles of Lands, Tenements or Hereditaments, and their Debts, or other Dues, for 'which they have Cause of Suit or Action, if the Privilege of Parliament be not restrained upon Ac-'tions or Suits commenced or prosecuted in other Courts within *Great Britain* and *Ireland*;' For Remedy thereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* one thousand seven hundred and thirty-eight, any Person and Persons shall and may commence and prosecute in *Great Britain* or *Ireland* any Action or Suit in any Court of Record, or Court of Equity, or of Admiralty, and in all Causes Matrimonial and Testamentary, in any Court having Cognizance of Causes Matrimonial and Testamentary, against any Peer or Lord of Parliament of *Great Britain*, or against any of the Knights, Citizens and Burgesses of the House of Commons of *Great Britain* for the time being, or against their or any of their menial or other Servants, or any other Person intitled to the Privilege of the Parliament of *Great Britain*, at any Time from and immediately after the Dissolution or Prorogation of any Parliament, until a new Parliament shall meet, or the same be reassembled, and from and immediately after any Adjournment of both Houses of Parliament for above the Space of fourteen Days, until both Houses shall meet or re-assemble; and that the said respective Courts shall and may after such Dissolution, Prorogation, or Adjournment, as aforesaid, proceed to give Judgment, and to make final Orders, Decrees, and Sentences, and award Execution thereupon; any Privilege of Parliament to the contrary notwithstanding.

Persons may prosecute Actions against Members of Parliament, in the Intervals of Session.

Members not liable to be arrested during Privilege. The Courts of Great-Sessions in Wales, and Sessions in Counties Palatine to proceed against Members, as the Courts at Westminster.

II. Provided nevertheless, That this Act shall not extend to subject the Person of any of the Knights, Citizens, and Burgesses of the House of Commons of *Great Britain*, or any other Person intitled to Privilege of Parliament, to be arrested during the Time of Privilege; nevertheless it shall and may be lawful to and for any of the Courts of Great-Sessions in *Wales*, Courts of Session in the Counties Palatine of *Chester*, *Lancaster*, and *Durham*, Courts of *King's Bench*, *Common Pleas*, and *Exchequer* in *Ireland*, after any Dissolution, Prorogation, or such Adjournment as aforesaid, or before any Session of Parliament, or Meeting of both Houses, as aforesaid, to have and use such and the like Methods of Proceeding, and to issue such and the like Process against any such Peer or Lord of Parliament, or against any of the said Knights, Citizens, and Burgesses, or other Persons intitled to the Privilege of the Parliament of *Great Britain*, as the Courts of *King's Bench*, *Common Pleas*, and *Exchequer* in *England*, are by the said recited Act impowered and directed to use and issue respectively; and that it shall and may be lawful to and for the Court of *Chancery* of *Ireland*, and the Court of Equity in the Exchequer there, to have and use such and the like Methods of Proceeding, and to issue such and the like Process within the Times and against the Persons aforesaid, as the High Court of *Chancery* of *Great Britain*, and the Court of *Exchequer* in *England*, are by the said recited Act respectively directed and impowered to use and issue; and that it shall and may be lawful to and for any of the other Courts herein before described, the Process whereof is not particularly directed by the said recited Act, or by this Act, after any Dissolution, Prorogation, or such Adjournment as aforesaid, or before any Session of Parliament, or Meeting of both Houses as aforesaid, to issue such and the like Process against any such Peer or Lord of Parliament, or against any of the said Knights, Citizens, or Burgesses or other Person intitled to the Privilege of Parliament, as such Courts may now lawfully issue against Persons not liable to be arrested or imprisoned.

Plaintiffs not barred or nonsuited,

III. And be it enacted by the Authority aforesaid, That where any Plaintiff shall by Reason or Occasion of Privilege of Parliament be stayed or prevented from prosecuting any Suit by him commenced; such Plaintiff shall not be barred by any Statute of Limitation, or nonsuited, dismissed, nor his Suit discontinued for want of Prosecution of the Suit by him begun; but shall from time to time upon the rising of the Parliament be at Liberty to proceed to Judgment and Execution.

nor Process against the King's Debtor to be stayed, by Privilege of Parliament;

IV. And it is hereby enacted, That no Action, Suit, Process, Order, Judgment, Decree, or Proceeding in Law or Equity against the King's original and immediate Debtor, for the Recovery or obtaining of any Debt or Duty originally and immediately due or payable unto his Majesty, his Heirs or Successors, or against any Accountant, or Person answerable or liable to render any Account unto his Majesty, his Heirs or Successors, for any Part or Branch of any of his or their Revenues, or other original and immediate Debt or Duty, or the Execution of any such Process, Order, Judgment, Decree or Proceedings, shall be impeached, stayed, or delayed in any Court in *Great Britain* or *Ireland*, by or under the Colour or Pretence of any Privilege of the Parliament of *Great Britain*; yet so nevertheless, that the Person of any such Debtor or Accountant, or Person answerable or liable to account,

but the Persons not to be arrested.

being

being a Peer or Lord of Parliament of *Great Britain*, ſhall not be liable to be arreſted or impriſoned by or upon any ſuch Suit, Order, Judgment, Decree, Proceſs or Proceedings; or being a Member of the Houſe of Commons of *Great Britain*, ſhall not, during the Continuance of the Privilege of Parliament, be arreſted or impriſoned by or upon any ſuch Order, Judgment, Decree, Proceſs or Proceedings.

V. Provided nevertheleſs, That neither this Act, nor any thing therein contained, ſhall extend to give any Juriſdiction, Power or Authority to any Court, to hold Plea in any real or mixt Action, in any other Manner than ſuch Court might have done before the making this Act. Proviſo. *Concerning Parliament, &c. ſee farther* 13 *Geo.* 2. *c.* 20.

15 *Geo.* 2. *c.* 22. 18 *Geo.* 2. *c.* 18. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

CAP. XXV.

An Act for building a Bridge croſs the River *Thames*, from the *Woolſtaple*, or thereabouts, in the Pariſh of Saint *Margaret* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*. EXP.

'WHEREAS by an Act of Parliament made and paſſed in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act for explaining and amending an Act paſſed in the ninth Year of the Reign of his preſent Majeſty, intituled*, An Act for building a Bridge croſs the River of *Thames*, from the *New Palace-Yard* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*; it was enacted, That it ſhould and might be lawful to and for the Commiſſioners thereby appointed and continued, and the Survivors, or any nine or more of them, to direct or cauſe to be built the Bridge intended to be provided for by the ſaid Act, croſs the River *Thames*, either from the *New Palace-Yard* aforeſaid, or from the *Horſe-ferry*, or thereabouts, in the Pariſh of Saint *John the Evangeliſt* in the ſaid City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*: And whereas ſince the paſſing the ſaid recited Act, ſeveral Doubts and Difficulties have ariſen about fixing the Place where the ſaid intended Bridge ſhould be built;' Now for preventing any farther Doubts and Difficulties concerning the ſame, and that the ſaid intended Bridge may be erected and built where the ſame may be moſt advantageous to the Trade of the City and Liberty of *Weſtminſter*, and moſt commodious to the Inhabitants thereof; may it pleaſe Your moſt Excellent Majeſty that it may be enacted, *&c.* Preamble, reciting the Act 10 Geo. 2. c. 16.

"The Bridge to be built from the *Woolſtaple*, of what Materials the Commiſſioners ſhall think fit. Reſidue of the Monies to be lent out upon any publick Security. Grounds purchaſed by the Commiſſioners more than neceſſary, to be diſpoſed of to the beſt Advantage; and the Monies to be employed about the Bridge. Commiſſioners to account yearly. *See farther* 12 *Geo.* 2. *c.* 33. 13 *Geo.* 2. *c.* 16. 14 *Geo.* 2. *c.* 40.

15 *Geo.* 2. *c.* 26. 17 *Geo.* 2. *c.* 32. 18 *Geo.* 2. *c.* 29. 29 *Geo.* 2. *c.* 38. 30 *Geo.* 2. *c.* 34.

CAP. XXVI.

An Act for enforcing the Execution of an Act made in the ninth Year of his preſent Majeſty's Reign, intituled, *An Act for laying a Duty upon the Retalers of Spirituous Liquors, and for licenſing the Retalers thereof.*

'WHEREAS notwithſtanding the ſeveral Proviſions made for reſtraining the frequent and pernicious Uſe of Spirituous Liquors or Strong Waters, by an Act made in the ninth Year of his preſent Majeſty's Reign, intituled, *An Act for laying a Duty on Retalers of Spirituous Liquors, and for licenſing the Retalers thereof*; and alſo by an Act made in the tenth Year of his ſaid Majeſty's Reign, for explaining and enforcing the Execution of the ſaid firſt-mentioned Act; the drinking of Spirituous Liquors is yet too common, eſpecially among Perſons of low Rank: And whereas ſuch Perſons as ſell or expoſe to ſale any Spirituous Liquors or Strong Waters unmixed, or mixed with themſelves, or any other Ingredients, contrary to the ſaid Act, *For laying a Duty upon the Retalers of Spirituous Liquors, and for licenſing the Retalers thereof*, are chiefly Perſons of little or no Subſtance: And whereas, in order to elude the ſaid firſt-mentioned Act, by preventing the Diſcovery of the Offenders againſt the ſame, and thereby evading the Penalty to be inflicted on ſuch Offenders, ſeveral Perſons in a clandeſtine Manner retale ſuch Spirituous Liquors or ſome of them without any Licence, or in ſome Place or Places not in the ſaid Act mentioned or allowed, and the Perſon or Perſons ſo ſelling the ſame are not ſeen, but are hid behind ſome Wainſcot, Curtain, Partition, or are otherwiſe concealed:' For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year one thouſand ſeven hundred and thirty-eight, if any leſs Quantity or Quantities than two Gallons of Spirituous Liquors, or Strong Waters, mixed or unmixed as aforeſaid, ſhall be ſold, uttered or delivered, contrary to the true Intent and Meaning of the ſaid firſt-mentioned Act, in any private and clandeſtine Manner as aforeſaid, to any Perſon or Perſons, in any Houſe, Out-houſe, Stable, Barn or Shed, or in any other Place or Part of or belonging or appertaining to any Houſe or Farm; then and in ſuch Caſe the Occupier of ſuch Houſe, Farm, or Part of any Houſe, or Farm, or other Place, where ſuch Spirituous Liquors ſhall be ſold, if but one Occupier only, and if more than one then the ſeveral Occupiers thereof, being privy or conſenting Preamble, reciting the Act 9 Geo. 2. c. 23. 10 Geo. 2. c. 19.

Occupiers of Houſes, &c. wherein ſpirituous Liquors are ſold contrary to the Act of 9 Geo. 2. to be deemed Retalers.

ſenting thereto, ſhall be, and he, ſhe or they are hereby declared to be deemed the Retaler or Retalers of ſuch Spirituous Liquors, and as ſuch he, ſhe or they ſhall forfeit and loſe the Sum of one hundred Pounds for every ſuch Offence; ſuch Penalty to be recovered and applied in ſuch Manner as the one hundred Pounds Penalty for each Offence inflicted on any Perſon or Perſons who ſhall preſume to offer to ſell or retale any of the ſaid Spirituous Liquors in a leſs Quantity than by the ſaid Act is directed, without taking out a Licence and renewing the ſame yearly, as by the ſaid Act is directed to be recovered and applied.

'II. And whereas in open Defiance of the Laws of this Realm, and to prevent the before-mentioned 'Acts from taking Effect, and to deter Perſons from aſſiſting in putting the ſaid Laws in Execution, di-'vers wicked, lawleſs, turbulent and diſorderly Perſons have aſſembled themſelves at divers Times to 'reſcue Offenders againſt the ſaid Laws, and to inſult and abuſe thoſe who have been concerned in bring-'ing them to Juſtice, and have in a moſt wicked and cruel Manner aſſaulted, beat, wounded and almoſt 'murdered ſeveral Officers and other Perſons, who in purſuance of the ſaid firſt recited Act either had 'given or were about to give Informations before his Majeſty's Juſtices of the Peace againſt ſuch Offen-'ders;' Be it enacted by the Authority aforeſaid, That if any Perſons to the Number of Five or more ſhall from and after the ſaid twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-eight, in a tumultuous and riotous Manner, aſſemble themſelves to reſcue any Offender or Offenders againſt the ſaid firſt-mentioned Act, or to aſſault, beat or wound any Perſon or Perſons who ſhall have given, or be about to give, any Information or Evidence againſt, or ſhall have diſcovered or given Evidence againſt, or be about to diſcover or give Evidence againſt, ſeize or bring to Juſtice any Perſon or Perſons offending againſt the ſaid firſt-mentioned Act; that then all and every Perſon or Perſons ſo aſſembling themſelves, and their Aiders and Abettors, being thereof lawfully convicted, ſhall be, and be adjudged to be, guilty of Felony; and every ſuch Felon and Felons ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felons; and the Courts by and before whom he, ſhe or they ſhall be convicted, ſhall have full Power and Authority of tranſporting ſuch Felon and Felons for the Space of ſeven Years to any of his Majeſty's Colonies or Plantations in *America*, upon the like Terms and Conditions as are given, directed and enacted by an Act made in the fourth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Tranſportation of Felons, and unlawful Exportation of Wooll*; and by an Act made in the ſixth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Tranſportation of Felons.*

Reſcuing Offenders againſt the ſaid Act, or aſſaulting Informers, Felony.

4 Geo. 1. c. 11.

6 Geo. 1. c. 23.

III. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought and proſecuted by any Perſon or Perſons in any inferior or other Court than in his Majeſty's Courts of Record at *Weſtminſter*, or the Court of Great Seſſions in *Wales*, or the Courts of Seſſion in Counties Palatine, againſt any Juſtice of the Peace, or other Perſon or Perſons employed in the Execution of this Act, or of the ſaid Acts made in the ninth and in the tenth Years of his preſent Majeſty's Reign, or either of them, for any Matter, Cauſe or Thing by him or them done, committed or executed by virtue or reaſon of this Act, or of the ſaid Acts, or any or either of them, or of any Clauſe or Article therein contained; it ſhall and may be lawful to and for the Defendant or Defendants in ſuch Action or Suit, upon his, her or their making Affidavit, that he, ſhe or they intend to inſiſt in his, her or their Defence to ſuch Action or Suit upon this Act, or the ſaid Acts, or one of them, to remove ſuch Action or Suit into any of his Majeſty's Courts of Record at *Weſtminſter*; ſo that the Writ or Writs for removing the ſame be delivered to the Steward, Judge or proper Officer of the ſaid inferior or other Court, before Iſſue joined in the ſaid Action or Suit; and ſuch Defendant or Defendants may plead the General Iſſue, and give this Act, and the ſaid Acts, or any of them, and the ſpecial Matter in Evidence at the Trial, and that the ſame was done in purſuance and by the Authority of this Act, or of the ſaid Acts, or any or either of them; and if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his or her Action, after the Defendant ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant and Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as Defendants have in other Caſes at Law.

Actions brought in any inferior Court for any thing done in purſuance of this Act, &c. removeable to Courts at Weſtminſter.

Defendant may plead the General Iſſue, &c.

'IV. And whereas ſome Doubts have ariſen, whether a Juſtice or Juſtices of the Peace, on any In-'formation exhibited to him or them of or for any Offence or Offences againſt the ſaid firſt-mentioned 'Act, may grant his or their Warrant or Warrants for apprehending and bringing before him or them 'the Perſon or Perſons, againſt whom ſuch Information is made, unleſs and until ſuch Perſon or Per-'ſons hath or have been duly ſummoned to appear before ſuch Juſtice or Juſtices; and it is found by 'Experience, that the ſummoning ſuch Offenders againſt the ſaid firſt-mentioned Act is attended with 'great Inconveniencies, by giving them an Opportunity to abſcond from Juſtice; ſuch Offenders be-'ing generally Perſons of little or no Subſtance, and often having no ſettled Habitation;' Be it therefore declared and enacted by the Authority aforeſaid, That it is and ſhall be lawful for one or more Juſtice or Juſtices of the Peace, on any Information upon Oath made before him or them againſt any Perſon or Perſons for hawking, ſelling or expoſing to ſale any Spirituous Liquors or Strong Waters contrary to the ſaid firſt-mentioned Act, to iſſue his or their Warrant or Warrants under his or their reſpective Hands and Seals, to be directed to any Conſtable or other Miniſterial Officer of the Peace, for the apprehending and bringing ſuch Offender or Offenders before ſome Juſtice or Juſtices of the Peace for the County or Place wherein ſuch Offence or Offences was or were committed, in order to ſuch Offender or Offenders being by ſuch Juſtice or Juſtices dealt with according to Law.

Juſtices may without Summons iſſue their Warrants for Offenders.

'V. And

'V. And whereas in and by a Clauſe in the ſaid firſt-mentioned Act it is enacted, That from and 'after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, no Perſon or 'Perſons ſhall hawk, ſell or expoſe to ſale any Brandy, Spirituous Liquors or Strong Waters, by what-'ſoever Name or Names they are or may be called or diſtinguiſhed, about the Streets, Highways or 'Fields, in any Wheel-barrow or Baſket, or upon the Water in any Ship, Boat or Veſſel, or in any 'other Manner whatſoever, or ſhall ſell or expoſe the ſame to ſale on any Bulk or Bulks, Stall or Stalls, 'or in any Shed or Sheds, or on or in any other Place or Places, other than in ſuch Place and Places 'as are in the ſaid Act before-mentioned and allowed, upon Pain of forfeiting for every ſuch Offence the 'Sum of ten Pounds; and it ſhall and may be lawful to and for any one or more Juſtice or Juſtices of 'the Peace for the County, Riding, Diviſion, City or Liberty reſpectively, wherein ſuch Offence ſhall 'be committed, on his or their own View, or on Confeſſion of the Party, or by Proof on the 'Oath of one or more credible Witneſs or Witneſſes made of ſuch Offence, to convict any Perſon or 'Perſons ſo offending as aforeſaid; and ſuch Perſon and Perſons ſo offending and convicted, ſhall im-'mediately on ſuch Conviction pay the Sum of ten Pounds into the Hands of the Churchwardens and 'Overſeers of the Poor of the Pariſh where ſuch Offence ſhall be committed, or one of them; and on 'ſuch Offender or Offenders refuſing or neglecting to pay the ſaid Sum, the Juſtice or Juſtices ſo con-'victing as aforeſaid ſhall and may by Warrant or Warrants under his and their Hand and Seal or 'Hands and Seals, commit the Offender or Offenders to the Houſe of Correction for the ſaid County, 'City or Liberty reſpectively, there to remain and be kept to hard Labour for the Space of two Months, 'to be reckoned from the Day of the ſaid Commitment; and the Perſon or Perſons ſo committed ſhall 'not be diſcharged, until he, ſhe or they ſhall have paid the Sum of ten Pounds, or until the full Expi-'ration of the ſaid two Months; and every Sum or Sums of Money ariſing from the Conviction of any 'Perſon or Perſons as aforeſaid (in caſe there be no Informer) ſhall be employed to the Uſe of the Poor 'of the Pariſh wherein the Offence was committed; but if there ſhall be an Informer, one Moiety of 'ſuch Money ſhall be paid to the Informer, and the other Moiety ſhall be paid to the Overſeers and 'Churchwardens as aforeſaid, or one of them, and applied to the Uſe of the Poor of the Pariſh as 'aforeſaid: And whereas in and by a Clauſe of the before-mentioned Act of Parliament made in the 'tenth Year of his ſaid Majeſty's Reign, reciting the ſaid laſt-recited Clauſe of the ſaid Act made in 'the ninth Year of his ſaid Majeſty's Reign; and alſo reciting that ſuch Perſons as are willing and de-'ſirous of putting the ſaid ſalutary Law in Execution have not the Encouragement which is due to 'them, and which they juſtly deſerve, where the Perſons incurring the pecuniary Penalties of the ſaid 'Act are not able to pay the ſame, but in lieu thereof are ſent to the Houſe of Correction as by the 'ſaid Act is directed; for Remedy whereof, it is enacted, That from and after the twenty-fourth Day of '*June* one thouſand ſeven hundred and thirty-ſeven, in all ſuch Caſes as aforeſaid, it ſhall and may be 'lawful for the Commiſſioners of Exciſe in *England* and *Scotland* reſpectively, to cauſe ſuch Rewards as 'aforeſaid to be paid to the ſeveral and reſpective Perſons who ſhall appear to them to be intitled thereto 'as aforeſaid, out of any Money that ſhall be in their Hands, or any Officer belonging to them, that 'hath ariſen, or ſhall ariſe, by virtue of any Penalties or Forfeitures incurred by the ſaid Act as afore-'ſaid; and the Money ſo paid ſhall be accepted of and allowed in their Accounts as ſo much Money 'paid to his Majeſty, and the Commiſſioners are thereby diſcharged thereof accordingly; and every Of-'fender convicted as aforeſaid, and upon his or her Refuſal or Neglect to pay the ſame Penalty of ten 'Pounds, committed to the Houſe of Correction as aforeſaid, ſhall before his or her Diſcharge be ſtript 'naked from the Middle upwards, and be whipt until his or her Body be bloody: And whereas for 'want of a Conſtable or other Miniſterial Officer of the Peace being at Hand to apprehend ſuch Of-'fender or Offenders, he, ſhe or they do often eſcape unpuniſhed;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, it ſhall and may be lawful for any Perſon or Perſons whatſoever, to ſeize and detain any Perſon or Perſons who ſhall hawk, ſell or expoſe to ſale any Brandy, Spirituous Liquors or Strong Waters, by whatſoever Name or Names they are or may be called or diſtinguiſhed, about the Streets, Highways or Fields, in any Wheelbarrow or Baſket, or upon the Water in any Ship, Boat or Veſſel, or in any other Manner whatſoever, or ſhall ſell or expoſe the ſame to ſale on any Bulk or Bulks, Stall or Stalls, or in any Shed or Sheds, or on or in any other Place or Places, other than in ſuch Place or Places as are in the ſaid firſt-mentioned Act allowed in that Behalf, for ſuch reaſonable Time as he, ſhe or they may give Notice to the Conſtable, Headborough, Tythingman, Churchwarden, Overſeer of the Poor, or ſome other Peace or Pariſh Officer or Officers, who are hereby required to carry ſuch Perſon ſo ſeized and detained before ſome one of his Majeſty's Juſtices of the Peace for the County or Place where ſuch Offence or Offences ſhall be committed; which ſaid Juſtice of the Peace is hereby required to proceed to the Examination of ſuch Perſon ſo ſeized and brought before him for ſuch Offence, in the ſame Manner as if ſuch Perſon ſo ſeized had been brought before him by a Conſtable, or any other Miniſterial Officer of the Peace; and ſuch Perſon ſo ſeized ſhall, if convicted of ſuch Offence, be liable to the like Penalties, and the like corporal Puniſhments, on his or her Refuſal or Neglect to pay the ſame, as are in and by the ſaid Acts made in the ninth and tenth Years of his preſent Majeſty's Reign, or either of them, for ſuch Offence, to be paid or inflicted reſpectively.

Any Perſon may ſeize Hawkers of ſpirituous Liquors, and give Notice to a Conſtable.

VI. And be it enacted by the Authority aforeſaid, That all ſuch Sum and Sums of Money as ſhall and may from time to time be paid by any Perſon or Perſons convicted of hawking, ſelling or expoſing to ſale any Brandy, Spirituous Liquors or Strong Waters as aforeſaid, to the Churchwardens or Overſeers of the Poor of any Pariſh or Place where the Offence ſhall be committed, ſhall be applied and accounted for by the ſaid Churchwardens and Overſeers, in the ſame Manner as other Monies raiſed and received on the Rates made for the Relief of the Poor are directed and appointed to be applied and accounted for.

Forfeitures how to be applied.

'VII. And whereas Conſtables or other miniſterial Officers of the Peace have refuſed or neglected to 'be aiding or aſſiſting in the Execution of the before mentioned Acts made in the ninth and tenth 'Years of his preſent Majeſty's Reign, although thereunto required;' Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, if any Conſtable, or other miniſterial Officer of the Peace whatſoever, ſhall refuſe or neglect, upon due Notice or Requeſt, or on their own View, to be aiding and aſſiſting in the Execution of this Act, or of the before mentioned Acts made in the ninth and tenth Years of his Majeſty's Reign, or any or either of them; ſuch Conſtable or other miniſterial Officer of the Peace, being thereof convicted by the Oath of one or more credible Witneſs or Witneſſes, before any Juſtice of the Peace for the County or Place where ſuch Offence ſhall be committed, ſhall forfeit for every ſuch Offence the Sum of twenty Pounds, to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hand and Seal of ſuch Juſtice of the Peace; the one Moiety to go to the Poor of the Pariſh where ſuch Offence ſhall be committed, and the other Moiety to the Informer, who ſhall proſecute for the ſame, rendring the Overplus thereof to the Owner if any there be.

Penalty on Conſtables Neglect of Duty.

VIII. And be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-eight, no Diſtiller or other Seller of ſpirituous Liquors or ſtrong Waters whatſoever ſhall, during ſuch Time as he ſhall be a Diſtiller or Seller of ſuch Liquors, be capable or have any Power to act, or ſhall be directly or indirectly concerned in acting, as a Juſtice of the Peace in any Matter or Thing whatſoever, which ſhall any ways concern the Execution of this preſent Act, or of the before mentioned Acts made in the ninth and tenth Years of his preſent Majeſty's Reign, or either of them.

Diſtillers not to act as Juſtices in Matters concerning this Act.

IX. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties and Forfeitures by this Act impoſed, ſhall and may be ſued for, recovered, levied and mitigated by ſuch Ways, Means and Methods as any Fine, Penalty or Forfeiture is or may be in like Caſes ſued for, levied, recovered and mitigated by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland*; and that one Moiety of the ſaid Fines and Forfeitures, and which are not herein before directed to be otherwiſe diſtributed, ſhall go and be paid to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to the Perſon or Perſons who ſhall inform or ſue for the ſame.

Fines how to be recovered, &c.

Concerning ſpirituous Liquors ſee farther 15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 2 *Geo.* 3. *c.* 5.

20 *Geo.* 2. *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28. *and*

CAP. XXVII.

An Act for granting to his Majeſty the Sum of two Millions for the Service of the Year one thouſand ſeven hundred and thirty-eight; and for paying the Governor and Company of the Bank of *England* one Million, for redeeming an Annuity of forty thouſand Pounds payable to them; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

Moſt Gracious Sovereign,

Preamble, reciting the Act 3 Geo. 1. c. 8.

'WHEREAS by an Act of Parliament made in the third Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for redeeming ſeveral Funds of the Governor and Company of the Bank of* England, *purſuant to former Proviſoes of Redemption; and for ſecuring to them ſeveral new Funds and Allowances redeemable by Parliament; and for obliging them to advance further Sums, not exceeding two millions five hundred thouſand Pounds, at five Pounds* per Centum, *as ſhall be found neceſſary to be employed in leſſening the national Debts and Incumbrances; and for continuing certain Proviſions made for the Expence of his Majeſty's civil Government; and for Payment of Annuities formerly purchaſed at the Rate of five Pounds* per Centum; *and for other Purpoſes in this Act mentioned*; the ſaid Governor and Company of the Bank of *England* became intitled to one Annuity or yearly Sum of one hundred thouſand Pounds, for or in reſpect of the Sum of two millions, being the Amount of certain Exchequer Bills, which according to the Directions of the ſame Act were delivered up by the ſaid Governor and Company to be cancelled; and the ſaid Annuity was thereby charged on the Aggregate Fund, and made redeemable by Parliament on Repayment to the ſaid Governor and Company of the Bank of *England* of the ſaid Sum of two millions: And whereas by an Act of Parliament made in the eleventh Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, intituled, *An Act for continuing the ſeveral Annuities of eighty-eight thouſand ſeven hundred fifty-one Pounds ſeven Shillings and ten Pence Halfpenny, and one hundred thouſand Pounds to the Bank of* England, *until* Midſummer *one thouſand ſeven hundred and twenty-ſeven, and from thence for reducing the ſame to ſeventy-one thouſand and one Pounds two Shillings and three Pence three Farthings, and eighty thouſand Pounds redeemable by Parliament; and for preventing the uttering of forged, counterfeited or eraſed Bank Bills or Notes*; the ſaid Annuity or yearly Sum of one hundred thouſand Pounds, payable to the ſaid Governor and Company of the Bank of *England*, in reſpect of the ſaid Sum of two millions, was from *Midſummer* one thouſand ſeven hundred and twenty-ſeven, reduced to an Annuity of eighty thouſand Pounds accordingly; and it was thereby amongſt other Things provided and enacted, That if at any Time or Times thereafter Payment ſhould be made to the ſaid Governor and Company of the Bank of *England*, of any Sum or Sums of Money, not being leſs than five hundred thouſand Pounds at a Time, in Part of the ſaid two millions, ſo much of the Annuity attending the ſame, as ſhall bear a Proportion

11 Geo. 1. c. 9.

'Proportion to the Sum or Sums ſo paid in Part, ſhall ceaſe, determine and be abated: And whereas 1 Geo. 2. ſtat. 2. c. 8.
'in purſuance of an Act of Parliament made in the firſt Year of his preſent Majeſty's Reign, inti-
'tuled, *An Act for granting an Aid to his Majeſty by Sale of Annuities to the Bank of* England, *at four*
'*Pounds* per Centum *redeemable by Parliament, and charged upon the Duties on Coals and Culm; and for*
'*further applying the Produce of the Sinking Fund; and for enlarging the Time for exchanging of* Nevis *and*
'Saint Chriſtopher's *Debentures, for Annuities at three Pounds* per Centum; *and for applying the Arrears*
'*of his late Majeſty's civil Liſt Revenue*; the Sum of five hundred thouſand Pounds was paid to the ſaid
'Governor and Company of the Bank of *England*, in Part of the ſaid principal Sum of two millions,
'for reducing twenty thouſand Pounds *per Annum*, being a proportional Part of the ſaid Annuity or
'eighty thouſand Pounds, ſo that there is now ſubſiſting of the ſame Annuity only the yearly Sum of
'ſixty thouſand Pounds, which is redeemable in Manner aforeſaid, on Payment to the ſame Governor
'and Company of the remaining principal Sum of one million five hundred thouſand Pounds:' Now we your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, being willing to have the publick Debts and Incumbrances diſcharged as faſt as conveniently may be with regard to Juſtice and the publick Faith, and being alſo deſirous to raiſe the Supply granted to your Majeſty in this Seſſion of Parliament, by Ways the leaſt burthenſome to your Subjects, have reſolved to give and grant unto your Majeſty the Sum of one million five hundred thouſand Pounds, out of the Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*, towards the Supply granted to your Majeſty for the Service of the Year one thouſand ſeven hundred and thirty-eight; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as have ariſen, or ſhall from time to time ariſe and be in the Receipt of his Majeſty's Exchequer, of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called the *Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued, paid and applied a Sum not exceeding the ſaid Sum of one million five hundred thouſand Pounds, for or towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and thirty-eight; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

One million and an half to be paid out of the Sinking Fund.

II. And your Majeſty's ſaid Commons having reſolved to give and grant unto your Majeſty the further Sum of five hundred thouſand Pounds, for the Service of the ſaid Year one thouſand ſeven hundred and thirty-eight, to be raiſed in ſuch Manner and Form as is herein after mentioned, Be it further enacted by the Authority aforeſaid, That the Annuities which by this Act ſhall be granted and made payable in reſpect of the ſaid principal Sum of five hundred thouſand Pounds until Redemption thereof by Parliament, in Manner herein after mentioned, ſhall, from and after the Feaſt Day of Saint *Michael* the Archangel one thouſand ſeven hundred and thirty-eight, be charged and chargeable upon, and payable out of, the Monies, which from and after the ſaid Feaſt Day ſhall from time to time ariſe and be remaining in the Receipt of his Majeſty's Exchequer of or for the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called the *Sinking Fund*, and the ſaid Surpluſſes, Exceſſes or Overplus Monies, are hereby appropriated for that Purpoſe accordingly.

Sinking Fund anſwerable for the Diſcharge of the Loan of 500,000 l.

III. And for or towards raiſing the ſaid Sum or Sums of Money not exceeding in the Whole the ſaid Sum of five hundred thouſand Pounds; it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay into the Receipt of his Majeſty's Exchequer, for his Majeſty's Uſe, at ſuch Time or Times as ſhall be appointed by the Commiſſioners of the Treaſury, or any three or more of them now being, or by the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, any Sum or Sums of Money not exceeding the ſaid Sum of five hundred thouſand Pounds, for the abſolute Purchaſe of any certain Annuity or Annuities, to commence from the ſaid Feaſt Day of Saint *Michael* the Archangel one thouſand ſeven hundred and thirty-eight, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, until the Redemption thereof by Parliament, in Manner herein after contained in that Behalf; which certain Annuities ſhall be computed at the Rate of three Pounds *per Annum* for every one hundred Pounds, and proportionably for any greater Sum ſo to be advanced and paid, and the Purchaſe Money ſo paid for every ſuch Annuity at the Rate aforeſaid, is hereby appointed to be paid into the ſaid Receipt of Exchequer at the Time or Times to be appointed as aforeſaid; all which Annuities ſo to be purchaſed ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year (that is to ſay) The Feaſt of the Annunciation of the bleſſed Virgin *Mary*, and Saint *Michael* the Archangel, by even and equal Portions; the firſt Payment thereof to be due and payable at the Feaſt of the Annunciation of the bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-nine.

Clauſe of Credit.

The Proprietors of the 3 per Cent. Annuities may ſubſcribe into the joint Stock, 25 Geo. 2. c. 27.

IV. And it is hereby enacted, That in the Offices of the Auditor of the Receipt and Clerk of the Pells, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entred the Names of all Perſons who ſhall be Contributors for ſuch certain Annuities as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sums paid for ſuch Annuities; to which Book it ſhall be lawful for the ſaid reſpective Contributors, their Exe-

Book of Accounts to be kept.

cutors,

cutors, Adminiſtrators and Aſſigns, from Time to Time, and at all ſeaſonable Times, to have Reſort, and to inſpect the ſame without Fee or Reward.

Contributors to enjoy and have abſolute Eſtates in the Annuities.

V. And be it further enacted by the Authority aforeſaid, That all and every Contributor or Contributors upon this Act, duly paying the Contribution or Purchaſe Money at the Rate aforeſaid at the Time or Times in this Act limited in that Behalf for any ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint, his, her or their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall have, receive and enjoy, and be intitled by virtue of this Act to have, receive and enjoy, the reſpective Annuity and Annuities ſo to be purchaſed out of the Monies by this Act appropriated as aforeſaid, until the Redemption thereof by Parliament according to the Proviſo herein after contained in that Behalf; and that all and every ſuch Purchaſers, their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, ſhall have good, ſure, abſolute and indefeaſible Eſtates and Intereſts in the ſeveral Annuities ſo by them reſpectively to be purchaſed according to the Tenor and true Meaning of this Act; and that all ſuch Eſtates and Intereſts of and in the ſaid Annuities, and every of them, ſhall be and be adjudged, taken and accepted in Conſtruction of Law, and in all Courts of Law and Equity whatſoever, to be a Perſonal and not a Real Eſtate, and ſhall go to the Executors or Adminiſtrators of the Perſon or Perſons dying poſſeſſed thereof, intereſted therein, or intitled thereunto, and not to the Heirs of ſuch Perſon or Perſons; any Law, Cuſtom or Uſage to the contrary notwithſtanding; and that all the ſaid Annuities to be purchaſed on this Act as aforeſaid, and every of them, ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

The ſame to be perſonal and not real.

Contributors to have Tallies ſtruck, and Orders for Payment.

VI. And be it further enacted by the Authority aforeſaid, That every Contributor upon this Act for any ſuch Annuity or Annuities as aforeſaid, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, upon Payment of the Conſideration or Purchaſe Money for the ſame at the Rate aforeſaid into the ſaid Receipt of Exchequer at the Time or Times in this Act limited in that Behalf, ſhall immediately have one or more Tally or Tallies levied, importing the Receipt of the Purchaſe Money as ſhall be ſo paid for any ſuch Annuity or Annuities at the Rate aforeſaid; and every ſuch Contributor, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, ſhall have an Order for paying the ſaid Annuity or Annuities, until Redemption thereof by Parliament according to the Proviſo herein after contained in that Behalf; which Order ſhall be ſigned by the Treaſurer and Under-treaſurer of the Exchequer, or any three or more of the Commiſſioners of the Treaſury for the time being; and after ſigning thereof the ſame ſhall be firm, good, valid and effectual in the Law, according to the Purport and true Meaning thereof and of this Act; and ſhall not be determinable by or upon the Deaths or Removal of any Treaſurer or Under-treaſurer of the Exchequer, or any Commiſſioner or Commiſſioners of the Treaſury, or by or upon the Determination of the Power, Office or Offices of them or any of them; nor ſhall any Lord High Treaſurer of *Great Britain*, Treaſurer of the Exchequer, or any Commiſſioners of the Treaſury now or for the Time being, have Power to revoke, countermand, determine or make void ſuch Orders ſo ſigned as aforeſaid, or any of them.

Annuities aſſignable.

VII. And be it further enacted, That the Proprietors of the Orders to be made forth for the ſaid Annuities in purſuance of this Act ſhall or may from Time to Time by proper Words of Aſſignment to be indorſed on his, her or their Order, aſſign or transfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order or Orders, to any other Perſon or Perſons; which being notified in the Office of the Auditor of the Receipt, the Officers there ſhall cauſe an Entry or Memorial thereof to be made in the Book of Regiſtry for ſuch Orders without Fee or Charge; and after ſuch Entry made ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who ſhall make ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

'VIII. And whereas it may ſo happen, that in Proceſs of Time ſeveral of the ſaid ſtanding Orders 'may become defaced, obliterated or incumbred with many Aſſignments indorſed thereon, or by Rea-'ſon thereof or ſome other Defects therein, it may become neceſſary that the ſaid defaced, obliterated, in-'cumbred or otherwiſe defective Orders, ſhould be taken in and cancelled, and new Orders made 'forth and delivered to the Owners and Proprietors of the Orders ſo to be cancelled in lieu thereof;' Be it therefore enacted by the Authority aforeſaid, That in all or any of the ſaid Caſes any three or more of the ſaid Commiſſioners of the Treaſury now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, may, if he or they ſhall ſo think fit, from time to time, cauſe to be made forth new ſtanding Orders for and in lieu of ſuch defaced, obliterated, incumbred or otherwiſe defective Orders, ſo as ſuch defaced, obliterated, incumbred or otherwiſe defective Order or Orders be at the ſame Time delivered up and cancelled, and the new Order or Orders to be made out in lieu thereof be made payable to the Perſon or Perſons who ſhall appear to be the Proprietor or Proprietors of the ſaid Order or Orders ſo delivered up and cancelled at the Time of ſuch Delivery up as aforeſaid; and the Auditor of the ſaid Receipt aforeſaid ſhall always take care, that ſuch Entries or Memorandums be made upon the ſaid new Orders, as may denote their being made out in lieu of ſuch defaced, obliterated, incumbred or otherwiſe defective Orders cancelled, and as may ſecure the Publick againſt any double Payments for or by reaſon of the making out or iſſuing ſuch new Orders in Manner aforeſaid.

New Orders to be made forth in lieu of obliterated ones.

IX. And, for the preventing of all Frauds and Abuſes in or about the ſaid ſtanding Orders, or any Aſſignments thereof, or the receiving the Annuities due or to grow due thereon; Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act and aſſiſt in the forging or counterfeiting any Or-

Forging Orders, &c. Felony.

der

der or Orders made forth or to be made forth in purſuance of this Act, or any Aſſignment or Aſſignments of ſuch Order or Orders, or of the Annuities payable thereon, or of any Receipt or Diſcharge to the Exchequer for the Annuities due or to grow due on any ſuch Order or Orders, or of any Letter of Attorney or other Authority or Inſtrument to transfer, aſſign, alien or convey, any ſuch Order or Orders, or to receive the Annuities due or to grow due thereon, or any Part thereof, or ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act or aſſiſt in the forging or counterfeiting any the Name or Names of any of the Proprietors of any ſuch Order or Orders in or to any ſuch pretended Aſſignment, Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall knowingly or fraudulently demand or endeavour to have or receive any ſuch Annuity or Annuities, or any Part thereof, by virtue of any ſuch forged or counterfeited Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall falſely and deceitfully perſonate any true and real Proprietor or Proprietors of any of the ſaid Order or Orders, and thereby aſſigning, or endeavouring to aſſign, any of the ſaid Order or Orders, or receiving, or endeavouring to receive, the Money of ſuch true and lawful Proprietor, as if ſuch Offender was the true and lawful Owner thereof; then, and in every ſuch Caſe, all and every Perſon and Perſons, being thereof lawfully convicted in due Form of Law, ſhall be adjudged guilty of Felony, and ſhall ſuffer as in Caſes of Felony without Benefit of Clergy.

No Fee to be taken for Orders, &c.

X. And be it further enacted, for the better encouraging Perſons to advance the ſaid Sum of five hundred thouſand Pounds upon the Credit of this Act, That all Receipts and Iſſues, and all other Things directed by this Act to be performed in the Exchequer, ſhall be done and performed by the Officers there without demanding or receiving, directly or indirectly, any Fee, Reward or Gratuity for the ſame; and in caſe the Officers of the Exchequer ſhall take or demand any ſuch Fee or Reward, or ſhall not keep Books or Regiſters, and make Entries, and do and perform all other Things which by this Act they are required to perform, every ſuch Officer ſhall forfeit his Office, and be for the future incapable of any Office or Place of Truſt whatſoever, and ſhall anſwer and pay Treble Damages and Coſts of Suit to any Contributor, or Perſon claiming under him, that will ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law, Injunction or Order of Reſtraint, or more than one Imparlance, ſhall be granted or allowed; and in the ſaid Action the Plaintiff upon Recovery ſhall have Full Coſts of Suit, one Third of which Sum ſo to be recovered ſhall be paid into the Receipt of the Exchequer for the Benefit of his Majeſty, his Heirs and Succeſſors, and the other two Thirds ſhall be to and for the Uſe of the Proſecutor.

Commiſſioners to pay Officers for their Pains out of the Sinking Fund.

XI. Provided always, and it is hereby enacted by the Authority aforeſaid, That out of the Monies from time to time ariſing at the ſaid Receipt of Exchequer, of or for the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called the *Sinking Fund*, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, to reward the Officers and Clerks in the Exchequer, and others that ſhall or may be any way employed in the Execution of this Act in relation to the ſaid Annuities to be payable thereupon, for their Labour, Pains and Service therein reſpectively, and to diſcharge and ſatisfy ſuch incident Charges as ſhall neceſſarily attend the Execution of the ſame, in ſuch Manner as the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, ſhall from time to time think fit and reaſonable in that Behalf; any thing in this Act contained to the contrary notwithſtanding.

Annuities when to ceaſe.

XII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the half-yearly Feaſt Days for Payment of the ſaid Annuities, and upon Repayment by Parliament of the principal Sums for which the ſaid Annuities ſhall be payable, to ſuch reſpective Perſons or Corporations as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities, then, and not till then, the ſaid Annuities ſhall ceaſe and determine, and be underſtood to be redeemed; and that any Vote or Reſolution of the Houſe of Commons, ſignified by the Speaker in Writing to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforeſaid, ſhall be deemed and adjudged ſufficient Notice within the Words and Meaning of this Act.

Commiſſioners may raiſe the ſaid Sum by Exchequer Bills inſtead of Loans.

XIII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the ſaid Sum of five hundred thouſand Pounds to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being ſhall judge it more adviſeable to raiſe the Sum of five hundred thouſand Pounds, or any Part thereof, by Exchequer Bills inſtead of ſuch Loans as aforeſaid; that then they reſpectively are hereby authorized and impowered at any Time or Times before the twenty-fifth Day of *December*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-eight, to prepare and make, or cauſe to be prepared and made, at the Exchequer any Number of Exchequer Bills for any Sum or Sums of Money, not exceeding in the whole the ſaid Sum of five hundred thouſand Pounds, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form and Order, and according to the ſame or like Rules and Directions as in and by a certain Act of this preſent Seſſion of Parliament (*For continuing the Duties on Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and thirty-eight*) are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſame Act.

XIV. And

The Privileges, &c. relating to the Bills made by the Malt Act to extend to those of this Act.

XIV. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last-mentioned Act, relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Duties or Impositions granted or continued by the same Act) shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the same Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated or re-enacted in the Body of this present Act.

Such Bills chargeable on the Sinking Fund.

XV. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by or out of the growing Produce of the said Surpluses, Excesses or Overplus Monies, commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former or other Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as fast as the same can be regularly stated and ascertained, for or towards paying off, cancelling and discharging such Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

One million to be paid to the Bank out of the Supplies granted this Session. *Concerning Bank for further* 15 *Geo.* 2. *c.* 13. 19 *Geo.* 2. *c.* 6. 24 *Geo.* 2. *c.* 4.

XVI. And be it further enacted by the Authority aforesaid, That at or upon the Feast Day of Saint *Michael* the Archangel one thousand seven hundred and thirty-eight there shall be issued, paid and applied, to the said Governor and Company of the Bank of *England*, the Sum of one million, out of any the Aids or Supplies granted in this Session of Parliament, for redeeming the Annuity of forty thousand Pounds, Part of the before-mentioned Annuity of sixty thousand Pounds, in further Part of the said principal Sum of two millions as aforesaid; and that upon Payment thereof the Annuity attending thereon shall cease, determine and be abated, for the Benefit of the Publick.

Application of the Money granted this Session.

XVII. Provided always, and be it enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thousand seven hundred and thirty-eight*, and so much Money (if any such be) of the Duties thereby granted and continued, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and thirty-eight*, and so much Money (if any such be) of the Tax thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and the Sum of two millions by this Act granted as aforesaid, shall be appropriated and applied, and are hereby appropriated for and towards the several Uses, Intents and Purposes herein before and after expressed, subject nevertheless to such Restrictions as are herein after prescribed; that is to say, It is hereby enacted and declared, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one million two hundred forty-two thousand eight hundred eighty-five Pounds twelve Shillings and five Pence, for or towards the naval Services herein after more particularly expressed; that is to say, For or towards defraying the Charge of the Ordinary of his Majesty's Navy, and for Half pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed.

1,242,885 l. 12 s. 5 d. for Naval Services.

40,000 l. for rebuilding Ships.

XVIII. And it is hereby enacted, That out of all or any the Aids or Supplies provided as aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding forty thousand Pounds, for the Rebuilding and Repairing Ships of the Royal Navy for the Year one thousand seven hundred and thirty-eight.

10,000 l. to Greenwich Hospital.

XIX. And it is also hereby enacted, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, upon Account, for or towards the Support of the Royal Hospital at *Greenwich*, and for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

86,019 l. 4 s. and 7 d. for the Office of Ordnance.

XX. And it is hereby also enacted, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding eighty-six thousand and nineteen Pounds four Shillings and seven Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services, not provided for by Parliament.

661,786 l. 19 s. 9 d. for the Land Forces.

XXI. And it is hereby likewise enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding nine hundred sixty-one thousand seven hundred eighty-six Pounds nineteen Shillings and nine Pence, for or

or towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money not exceeding six hundred forty-seven thousand five hundred forty-nine Pounds eleven Shillings and three Pence Halfpenny, for defraying the Charge of seventeen thousand seven hundred and four Men, including Commission and Non-commission Officers and Invalids, for Guards, Garisons, and six independent Companies for the Service of the Highlands, and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and thirty-eight; and any Sum or Sums of Money not exceeding two hundred twenty-five thousand nine hundred eighty-two Pounds and seven Pence Halfpenny, for maintaining his Majesty's Forces and Garisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garisons at *Annapolis Royal*, *Canso*, *Placentia* and *Gibraltar*, for the Year one thousand seven hundred and thirty-eight; and any Sum or Sums of Money not exceeding twenty-seven thousand nine hundred and ten Pounds seven Shillings and six Pence, upon Account, for the Out-Pensioners of *Chelsea* Hospital, for the Year one thousand seven hundred and thirty-eight; and any Sum or Sums of Money not exceeding fourteen thousand three hundred ninety-five Pounds four Shillings and six Pence, for defraying several extraordinary Expences and Services incurred in the Year one thousand seven hundred and thirty-seven, and not provided for by Parliament; and any Sum or Sums of Money not exceeding forty-one thousand nine hundred fifty-nine Pounds fifteen Shillings and ten Pence, upon Account of Half-pay to the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and thirty-eight, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as are herein after prescribed concerning the same; and any Sum or Sums of Money not exceeding three thousand nine hundred and ninety Pounds, for paying of Pensions to Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and thirty-eight; which said Sum of three thousand nine hundred and ninety Pounds, shall be issued to such Person or Persons as his Majesty shall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists or other Directions, and with and subject to such Conditions, Qualifications, Deductions, or other Allowances for the same, as his Majesty, by such or the like Warrant or Warrants, shall be graciously pleased to direct or appoint.

647,549 l. 11 s. 3 d. Halfpenny for Guards and Garisons.

225,982 l. 7 d. Halfpenny for the Plantations.

27,910 l. 7 s. 6 d. for Chelsea Hospital.

14,395 l. 4 s. 6 d. for extraordinary Expences.

41,959 l. 15 s. 10 d. for Half-pay.

3,990 l. for reduced Officers Widows.

XXII. And it is hereby also enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding twenty-eight thousand three hundred and twenty-one Pounds four Shillings and eleven Pence three Farthings, towards making good the Deficiency of the Grants for the Year one thousand seven hundred and thirty-seven.

28,321 l. 4 s. 11 d. three Farthings for Deficiency of the Grants for 1737.

XXIII. And it is also hereby enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding three thousand two hundred thirty-two Pounds eighteen Shillings and ten Pence, to replace to the Sinking Fund the like Sum paid to make good the Deficiency of the additional Stamp Duties at *Christmas*, one thousand seven hundred and thirty-six, pursuant to a Clause in an Act of Parliament passed in the fourth Year of his Majesty's Reign, for raising one million two hundred thousand Pounds by Annuities and a Lottery for the Service of the Year one thousand seven hundred and thirty-one; and any Sum or Sums of Money, not exceeding thirty thousand Pounds, to replace to the said Sinking Fund the like Sum paid out of the same to the Governor and Company of the Bank of *England* for one Year and a Half's Interest due on or before the eighth Day of *September* one thousand seven hundred and thirty-seven, being after the Rate of four Pounds *per Centum* on the principal Sum of five hundred thousand Pounds by them lent on the Credit of the Salt Duties towards the Supply of the Year one thousand seven hundred and thirty-five, pursuant to a Clause in an Act of Parliament passed in the eighth Year of his Majesty's Reign, for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of four Years; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards the Maintenance of the *British* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coast of *Africa*; and any Sum or Sums of Money not exceeding four thousand Pounds, towards repairing and finishing the Collegiate Church of *Saint Peter*, *Westminster*; and there shall and may be issued to the Trustees for establishing the Colony of *Georgia* in *America*, any Sum or Sums of Money not exceeding eight thousand Pounds, by them to be applied towards settling and securing the said Colony.

3,232 l. 18 s. 10 d. for Deficiency of the Stamp Duties.

30,000 l. to replace to the Sinking Fund.

10,000 l. towards maintaining the African Forts.

4000 l. to the repairing Westminster Abbey.

and 8000 l. to the Colony of Georgia.

XXIV. And as to the said Sum of forty-one thousand nine hundred fifty-nine Pounds fifteen Shillings and ten Pence, by this Act appropriated on Account of Half-pay as aforesaid; it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application thereof; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; That no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Imployment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any of the said Half-pay; that no Person shall have or receive any Part of the same, who hath resigned his Commission, and hath had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as

Rules for the Application of Half-pay. *See farther* 12 *Geo.* 2. *c.* 19.

reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

'XXV. And whereas by an Act of Parliament made in the tenth Year of his Majeſty's Reign, 'intituled, *An Act for repealing the preſent Duty on Sweets, and for granting a leſs Duty thereon; and for 'explaining and enforcing the Execution of an Act paſſed in the ninth Year of his Majeſty's Reign, intituled, 'An Act for laying a Duty upon the Retailers of ſpirituous Liquors, and for licenſing the Retailers thereof; 'and for appropriating the Supplies granted in this Seſſion of Parliament, and for making forth Duplicates of 'Exchequer Bills, Lottery Tickets and Orders loſt, burnt or otherwiſe deſtroyed*; ſeveral Supplies which had 'been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes 'therein expreſſed, amongſt which, any Sum or Sums of Money not exceeding forty-four thouſand ſix 'hundred eighty-five Pounds two Shillings and ſix Pence, was appropriated to be paid to the reduced 'Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved 'in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of forty-four thouſand ſix hundred and eighty-five Pounds two Shillings and ſix Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act to the contrary notwithſtanding.

Surplus Money granted to reduced Officers for the Year 1737, how diſpoſed of.

CAP. XXVIII.

An Act for the better regulating the Manufacture of narrow Woollen Cloths in the *Weſt Riding* of the County of *York*.

Preamble.

For former Laws refer to 4 Ed. 4. c. 1. 1 R. 3. c. 8. &c.

'WHEREAS it hath been found by Experience, that the Laws now in being, concerning the 'making and manufacturing of narrow Woollen Cloth in the *Weſt Riding* of the County of *York*, 'have hitherto proved ineffectual to reſtrain and prevent the Deceits, Frauds and Abuſes which are 'uſed and practiſed in the making and working the ſaid Cloth, particularly in ſtretching and ſtraining 'the ſaid Cloth; which ill Practices tend very much to the diſcrediting the ſaid Manufacture both at 'Home and in Parts beyond the Seas;' For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-eight, every Maker of Narrow Woollen Cloth within the *Weſt Riding* of the ſaid County of *York*, ſhall weave or ſet in the Head of every Piece of Narrow Woollen Cloth by him to be made (except White Kerſeys, and Cloths called *Half Thicks*) the initial Letters of his Chriſtian and Surname; and that every Piece of Narrow Woollen Cloth made, milled or expoſed to Sale in the ſaid *Weſt Riding* of the ſaid County (except as before excepted) ſhall be meaſured at the Fulling-mill, when it is fully wet, and before it is carried from the ſaid Mill, both by the Mill-Man, or Owner or Occupier of the ſaid Mill, and by the Searcher (to be appointed as herein after is mentioned) who ſhall meaſure the ſame down the Middle of each Cloth for the Length, and within the Liſts for the Breadth thereof; and every ſuch Mill-man, or Owner or Occupier of every ſuch Fulling-mill, ſhall affix or cauſe to be affixed at one End of every ſuch Cloth, before it ſhall be carried from the Mill, a Seal of Lead, to be furniſhed by the Clothier; and the ſaid Mill-man, or Owner or Occupier of every ſuch Fulling-mill, ſhall rivet the ſame on every ſuch Cloth, and ſhall ſtamp his own Name in plain Words at Length thereupon, and ſhall likewiſe ſtamp the Length and Breadth of every ſuch Cloth in plain and legible Figures upon the ſame Seal of Lead; and every ſuch Searcher ſhall alſo affix a Seal of Lead at the other End, whereon he ſhall ſtamp his Name, and the Length and Breadth of the Cloth in plain Words and Figures, and in the ſame Manner as the ſaid Mill-Man is hereby directed and required to ſeal and ſtamp the ſame; and the ſaid Mill-Man, or Owner or Occupier of every ſuch Fulling-mill, and alſo every ſuch Searcher, ſhall reſpectively keep Books, wherein they ſhall enter in plain and legible Words and Figures the Day and Year when every ſuch Piece of Cloth is or ſhall be fulled or milled, and alſo the Name and Place of Abode of the Owner of every ſuch Piece of Cloth, and the Length and Breadth thereof.

Makers of narrow Woollen Cloth to ſet the initial Letters of their Names at the Head of every Piece of Cloth. Exception.

The ſame to be meaſured, and how.

Penalties.

II. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty-eight, if any Maker of any ſuch Cloth ſhall refuſe or neglect to weave or ſet the initial Letters of his Chriſtian and Surname in the Head of each Cloth ſo by him made; or if any Mill-man, or Owner or Occupier of any ſuch Fulling-mill, or any ſuch Searcher, ſhall refuſe or neglect to fix ſuch Seals at the End of every Piece of ſuch Cloth, before it ſhall be carried from the Mill, in the Manner and with ſuch Stamp or Impreſſion, as is before directed; or ſhall neglect or refuſe to make ſuch Entries in Books to be kept by them reſpectively for that Purpoſe, as are herein before directed; or ſhall refuſe to permit and ſuffer any Buyer to inſpect ſuch Entries, when thereunto reaſonably required; every Perſon or Perſons ſo offending ſhall, for every ſuch Neglect or Offence, forfeit the ſeveral Sums herein after-mentioned; that is to ſay, Every Maker of ſuch

Cloth

Cloth ſhall forfeit the Sum of twenty Shillings, and every Mill-Man, or Owner or Occupier of ſuch Fulling-mill, and every ſuch Searcher ſhall reſpectively forfeit for every ſuch Neglect or Offence the Sum of five Pounds.

Juſtices at Quarter-Seſſions to appoint Searchers,

III. And be it further enacted, That the Juſtices of the Peace for the ſaid *Weſt Riding* of the ſaid County of *York* ſhall, at their Quarter-Seſſions of the Peace to be holden for the ſaid *Weſt Riding*, or the major Part of them preſent, next after *Midſummer* next, and afterwards at their General Quarter-Seſſions of the Peace to be holden next after *Eaſter* yearly and every Year, chooſe and appoint ſo many Men of good Character and Repute within the ſaid Riding, who have ſerved Apprenticeſhip to the Trade of making Narrow Cloth, or who ſhall have exerciſed ſuch Trade for the Space of three Years, as they ſhall think reaſonable, to be Searchers for the Year enſuing, and may allow to each of them ſuch a Salary, as they in their Diſcretion ſhall think fit; which ſaid Searchers ſhall and may have full Power at all ſeaſonable and convenient Times to enter into and inſpect all ſuch Mills, Shops, Warehouſes and Tenter-grounds of Makers, Merchants or Dealers in Narrow Cloth, as they ſhall think proper; and if they think fit, to meaſure the Length and Breadth of any Cloth which they ſhall ſuſpect to be over-ſtretched or ſtrained in Length or Breadth: And all and every ſuch Searcher and Searchers, before he or they ſhall enter upon the Execution of his or their ſaid Office, ſhall take the following Oath before one of the Juſtices of the Peace for the ſaid Riding; that is to ſay,

and allow them Salaries.

Searchers to be ſworn.

'I *A. B.* do ſwear, That I will well and truly execute the Office of a Searcher of Narrow Woollen Cloth within the *Weſt Riding* of the County of *York*.

The Oath.

'*So help me God.*'

In caſe of the Death or Sickneſs of any Searcher, another to be appointed.

IV. Provided always, and be it further enacted, That if any Perſon who ſhall be ſo appointed to be a Searcher of ſuch Cloth, ſhall happen to die during the Year for which he is ſo appointed to be a Searcher, or ſhall, by Sickneſs or any other Accident, be rendered incapable of executing the ſaid Office, that then, and in ſuch Caſe, it ſhall and may be lawful for any one Juſtice of the Peace of the ſaid Riding, living near to the Place where ſuch Searcher did or ſhall reſide, to appoint ſome other proper Perſon (qualified as aforeſaid) to ſupply the Place of ſuch Searcher until the next Quarter-Seſſions, to be there by the major Part of the Juſtices preſent confirmed, or another Perſon appointed in his Place; and the Perſon ſo confirmed or appointed ſhall take the ſame Oath, and be inveſted with the ſame Powers, and liable to the ſame Penalties for any Breach or Neglect of Duty, as the Searchers elected or to be elected at the Quarter-Seſſions by virtue of this Act are or ought to be.

Cloths ſtamped wrong, to be re-ſtamped,

V. And be it further enacted by the Authority aforeſaid, That every Piece of ſuch Narrow Cloth ſhall be meaſured by the Maker or Owner of the ſaid Coth after it is brought from the Mill, and before it be ſet upon the Tenter; and if ſuch Maker or Owner finds ſuch Cloth, upon meaſuring thereof, to be leſs than the Meaſure ſtamped thereupon at the Mill, either in Length or Breadth, or if ſuch Cloth, by lying wet in an improper Seaſon for drying, ſhall fall ſhort of the Meaſure ſo ſtamped thereupon, that then, and in ſuch Caſe, the Maker or Owner of ſuch Cloth ſhall carry or ſend the ſame to the Mill-Man, or Owner or Occupier of the Fulling-mill, and to the Searcher who meaſured and ſtamped the ſame, to be by them re-meaſured and re-ſtamped with the true Length and Breadth thereof; and in caſe any Maker or Owner of ſuch Cloth ſhall neglect ſo to do, every ſuch Maker or Owner ſhall, for every ſuch Offence, forfeit the Sum of Five Shillings.

on Penalty of 5 s.

Makers to ſtretch Cloth to certain Proportions.

VI. And be it further enacted, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty-eight, it ſhall and may be lawful for the Maker or Owner of ſuch Cloth, to ſtretch every ſuch Piece of Narrow Cloth one Inch in every Yard in Length, and two Inches in every three Quarters of a Yard in Breadth, and ſo in Proportion for every Piece of Narrow Cloth of greater Length or Breadth; but if any Maker, Buyer, Owner, Dreſſer or Dealer in ſuch Narrow Cloth ſhall, from and after the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and thirty-eight, ſtrain or ſtretch, or cauſe any ſuch Cloth to be ſtrained or ſtretched, above the Proportions herein before-mentioned, either in Length or Breadth, every ſuch Perſon ſo offending ſhall forfeit for the firſt Half-yard in Length, or firſt Inch in Breadth, ſo over-ſtretched, the Sum of ten Shillings, and for every other Half-yard in Length, or Half-inch in Breadth, the Sum of twenty Shillings.

Stamps not to be obliterated.

VII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall take off, or in any Manner alter, deface, obliterate, counterfeit or cut out any of the ſaid Seals, or any of the Figures or Letters ſtamped thereupon, or any Letter or Letters ſet or woven in ſuch Cloth, before the ſame ſhall be ſold or cut by the Retaler, or exported to Parts beyond the Seas by the Merchant or Dealer, every ſuch Perſon or Perſons ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of forty Shillings.

Expences of the Act, &c. to be paid.

VIII. And be it further enacted by the Authority aforeſaid, That a Sum not exceeding three Pence for every ſuch Narrow Cloth made or milled within the ſaid *Weſt Riding* of the ſaid County of *York* (which Sum ſhall be ſettled and aſcertained by the Juſtices of the Peace for the ſaid Riding at their General Quarter-Seſſions, or the major Part of them then preſent, next after *Midſummer* next, and afterwards at their General Quarter-Seſſions after *Eaſter* yearly and every Year) ſhall be paid by every Maker or Owner of ſuch Cloth, before the ſame is carried to the Fulling-mill, to ſuch Perſon or Perſons as the ſaid Juſtices of the Peace ſhall appoint to receive the ſame; and that all and every of the Sums of Money ſo raiſed ſhall be applied to defray the Charges and Expences in obtaining this Act, and to pay the Salaries of Searchers, and to defray the other neceſſary Expences of putting this Act in Execution, in ſuch Manner and Proportion as the ſaid Juſtices of the Peace at their ſaid Quarter-Seſſions yearly, or the major Part of them then preſent, ſhall direct and appoint.

The Mill-Man or Searcher to detain Cloth till the Money is paid.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for ſuch Mill-Man, or Owner or Occupier of every ſuch Fulling-mill, or ſuch Searcher, or ſuch other Perſon as the ſaid Juſtices ſhall appoint to receive the Money to be ſo ſettled and aſcertained to be paid for every ſuch Piece of Narrow Cloth as aforeſaid to detain ſuch Cloth at the Fulling-mill till the Money ſo payable for the ſame ſhall be paid; and in caſe the Maker or Owner of ſuch Cloth ſhall neglect or refuſe to pay the ſame for the Space of eight Days after the ſame is demanded, that then, and in ſuch Caſe, it ſhall and may be lawful for the Perſon ſo appointed to receive the ſaid Money, to ſell one or more Pieces of the ſaid Cloth for the beſt Price that can reaſonably be got for the ſame, and to detain ſo much Money as ſhall then be due from the Owner of the ſaid Cloth by virtue of this Act, out of the Money ariſing by ſuch Sale, returning the Overplus (if any be) upon Demand, to the Owner of ſuch Cloth or his Aſſigns.

Offences againſt this Act how to be determined.

X. And it is further enacted by the Authority aforeſaid, That all and every of the Offences in this Act mentioned ſhall be enquired of, heard and determined by any one or more Juſtice or Juſtices of the Peace in the ſaid Riding, not being Dealers in the Manufacture of Woollen Cloth, or in buying or ſelling the ſame, upon the Oath of one or more credible Witneſs or Witneſſes, reaſonable Notice being firſt given to the Perſon or Perſons who ſhall be charged with, or accuſed of, any Offence or Offences againſt this Act; and that all ſuch Penalties and Forfeitures as ſhall or may happen by reaſon of this Act, ſhall, after Conviction be paid into the Hands of the Juſtice or Juſtices of the Peace before whom the Parties offending ſhall happen to be convicted, who ſhall and is hereby authorized and required (after the Charges of Conviction are deducted) to pay one Moiety thereof to the Informer who ſhall inform, ſue or proſecute for the ſame, and to pay the other Moiety thereof to the Treaſurer of the ſaid *Weſt Riding* of the County of *York* at the next Quarter-Seſſions to be held for the ſaid Riding after the ſaid Penalty ſhall be ſo paid, to be applied towards defraying the Expences of carrying this Act into Execution, in ſuch Manner as the Juſtices of the Peace for the ſaid Riding at their ſaid Quarter-Seſſions ſhall direct and appoint; and if any Offender or Offenders ſo convicted ſhall, by the Space of ten Days next after his, her or their Conviction (Notice being thereof given to him, her or them, at his, her or their Dwelling-houſe or laſt Place of Abode) neglect or refuſe to pay any Penalty or Forfeiture by him, her or them incurred by reaſon of this Act, or ſhall not appeal to the Quarter-Seſſions as herein after is provided, that then, and in ſuch Caſe, it ſhall and may be lawful for the Juſtice or Juſtices of the Peace before whom ſuch Conviction ſhall be made, or any other Juſtice or Juſtices of the Peace for the ſaid Riding, not being a Dealer in Woollen Cloth, upon a Certificate of ſuch Conviction, to iſſue out one or more Warrant or Warrants under his or their Hands and Seals to the Conſtable of the Town or Place, or to the Bailiff or Bailiffs of the Liberties, Wapentakes or Limits where ſuch Offender or Offenders do or ſhall inhabit, thereby commanding him or them to levy the ſame by Diſtreſs and Sale of ſuch Offender's Goods and Chattles, returning the Overplus (if any be) after paying the Charges of ſuch Diſtreſs and Sale to the Owner or Owners thereof who ſhall demand the ſame; and if no ſufficient Diſtreſs can be found, then to commit ſuch Offender or Offenders to the Houſe of Correction within the ſaid *Weſt Riding*, there to be kept to hard Labour for the Space of one Month.

Penalties how to be diſpoſed of,

and recovered, if not paid.

Proſecutions againſt Mill-Men, &c. to be commenced within 8 Days,

or againſt Clothiers and Dealers in Cloth, within 1 Month after the Offence.

XI. Provided always, and it is hereby declared and enacted, That all Informations and Proſecutions whatſoever, which ſhall be brought or proſecuted for any of the Penalties or Forfeitures in this Act mentioned, againſt any Mill-man, or Owner or Occupier of any Fulling-mill, or againſt any Searcher to be appointed in purſuance of this Act, ſhall be commenced and proſecuted within eight Days after the Cloth, touching which ſuch Offence ſhall ariſe, ſhall be removed from the Fulling-mill; and that all Informations or Proſecutions againſt any Clothier or Maker of, or Dealer in Cloth, ſhall be commenced within one Month after the Cloth, touching which ſuch Offence ſhall ariſe, is ſold and delivered out of his, her or their Cuſtody; and that all other Proſecutions and Informations againſt any other Perſons whatſoever for any of the Penalties or Forfeitures in this Act mentioned ſhall be commenced or brought within one Month after the Offence is committed.

Liberty of Appeal to the Quarter-Seſſions.

XII. Provided always, and it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall find him or herſelf aggrieved by any Order or Warrant made by any Juſtice or Juſtices of the Peace upon any Conviction before him or them in purſuance of this Act, ſuch Perſon or Perſons may appeal to the next General Quarter-Seſſions to be held after fourteen Days from ſuch Conviction, for the ſaid Riding of the ſaid County of *York*, giving ten Days Notice of ſuch Appeal to the Perſon or Perſons diſcovering the Offence on which the Conviction was made; and if the Juſtices at their ſaid Quarter-Seſſions ſhall think fit either to confirm or diſannul the Orders or Proceedings of the ſaid Juſtice or Juſtices, they ſhall allow ſuch Coſts and Charges to the Party aggrieved thereby, as they ſhall think reaſonable, to be levied and paid in ſuch Manner, as is uſual in Caſes of Appeals from any Order of the Juſtices of the Peace to the Seſſions, whoſe Order herein ſhall be final.

Makers may make Cloth of what Length and Breadth they think fit.

XIII. Provided alſo, and it is hereby declared, That it ſhall and may be lawful to and for every Clothier, or Maker of Narrow Woollen Cloth, in the ſaid *Weſt Riding* of the ſaid County of *York*, to make every Piece of Narrow Woollen Cloth (except as before excepted) to be by him made, from and after the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and thirty-eight, of ſuch Length and Breadth as he ſhall think fit; any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

'XIV. And whereas ſeveral of the ſaid Narrow coloured Cloths are made in the ſaid *Weſt Riding* of 'the County of *York*, and in Times of great Drought or Froſt, and at ſome other Times, are moſt con-'veniently milled in the adjacent Parts of the Counties of *Lancaſter*, *Cheſter* or *Derby*, where no Mill-'Men and Cloth Searchers are by this Act appointed to put in Execution the ſeveral Powers hereby 'granted, and afterwards the ſame Cloths are expoſed to Sale in the ſaid *Weſt Riding* of the ſaid Coun-'ty of *York*;' It is hereby further enacted, That for the better Regulation thereof, all and every ſuch

Cloth or Cloths made in the *West Riding* of the County of *York*, and so milled in the said Counties of *Lancaster*, *Chester* or *Derby*, shall, before they are dried and tentered, be brought to the nearest Mill-Man and Cloth Searcher in the said *West Riding* of the said County of *York* to be by this Act appointed, and be by them measured, and have their Lengths and Breadths stamped and affixed thereto, and shall be in every other respect conformable to the same Regulations and Payments as such Cloths are, which are both made and milled in the said *West Riding*; and in Default thereof the Makers or Venders of such Cloths as aforesaid shall be liable to the same Penalties and Forfeitures as those are, who both make and mill Cloths in the said *West Riding* of the County of *York*. Directions for Cloths made in the West Riding of York, and milled in adjacent Counties.

XV. Provided always, and be it further enacted by the Authority aforesaid, That if any Action or Suit after the Commencement of this Act shall be brought, commenced, sued or prosecuted against any Person or Persons, by this Act authorized to put the same or any Part thereof in Execution, in every such Case the Action shall be laid in the said County of *York*, and not elsewhere; and every such Person or Persons so sued or prosecuted may to such Action or Suit plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, or that such Action or Actions shall be brought in any other County, that then the Jury shall find for the Defendant or Defendants; and that upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, for which he and they shall have the like Remedy, as in Cases wherein Costs are by Law given to Defendants: And that this Act shall be taken and allowed as a Publick Act, in all Courts within this Kingdom; and all Judges, Justices and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same. Actions to be laid in Com' York. General Issue. Treble Costs. Publick Act. *See further* 14 *Geo.* 2. *c.* 35.

CAP. XXIX.

An Act for repairing the Road from *Shoreditch Church* through *Hackney*, to *Stanford Hill*, and cross *Cambridge Heath*, over *Bethnal Green*, to the Turnpike at *Mile End*, in the County of *Middlesex*. PR.

Certain Tolls are granted from 1 *June* 1738, for 21 Years.

CAP. XXX.

An Act for explaining and amending an Act of the eighth Year of his present Majesty's Reign, intituled, *An Act for the Application of the Rents and Profits of the Estates forfeited by the Attainder of* James *late Earl of* Derwentwater, *and* Charles Radcliffe.

'WHEREAS *James* late Earl of *Derwentwater* was in the Year of our Lord one thousand seven hundred and fifteen attainted of high Treason, and executed for the same: And whereas *Charles Radcliffe* was also attainted of high Treason in the Year of our Lord one thousand seven hundred and sixteen: And whereas by virtue of an Act of Parliament in the first Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for appointing Commissioners to enquire of the Estates of certain Traitors and Popish Recusants, and of Estates given to superstitious Uses, in order to raise Money out of them severally for the Use of the Publick*; and of one other Act made in the ninth Year of his said late Majesty's Reign, intituled, *An Act to continue the Duties for Encouragement of the Coinage of Monies; and for Relief of* William *late Lord* Widdrington; *and to prevent foreign Lotteries being carried on in this Kingdom; and for ascertaining the Duties on bound Books imported; and for issuing Certificates and Debentures for Arrears due to five Regiments, to be satisfied by Annuities therein mentioned; and for discharging the Duties of Rock Salt lost on the Rivers* Weaver *and* Mercy; *and for limiting the Times of Continuance of Commissioners for forfeited Estates in* England *and* Scotland *respectively; and for appropriating the Supplies granted to his Majesty in that Session of Parliament; and to rectify Misnomers and Omissions of Commissioners for the Land Tax, in the Year one thousand seven hundred and twenty-three*; and of one other Act made in the fifth Year of his present Majesty's Reign, intituled, *An Act for making void the several Contracts for the Sale of the Estate of* James *late Earl of* Derwentwater, *to* William Smith *Esquire, and also of the Annuity of two hundred Pounds, during the Life of* Charles Radcliffe, *and the Arrears thereof, to* Matthew White *Esquire, and the several Conveyances made in pursuance of the same*; and of other Acts of Parliament, made and passed in the Reign of his said late Majesty, the Barony, Manor or Lordship of *Langley* in the County of *Northumberland*, and divers other Manors, Lordships, Messuages, Lands, Tenements, Rents and Hereditaments belonging to him the said *James* late Earl of *Derwentwater*, and the said *Charles Radcliffe*, became vested in his then Majesty, and afterwards in his present Majesty, for the Use of the Publick: And whereas by an Act made in the eighth Year of his present Majesty's Reign, intituled, *An Act for the Application of the Rents and Profits of the Estates forfeited by the Attainders of* James *late Earl of* Derwentwater, *and* Charles Radcliffe; the said Premisses are continued vested in his present Majesty, his Heirs and Successors; and the Rents, Issues and Profits thereof, are appropriated for the Use and Benefit of the Royal Hospital for Seamen at *Greenwich*, according to the Directions of the said Act, subject to such Incumbrances as are contained in the said Act: And whereas the said Premisses being by the said last mentioned Act vested as aforesaid in his Majesty, his Heirs and Successors, in his politick Capacity, which in Consideration of Law never dies, it may create a Doubt, whether the Tenants of the said Estates ought to do such

Preamble, reciting the Acts 1 Geo. 1. c. 50. 9 Geo. 1. c. 19. 5 Geo. 2. c. 23. 8 Geo. 2. c. 29.

' Acts

'Acts and Services, and pay such Fines and Sums of Money on the Death of his present Majesty '(whom God long preserve for the Benefit of his People) or on the Death of any future King or 'Queen of this Realm, as by the Nature and Tenure of their Estates, founded upon immemorial 'Usage and Custom, or otherwise, they ought to have done and performed and paid on the Death of 'any Lord thereof, in case such Lord was a Subject;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the Death of his present Majesty, and also upon the Death of every successive King and Queen of this Realm, all such Acts and Services shall be done and performed, and all such Fines and Sums of Money shall be paid by the respective Tenants of the said Estates to every Successor of his Majesty, or, in case any of the said Estates shall be sold, to such other Persons who shall be the Owner thereof, as by the ancient Tenure thereof, or by any Contract, Law, Usage or Custom ought to be done, performed and paid by them, in case such King or Queen so dying was considered as a private Person only, and not in his or her Politick Capacity; and for Default of Performance of such Acts and Services, which ought so to be done and performed, and for Default of Payment of any such Fines and Sums of Money, which ought so to be paid, such Forfeitures and Penalties shall accrue and become due, and it shall be lawful for his Majesty, his Heirs and Successors, and for all and every Person and Persons by him or them appointed, or who shall be then Owner of the said Estates, or any of them, to use and take all such Ways and Means for recovering and taking Advantage of the said Forfeitures and Penalties, as might be lawfully used or taken by any Lord of the said Estates, in case such King or Queen so dying was considered as a private Person only, and not in his or her Politick Capacity; any Law, Usage or Custom to the contrary notwithstanding: All which said Fines, Sums of Money, Penalties and Forfeitures, which shall accrue and become due to his Majesty, his Heirs and Successors, during his and their Interest therein, shall be applied to and for the Use and Benefit of the Royal Hospital for Seamen at *Greenwich*.

See 22 Geo. 2. c. 52.

Tenants of the said Estates to pay the same Fines, &c. upon the Death of the King or his Successors, as if they were private Persons.

To be applied to the Use of Greenwich Hospital.

'II. And whereas there are growing or standing on the said Estates large Quantities of Timber, 'which if sold might raise a considerable Part of the Money with which the said Estates are now incumbred, and be otherwise a Benefit to the said Hospital: And whereas some Doubt hath been raised 'what Method ought to be taken for the Sale of the Timber on the said Estates;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Attorney General of his Majesty, his Heirs and Successors, by his or their Direction to apply to his Majesty's Court of *Exchequer* at *Westminster* by Motion in a summary Way for the Sale of all or of such Part or Parts of the Timber on the said Estates, or any of them, while the same shall remain unsold, from time to time and at all Times as shall be thought fit; upon which Motion it shall and may be lawful to and for the said Court of *Exchequer* to make such Order or Orders, and give such Directions for the Sale or Sales of such Timber, and other Orders and Directions therein, as the said Court shall think proper; and the Money arising by such Sale or Sales shall be applied by the Direction of the said Court to the Discharge of the said Incumbrances, and in the mean time be paid by the Purchasers into the Court of *Exchequer*, or to the Treasurer of the said Hospital for the time being, or be placed out in such Government or other Securities, and in the Names of such Persons, as the said Court shall direct; and in case there shall happen to be any Surplus of the said Money, the same shall be applied in the first Place for and towards the finishing and compleating the Building of the said Royal Hospital; and after the Building of the same Royal Hospital shall be compleated and finished, for and towards the Support of the said Royal Hospital, for the better Maintenance of the Seamen of the said Royal Hospital, worn out and become decrepit in the Service of their Country; and after the said Incumbrances shall be totally discharged, then all the Produce of or Money arising by the Sale or Sales of any Timber on the said Estates shall be from time to time and at all Times wholly appropriated and applied to the Use of the said Hospital.

Method for selling the Timber of the said Estates.

Money thence arising how to be applied.

Concerning Seamen see farther 13 Geo. 2. c. 3 & 17. 14 Geo. 2. c. 38. 17 Geo. 2. c. 34. 18 Geo. 2. c. 31. 20 Geo. 2. c. 38. 22 Geo. 2. c. 52. 24 Geo. 2. c. 47. 31 Geo. 2. c. 10. 2 Geo. 3. c. 31.

III. Provided always, and it is hereby enacted and declared, That it shall and may be lawful to and for his Majesty, his Heirs and Successors, by Sign Manual, to authorize the Commissioners and Governors of the said Hospital for the time being, or any seven or more of them, according to their Discretions to direct the cutting down from time to time such Timber from off the said Estates, to be used in the repairing any Houses, Tenements, Buildings or Erections on the said Estates; and also in the building any new Houses, Tenements, Buildings or Erections on the said Estates, as they shall judge necessary for any Tenants of the said Estates, and to be for the Benefit or Improvement thereof.

His Majesty to order the cutting down of such Timber.

'IV. And whereas in and by the said last mentioned Act there is a Power lodged in the said Court of 'Exchequer, upon Application as thereby directed, to make such Orders, and give such Directions, as 'the said Court shall think proper, for the Sale or Sales of the absolute Fee Simple and Inheritance 'of such Part or Parts of the said Premisses so forfeited and vested in his Majesty as aforesaid, and 'charged with the respective Mortgages and Incumbrances in the said Act mentioned, as should be 'sufficient to discharge the same; except an Annuity of one hundred Pounds a Year in the said Act 'mentioned: And whereas the rest of the said Premisses so forfeited and vested in his Majesty, or some 'of them, which are not charged with the said Mortgages and Incumbrances, may by reason of their 'lying intermixed and in common with the Estates of other Persons or otherwise, be more convenient 'to be sold for the Purpose aforesaid, than such of the said Premisses which are so charged, or some of 'them;' Be it therefore enacted by the Authority aforesaid, That for or towards the Discharge of the said Mortgages and Incumbrances (except the said Annuity of one hundred Pounds a Year) and not otherwise, it shall and may be lawful to and for the Attorney General of his Majesty, his Heirs and Successors, by his and their Direction, to apply to his Majesty's said Court of *Exchequer* by Motion in a summary

Incumbrances may be discharged by Sale of any of the Premisses.

a ſummary Way for the Sale or Sales to any Perſon or Perſons, being Proteſtants, of the Fee Simple and Inheritance of any of the ſaid Premiſſes ſo forfeited, and veſted in his Majeſty as aforeſaid, or any Part or Parts thereof, which are not charged with the ſaid Mortgages and Incumbrances, as ſhall be thought moſt convenient to be ſold and diſpoſed of; upon which Motion it ſhall and may be lawful to and for the ſaid Court to make ſuch Order or Orders for enquiring into the Conveniency of the Sale of the ſame, and upon Report thereof, to make ſuch Order or Orders, and give ſuch Directions for ſuch Sale or Sales thereof, as the ſaid Court ſhall judge proper, and for cauſing publick Notice to be given of ſuch Sale or Sales, as is uſual in Caſes of Eſtates directed to be ſold by Decrees in Courts of Equity; and to make and give ſuch other Orders and Directions therein, as to that Court in their Diſcretion ſhall ſeem juſt; and the Money ariſing by ſuch Sale or Sales ſhall be applied by the Direction of the ſaid Court for or towards the Diſcharge of the ſaid Incumbrances, or ſome of them, and in the mean time be paid by the Purchaſers into the Court of *Exchequer*, or to the Treaſurer of the ſaid Hoſpital for the time being, or be placed out in ſuch Government or other Securities, and in the Names of ſuch Perſons, as the ſaid Court ſhall direct; and in caſe there ſhall happen to be any Surplus of the ſaid Purchaſe Money, the ſame ſhall be applied for the Benefit of the ſaid Hoſpital; and upon Payment and Application of ſuch Purchaſe Money as aforeſaid, one or more Grant or Grants, Aſſurance or Aſſurances, of ſuch Parts and Parcels of the ſaid Eſtates and Premiſſes as ſhall be ſo ſold and paid for as aforeſaid, ſhall be made and paſſed under the Great Seal of *Great Britain* to every ſuch Purchaſer or Purchaſers, his, her or their Heirs and Aſſigns; and all and every Perſon and Perſons making any ſuch Purchaſe, and having any ſuch Grant or Grants, Aſſurance or Aſſurances as aforeſaid, ſhall from the Time of making ſuch Grant or Grants, Aſſurance or Aſſurances, be, and are hereby adjudged to be, ſeiſed of and intitled to the abſolute Fee Simple, and in the actual Poſſeſſion of ſuch Part and Parts of the ſaid Premiſſes as ſhall be ſo purchaſed and conveyed.

Purchaſers to have Grants thereof.

'V. And whereas in and by the ſaid laſt mentioned Act of Parliament it is enacted, That it ſhall 'and may be lawful for his Majeſty, his Heirs and Succeſſors, to authorize and impower the Com-'miſſioners and Governors of the ſaid Royal Hoſpital for the time being, to grant Leaſes of the Pre-'miſſes or any Part or Parts thereof, during ſuch Term of Years, and upon the Conditions of the ſaid 'Act mentioned; and amongſt other Things it is thereby ordered, that no Clauſe be contained in any 'of the ſaid Leaſes, giving Power to any Leſſee to commit Waſte, or exempting him, her or them 'from Puniſhment for committing the ſame: And whereas within and under ſeveral of the ſaid Lands 'and Premiſſes are contained ſeveral Mines of Lead, Coal, and other Minerals, as well opened as not 'opened, which will probably turn to a very great Profit unto the ſaid Royal Hoſpital, for the winning 'and working whereof it will be neceſſary to make and ſink Pits, Trenches, Groves, Drifts, Water-'gates and Water-courſes, and to do ſeveral other Acts and Things within and upon the ſaid Lands 'and Grounds, which may be reckoned and deemed to be committing Waſte within the Meaning of 'the ſaid Act;' To the End therefore that the ſaid Mines and Minerals, as well unopened as opened, may be effectually won and wrought for the Benefit of the ſaid Hoſpital; Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, during the Continuance of his or their Eſtate in the Premiſſes, by Sign Manual, to authorize the Commiſſioners and Governors of the ſaid Hoſpital, or any ſeven or more of them, to demiſe and grant all and every or any of the ſaid Mines and Minerals, as well unopened as opened, for any Number of Years not exceeding twenty one Years, to take Effect in Poſſeſſion and not in Reverſion, reſerving the beſt Rents or Dues that can be reaſonably gotten for the ſame, without taking any Fine, Premium or free Gift, with full Liberty to the reſpective Leſſees to win and work the ſame Mines and Minerals, and to do every Act and Thing requiſite and neceſſary for that Purpoſe, without reckoning or deeming the ſame to be Waſte, ſo as there be contained in all ſuch Leaſes a Condition of Re-entry for Non-payment of Rent, and ſo as the reſpective Leſſees execute Counter-parts of ſuch Leaſes.

Power to leaſe out and work Mines within the Premiſſes.

'VI. And whereas the Fines, Cuſtoms and Services, by and under which ſeveral of the Tenants 'hold their Farms, Lands, Tenements and Eſtates, lying and being within ſeveral of the ſaid Ma-'nors, are agreed, aſcertained or expreſſed in ſome Articles, Indenture, Deed or Writing, now or 'late in the Cuſtody or Power of ſome of the ſaid Tenants, who refuſe to produce or ſhew the 'ſame, which if produced might be a Means to prevent Diſputes, Differences and Suits concern-'ing the ſaid Fines, Cuſtoms and Services, and for the Quiet and Benefit both of the Lord and 'Tenants;' Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Attorney General of his Majeſty, his Heirs and Succeſſors, by his or their Direction, to apply to his Majeſty's Court of *Exchequer* at *Weſtminſter* by Motion in a ſummary Way againſt any Tenant or Tenants holding any Farms, Lands, Tenements or Eſtates, lying and being within the ſaid Manors, or any of them, of whoſe having in his, her or their Cuſtody or Power any ſuch Articles, Indenture, Deed or Writing probable Evidence ſhall be ſhewed to the Satisfaction of the ſaid Court, for ſuch Tenant or Tenants to produce and ſhew forth the ſame; upon which Motion it ſhall and may be lawful to and for the ſaid Court of *Exchequer* to examine and enquire into the ſaid Matter, and to make ſuch Order or Orders with reſpect to the producing and ſhewing forth any ſuch Articles, Indenture, Deed or Writing, by any ſuch Tenant or Tenants appearing to the ſaid Court to have the ſame in his, her or their Cuſtody or Power, and with reſpect to any Copy or Copies to be had and made thereof, and ſuch other Order and Orders concerning the ſame, as the ſaid Court ſhall think proper and juſt.

Method of obliging the Tenants to produce Writings relating to Fines, &c.

'VII. And whereas it may be a conſiderable Time before the ſaid Mortgages and Incumbrances 'can be diſcharged by Sale of a competent Part of the ſaid Premiſſes for that Purpoſe, and the Inte-'reſt of the principal Money due thereon is partly at the Rate of five Pounds for one hundred

'Pounds,

'Pounds, and partly at the Rate of ſix Pounds for one hundred Pounds for a Year; and it will be a Be-
'nefit to the ſaid Hoſpital for the ſaid Money to be at a leſs Rate;' Be it therefore enacted by the Autho-
and to reduce the Rates of Mortgages. rity aforeſaid, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by Sign Manual to authorize the Commiſſioners or Governors of the ſaid Hoſpital for the time being, or any ſeven or more of them, to agree with the reſpective Mortgagees and Incumbrancers of the ſaid Premiſſes in the ſaid laſt-mentioned Act named, their Executors, Adminiſtrators or Aſſigns, or any of them, for any leſs Rate or Intereſt for the principal Money due on their Securities reſpectively, than the ſame is now at; and in caſe the ſaid Mortgagees and Incumbrancers ſhall not ſo agree, then to agree with any other Perſon or Perſons for the advancing Money at any leſs Rate or Intereſt than aforeſaid, for paying off the principal Money due on the ſaid Mortgages and Incumbrances, or any of them, upon the ſame being aſſigned unto ſuch Perſon or Perſons reſpectively ſo advancing ſuch Money.

Proviſo. VIII. Provided always, That ſuch Aſſignments ſhall be made for the reſpective principal Money only of the ſaid Mortgages and Incumbrances, or any of them, and for the Intereſt of ſuch principal Money to grow due from and after the making of ſuch Aſſignments reſpectively; and that the ſaid principal Money and Intereſt thereof in all ſuch Aſſignments ſhall be made payable at the End of ſix Months at the fartheſt from the Day of the making of ſuch Aſſignments reſpectively.

'IX. And whereas it may be doubtful on the Words of the ſaid laſt-mentioned, whether any Leaſe
'can be good by virtue of the ſaid Act, unleſs executed by all the Commiſſioners, which will be im-
Seven Commiſſioners to act. 'practicable;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, by his and their Sign Manual to authorize and impower the Commiſſioners and Governors for the time being, or any ſeven or more of them, from time to time during the Continuance of his Majeſty's Intereſt in the Premiſſes, to grant Leaſes thereof, or of any Part or Parts thereof, in ſuch Manner, for ſuch Terms, and under ſuch Reſtrictions, as in the ſaid laſt-mentioned Act and in this preſent Act are for that Purpoſe expreſſed and contained, reſerving the Rents thereof to his Majeſty, his Heirs and Succeſſors, which Rents ſhall be received and applied in the Manner directed by the ſaid laſt-mentioned Act.

Publick Act. X. And be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe and Matter therein, ſhall by all and every Judge and Judges and other Perſon and Perſons be conſtrued and adjudged as largely and beneficially in all Courts of Law and Equity, and all other Places, as can be for the Ends and Purpoſes herein expreſſed, and is hereby declared to be a Publick Act of Parliament; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecial pleading the ſame.

His Majeſty's, XI. Saving always to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, all ſuch Right, Title, Eſtate, Intereſt, Claim and Demand of, in, unto, or out of the ſaid Premiſſes, or any Part thereof, as his Majeſty, his Heirs or Succeſſors, might have had or been intitled unto, in caſe this Act had never been made (other than and except ſuch Right, Title, Eſtate, Intereſt, Claim and Demand, as was or is veſted in his Majeſty, his Heirs and Succeſſors, by virtue of the ſeveral Attainders herein before-mentioned, or either of them, or of the ſaid recited Acts of Parliament, or any of them; and other than and except ſuch Right, Title, Eſtate, Intereſt, Claim or Demand, which his Majeſty, his Heirs and Succeſſors, hath or may have in or to ſuch Part or Parts of the ſaid Premiſſes, which ſhall be ſold purſuant to the Directions of this Act) any thing herein contained to the contrary in any wiſe notwithſtanding.

nor the Claimants Rights in the Premiſſes, hereby prejudiced. XII. Saving alſo to the ſaid ſeveral Mortgagees and Imcumbrancers in the aforeſaid Act of the eighth Year of his preſent Majeſty named (till they ſhall be paid off as aforeſaid) and to all and every other Perſon and Perſons, Bodies Politick or Corporate, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, all ſuch Right, Title, Eſtate, Intereſt, Claim and Demand of, in, unto, or out of the ſaid Premiſſes, or any Part thereof (except ſuch Part or Parts of the ſaid Premiſſes which ſhall be ſold purſuant to the Directions of this Act) as they or any of them might have had or been intitled unto, in caſe this Act had never been made; any thing herein contained to the contrary notwithſtanding.

See 22 Geo. 2. c. 52.

CAP. XXXI.

Act 13 Eliz. c. 12. Act 13 & 14. Car. 2. c. 4. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices, or to read the Prayers and make the Declarations and Subſcriptions required within the reſpective Times limited by Law; and for allowing further Time for thoſe Purpoſes. Perſons qualifying themſelves according to the ſaid Acts by 28 *Nov.* 1738, and taking the Oaths of Office by 1 *Aug.* 1738. indemnified. All Perſons required by Law to read the Articles of Religion, and the Prayers, indemnified, if they do ſo by 24 *Dec.* 1738. This Act not to reſtore Perſons to Places already forfeited. EXP.

CAP.

CAP. XXXII.

An Act for enlarging the Time granted by an Act paſſed in the third Year of the Reign of his late Majeſty King GEORGE, intituled, *An Act for enlarging the Time granted by an Act paſſed in the eighth Year of the Reign of her late Majeſty Queen* ANNE, intituled, *An Act for making a convenient Dock or Baſon at* Liverpool, *for the Security of all Ships trading to and from the ſaid Port of* Liverpool; and for enlarging the ſame, by making an additional Dock, and building a Pier in the open Harbour there; and for enlightening the ſaid Dock. P R.

WHEREAS by an Act made and paſſed in the eighth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for making a convenient Dock or Baſon at* Liverpool, *for the Security of all Ships trading to and from the ſaid Port of* Liverpool, the Mayor, Aldermen, Bailiffs, and Common Council of the Borough of *Liverpool*, were impowered to make a wet Dock or Baſon, with Wharfs, Sluices, and Canals, in and upon a certain Piece or Parcel of Ground in the ſaid Act mentioned, which had been appointed and ſet apart by an Order of the ſaid Common Council for that Purpoſe, and certain Rates, Tonnage, Keelage, and Duties upon all Ships, Veſſels, Barks, or Lighters (except the Queen's Ships of War and others employed in her then Majeſty's Service) trading or coming into or out of the ſaid Port of *Liverpool* with any Goods or Merchandiſe, were by the ſaid Act granted or directed to be levied and paid to the ſaid Mayor, Aldermen, Bailiffs, and Common Council for the time being, and their Succeſſors, or to their Collectors or Deputies, to be from time to time appointed, for the Term of twenty-one Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and ten, and to be applied for the building and repairing the ſaid new Dock or Baſon, and other Works in and about the ſame, and for ſecuring, preſerving, amending, and maintaining the ſaid Dock or Baſon, and Harbour of *Liverpool*, and to no other Uſe or Purpoſe whatſoever; and the ſaid Mayor, Aldermen, Bailiffs, and Common Council for the time being, and their Succeſſors, were thereby impowered, by Indenture under their Common Seal, to convey or aſſure the Duties granted by the ſaid Act, as a Security for any Sum or Sums of Money by them to be borrowed for the Ends and Purpoſes of the ſaid Act, to any Perſon or Perſons that ſhould advance ſuch Sum or Sums of Money upon ſuch Security, which Money ſo to be borrowed was thereby directed to be employed for and towards the building and erecting the ſaid Dock or Baſon, and other Works for the ſecuring, preſerving and amending the ſaid Dock or Baſon; but the Duties granted by the ſaid Act ſhould not be at any Time conveyed and made a Security for or charged with any greater or farther Sum than ſix thouſand Pounds: And it was by the ſaid Act further enacted, That from and after the ſaid Term of twenty-one Years, and ſo long as the ſaid Dock or Baſon and other Works ſhould be continued or kept up, there ſhould be paid to the ſaid Mayor, Aldermen, Bailiffs, and Common Council for the time being, and their Succeſſors, not exceeding one fourth Part of the Rates and Duties therein mentioned, to be collected, levied, paid, and accounted for, in the ſame Manner, and under the Penalties and Forfeitures therein alſo mentioned and provided, for the collecting, levying, paying, and accounting for the Rates and Duties firſt mentioned in the ſaid Act; and it was alſo thereby enacted, That there ſhould be nine Commiſſioners to inſpect the Accounts of all the Collections, Receipts and Diſburſements of all ſuch Monies, as ſhould be collected and levied by virtue of the ſaid Act, whereof three were to be nominated yearly by the Mayor, Aldermen, Bailiffs, and Common Council of the ſaid Borough of *Liverpool*, in Common Council aſſembled, other three to be in like Manner nominated and appointed by Juſtices of the Peace for the County of *Lancaſter* at the Seſſions held at *Ormeskirk*, and other three to be in like Manner nominated by the Juſtices of Peace for the County Palatine of *Cheſter*, at their ſeveral and reſpective Seſſions held yearly after *Eaſter*; which ſaid Commiſſioners ſo nominated, or any five of them, were thereby authorized, from time to time, giving due Notice, to call before them the Collectors, Receivers and others, who had been or ſhould be intruſted with the Receipt, Collection, and Employment of the Monies received and collected in purſuance of the ſaid Act, who ſhould be required to render ſuch Accounts to the ſaid Commiſſioners, or any five of them; and the ſaid Commiſſioners were thereby impowered to order and appoint all ſuch Monies which ſhould reſt due on ſuch Account, to be laid out and expended to and for the Uſes and Purpoſes in the ſaid Act mentioned, and to and for no other Uſe whatſoever: And whereas by another Act of Parliament made and paſſed in the third Year of the Reign of his late Majeſty King GEORGE the Firſt, for enlarging the Time granted by the ſaid Act paſſed in the eighth Year of the Reign of her ſaid late Majeſty Queen ANNE, all and every the Sum and Sums of Money, Rates, Tonnage, Keelage, and Duties granted and directed to be levied by the ſaid firſt recited Act; and all the Clauſes, Powers, Proviſions, Penalties, Forfeitures, and Exceptions therein mentioned, concerning the Collection and Payment of the ſaid Duties, and Management of the ſaid Dock or Baſon, and other Works, were continued and enacted, and declared to be in Force, from and after the Expiration of the ſaid Term of twenty-one Years (for which the ſame were granted by the ſaid former Act) for and during, and unto the full End and Term of fourteen Years from thence next enſuing, and fully to be compleat and ended; and it was by the ſaid Act of the third Year of his ſaid late Majeſty's Reign enacted, That all and every Sum and Sums of Money to be collected and received by virtue of the ſaid laſt-mentioned Act, and the ſaid former Act, ſhould be appropriated

Preamble, reciting the Act 8 Anne, c. 12.

3 Geo. I. not printed.

'and employed, as well towards ſatisfying, paying, and diſcharging all and any Sum and Sums of 'Money borrowed, advanced, or received by the ſaid Truſtees, over and above the ſaid Sum of ſix 'thouſand Pounds, as for and towards carrying on, compleating, and finiſhing the ſaid Dock or Baſon, 'and all other Works in and about the ſame, and erecting and placing ſuch proper Land Marks, 'Buoys, and other Directions at the Mouth and Entrance into the ſaid Harbour, as by the ſaid 'Mayor, Aldermen, Bailiffs, and Common Council of the Borough and Corporation for the time be-'ing, ſhould be thought needful or proper; and that after the Expiration of the ſaid Term of four-'teen Years, the fourth Part of the ſaid Duties granted in and by the ſaid former Act ſhould com-'mence and take Place, and not before; and the Mayor, Bailiffs, and Burgeſſes of the ſaid Borough 'and Corporation for the time being were by the ſaid laſt recited Act impowered, by Indenture or 'other Writing under the Common Seal of the ſaid Borough and Corporation, to convey and ſecure, 'as well all ſuch of the Duties granted by the ſaid former Act for the ſaid Term of twenty-one Years 'as were not then conveyed, as alſo the Duties continued and granted by the ſaid Act of the third Year 'of his ſaid late Majeſty, as a Security for any Sum or Sums of Money to be borrowed for the Ends 'and Purpoſes of the ſaid ſeveral Acts, to any Perſon or Perſons that ſhould advance ſuch Sum or 'Sums of Money upon ſuch Security, ſo that the Duties thereby granted ſhould not at any Time be 'charged with a greater or further Sum than four thouſand Pounds: And whereas the ſaid Dock or 'Baſon hath been made, finiſhed and perfected, purſuant to the Directions of the ſaid recited Acts, and 'made capable of taking, receiving, and harbouring a conſiderable Number of Ships, which has tend-'ed to the Increaſe of Navigation, and Improvement of Trade, within the ſaid Town and Port of *Li-'verpool*; and in order to enable the Truſtees to finiſh and compleat the ſaid Dock or Baſon, they bor-'rowed and took up upon the Credit of the ſaid recited Acts, ſeveral Sums of Money, and there now 'remains due to the Perſons who advanced and lent the ſame on that Account, the Principal Sum of 'Four thouſand eight hundred and thirty Pounds at Intereſt: And whereas by reaſon of the Straitneſs 'of the Entrance into the ſaid Dock or Baſon from the open Harbour of *Liverpool*, the Navigation in-'to and from the ſaid Dock or Baſon is greatly obſtructed, and Ships and Veſſels lying in the ſaid Dock 'or Baſon are frequently prevented from getting out to Sea, and Ships and Veſſels lying in the Harbour 'without the ſaid Dock or Baſon, are frequently forced on Shore and loſt, to the great Damage of the 'Merchants and Owners of Ships, and the Trade of the ſaid Town and Port of *Liverpool:* And 'whereas in caſe the ſaid Dock or Baſon was enlarged, and a Pier erected and built in the open Har-'bour of *Liverpool*, on the North Side of the Entrance into the ſaid Dock or Baſon, ſuch Loſſes, Miſ-'chiefs, and Inconveniencies might in a great Meaſure be prevented, and the Harbour be rendered 'more ſafe and commodious for the lying, lading, and unlading of Ships and other Veſſels reſort-'ing thereto, or trading within the ſaid Port; and the Mayor, Aldermen, Bailiffs, and Common Coun-'cil of the ſaid Borough and Corporation of *Liverpool* have agreed to grant another Piece of Ground, 'containing ſeven Acres, or thereabouts, Parcel of the Ground belonging to the ſaid Corporation, ad-'joining to the Entrance into the ſaid Wet Dock or Baſon on the North and South Sides of ſuch En-'trance, wherein ſuch Pier and additional Dock may be made and erected, to be held, uſed, ap-'plied, and enjoyed for that Purpoſe for ever; and have alſo agreed to lay out, apply, and advance out 'of the Common Stock of the ſaid Corporation the Sum of one thouſand Pounds, for accompliſhing 'ſo neceſſary and uſeful a Work: But as the Rates and Duties ariſing by virtue of and under the ſaid 'recited Acts, and the Sum ſo agreed to be contributed and advanced by the ſaid Corporation, will not 'be ſufficient to anſwer the Expences of ſuch new Works, and diſcharge the Debt, due on the Secu-'rities made in purſuance of the ſaid former Acts, a Deſign ſo uſeful and beneficial to the ſaid Town 'and Port of *Liverpool*, and to the Trade and Navigation of the Kingdom cannot be effected and car-'ried into Execution, unleſs the ſaid former Acts, and the Terms, Rates, and Duties thereby grant-'ed and continued be enlarged, and other Proviſions made for the Purpoſes before-mentioned;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted, *&c.*

"Continuation of the Acts 8 *Ann.* and 3 *Geo.* 1. Duties aſſignable for Money borrowed. 12 Commiſ-"ſioners appointed. The Dock to be kept in Repair by a Fourth of the Rates. Corporation im-"powered to purchaſe Ground, *&c.* by Agreement with the Owners, or by Determination of a Jury; "and the Corporation to give final Judgment thereon. On Payment of the Monies, the Corporation "to be indemnified for uſing the Grounds, *&c.* Lamps to be ſet up about the Dock, and charged "upon the Rates."

CAP. XXXIII.

An Act for repairing the Roads from the Town of *Loughborough* in the County of *Leiceſter*, to the Town of *Derby* in the County of *Derby*; and from the ſaid Town of *Derby* to the Town of *Bruſſington*, in the ſaid County of *Derby*; and from the ſaid Town of *Derby*, through the Town of *Aſhborne* in the ſaid County of *Derby* to *Hurdloe Houſe* in the Pariſh of *Hartington*, in the ſaid County. P R.

Certain Tolls are granted from 24 *June* 1738, for 21 Years. Continued by 17 *Geo.* 2. *c.* 20.

CAP.

CAP. XXXIV.

An Act for the effectual Draining and Preservation of certain Fens called *Cawdle Fen*, *Waterden*, and *Redmoor*, and one Piece of Fen Ground called *The Holts*, in the Isle of *Ely* in the County of *Cambridge*. P R.

'WHEREAS certain Fens and Low Grounds, lying and being in *Ely*, within the Isle of *Ely* and County of *Cambridge*, and within the great Level of the Fens called *Bedford Level*, containing in the Whole eight hundred and fifty Acres, or thereabouts, and hereafter mentioned and described; that is to say, All that Fen called *Cawdle Fen*, containing three hundred and thirteen Acres, or thereabouts, beginning from the River *Owze* next a Farm called *Braham Farm*, and from thence all along under *Cawdle Fen Drove* to *Stonebridge*, and from thence to *Gentsbridge*, including the *Holts*, and from thence to the Bank next the said River *Owze* up to the said Farm called *Braham Farm* (excluding the Hill-piece of Mr. *Needham*'s Heirs, called the *Brick-kiln Grounds*, containing five Acres) and all that Fen called *Waterden Fen*, containing two hundred and ninety-four Acres, or thereabouts, beginning next *Turbesey Farm* from *Sandys*'s *Cut* up to the *Milking Hill*, and from thence all along the *Drove Way* under *New Barns Farm* to *Claway Drove*, and from thence to *Claway House*, along *Sandys*'s *Cut*, up to the said *Turbesey Farm* (excluding four Acres of Ground belonging to *William Cole* Esquire, at *Thistley Corner* next the *Milking Hill*, and two Acres of Ground more belonging to Mr. *Robert Lightfoot*, lying next the Ground of the said *William Cole*, and two Acres of Ground more belonging to *Thomas Buttey*, lying next the Ground of the said *Robert Lightfoot*, and two Acres of Ground more belonging to the said *Robert Lightfoot*, lying next the Ground of the said *Thomas Buttey*, and four Acres of Ground more belonging to Mr. *William Cawthorne*, lying next the last-mentioned Ground of the said *Robert Lightfoot*, and four Acres of Ground more belonging to Mr. *Thomas Aungier*, abutting on *New Barnes Farm*) and all that Fen called *Redmoor Fen*, containing two hundred and forty-five Acres, or thereabouts, beginning from *Sandys*'s *Cut* next *Clayway Drove*, up to the *Drove Way* under *New Barnes Farm*, up to *Chettisham Field*, along another *Drove Way* leading up to the King's Highway under *Woodhouse Farm*, and from thence to Mr. *Henry Morley*'s Kiln-docking down to *Sandys*'s *Cut*, up to *Clayway Drove* (excluding the two High Grounds belonging to *Kettlesworth Farm*) have for some Years last past been, and still are, overflowed with Waters through the Defect of their Outfalls to the Sea, by which Means the same are in Danger of being utterly lost, to the great Damage and Impoverishment of the Owners of such Grounds: And whereas, notwithstanding the Powers and Provisions now in Force for draining and keeping dry the same by and under an Act of Parliament made in the fifteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens called* Bedford Level, the said Fen Grounds cannot be preserved without the further Aid of Parliament, to enable the Owners and Proprietors of the said Fen Lands and Grounds to preserve and keep the same drained for the future, by which Means great Benefit will not only accrue to the Publick, but much Profit to the Owners of the said Fen Lands and Low Grounds;' Be it enacted, *&c.* 15 Car. 2. c. 17.

" Commissioners authorized to cut Drains through, and erect Works on, the Fens for draining them, " making Satisfaction for Damages. Commissioners to assess the Owners of the Fens. Duties assign- " able for Money borrowed, at Interest not exceeding 5 *l. per Cent. per Annum.* Commissioners not to " act, unless Owners of the 12 Acres of the said Fens. Commissioners not to intermeddle with the " Works of the Conservators of *Bedford Level*; nor to obstruct the Navigation of the River *Owze*.

CAP. XXXV.

An Act for the better enlightening the open Places, Streets, Lanes, Passages, and Courts, and for the better regulating the Nightly Watch and Bedels, within the Parish of *Christ Church*, in the County of *Middlesex*. P R.

'WHEREAS the enlightening the open Places, Streets, Lanes, Passages and Courts, and keeping a sufficient and well-regulated Watch in the Night Time, within the great and populous Parish of *Christ Church* in the County of *Middlesex*, will be of great Importance, and tend not only to the Preservation of the Persons and Properties of the Inhabitants thereof, but for the common Safety and Benefit of all other Persons resorting to and from the Market kept within the said Parish, and all other Persons whose Affairs oblige them to pass and repass through the same, and very necessary to prevent, as well the Mischiefs which may happen from Fires, as Murders, Burglaries, and other Outrages and Disorders: And whereas by the Laws now in being no effectual Provision is made for the enlightening the said Streets and other Places, or for the establishing, ordering, or well-governing of such a Nightly Watch, or compelling of the Constable or Headboroughs to do his or their Duty, by watching in their several Turns, or for levying and collecting any Sums of Money for defraying the necessary Charges thereof, or for enforcing a due Application and just Account of any Money so levied and collected for that Purpose;' For Remedy of the aforesaid Inconveniencies, may it please your most Excellent Majesty, that it may be enacted, *&c.*

" The Vestry to appoint a proper Number and Sort of Lamps, *&c.* and to make Regulations and Con- " tracts. Copies of such Regulations to be delivered to the Constables, *&c.* Vestry impowered to make

" a Pound Rate on the Inhabitants, to be collected quarterly or half yearly. The same not to exceed " 8 *d. per* Pound. Persons aggrieved may appeal to Quarter-Sessions. Persons paying these Rates, &c. " not to gain any Settlement. Books of Account to be kept by the Vestry Clerk; and to be inspected " by any Inhabitant *gratis*. Penalties on breaking or damaging Lamps. Justices impowered to hear and " determine Offences against this Act. Persons paying the Rates exempt from the Penalties of the Act " 2 W. & M. c. 8. in relation to hanging out Lights, and from Watch and Ward."

CAP. XXXVI.

An Act for enlarging the Terms and Powers granted by two Acts of Parliament, one of the fourth, and the other of the sixth Year of the Reign of his late Majesty King *George* the First, for repairing the Roads from the *Stones End* in *Kent Street*, in the Parish of *Saint George* in *Southwark* in the County of *Surrey* (leading to the *Lime Kilns* in *East Greenwich*) to the first *Mill Pond* at *South End*, in the Parish of *Lewisham* in the County of *Kent*; and for amending the Road from *Westminster Ferry* at *Lambeth*, in the said County of *Surrey*, to *New Cross* in *Deptford* in the said County of *Kent*; and for amending and making the said Acts more effectual; and for amending the Roads from the *Lime Kilns* aforesaid to the Town of *Dartford* in the said County; and from a Place called *Saint Thomas a Waterings*, in the said Parish of *Saint George*, to the *Stones End* in *Bermondsey Street* in the said County of *Surrey*. P R.

The Tolls, &c. 6 *Geo.* 1. *c.* 26. are further continued for 38 Years. Continued by 25 *Geo.* 2. *c.* 51.

CAP. XXXVII.

An Act for enlarging the Term and Powers granted in and by an Act made in the tenth Year of her late Majesty Queen ANNE, *for enlarging, amending and maintaining the Road between* Northfleet, Gravesend *and* Rochester, *in the County of* Kent; and also another Act made in the Eleventh Year of his late Majesty King GEORGE the First, *for enlarging the Term granted by the said former Act, and for other Purposes therein mentioned*; and for explaining and amending the said Acts; and also for repairing the Highway from *Northfleet* aforesaid to *Dartford* in the said County. P R.

The Tolls are further continued for 21 Years.

CAP. XXXVIII.

An Act for vesting the Real and Personal Estate of *Hugh Naish* Esquire, who was late a Prisoner in his Majesty's Prison of the *Fleet*, and escaped out of the same, in Trustees, for the Benefit of his Creditors. P R.

CAP. XXXIX.

An Act to enable the Adventurers, Owners and Proprietors of the *Taxable Lands*, and the Owners and Proprietors of the *Free Lands*, in *Deeping Fens* and other Fens in the County of *Lincoln* therein mentioned, to raise a competent Sum of Money for the effectual draining and future Preservation of all the said Fens, according to their Agreement in that Behalf, and to carry the said Agreement into Execution, and for other the Purposes therein mentioned. P R.

Preamble, reciting the Act 16 & 17 Car. 2. c. 11.

' WHEREAS by an Act of Parliament made in the sixteenth and seventeenth Years of the ' Reign of his Majesty King CHARLES the Second, intituled, *An Act for draining of the Fen call-* ' *ed* Deeping Fen, *and other Fens therein mentioned*, *Edward* then Earl of *Manchester*, and other Honour- ' able Persons therein named, their Heirs and Assigns, and the Survivors of them, were declared Un- ' dertakers for the draining the said Fens, in Trust to and for such Person and Persons, and to such In- ' tents and Purposes as are therein mentioned; which said Fens are described by the said Act to be in ' *Holland* and *Kesteven* in the County of *Lincoln*, and called or known by the Names of *Deeping Fen*, ' *Pinchbeck*, and *Spalding South Fen*, *Thurlby Fen*, *Bourn South Fen*, and *Croyland Fen*, otherwise *Gog-* ' *gusholand*, and contain in the whole about thirty thousand Acres; and one third Part of the said Fens, ' being ten thousand and thirty-six Acres, or thereabouts, thentofore allotted to *Thomas Lovell* Esquire, ' therein named, his Heirs and Assigns, and five thousand Acres more of the said Fen Lands afterwards ' added thereto as a Recompence and Satisfaction for the Charges and Expences which they had then be- ' fore been at, and would be at, in and about the draining the said Fens, were vested in the said Tru- ' stees, their Heirs and Assigns, in Trust, as to the said ten thousand and thirty-six Acres thereof now ' called the *Taxable Lands*, to be conveyed by the said Trustees to such Person or Persons, for such ' Estate and Estates, in such Manner as *Thomas* Earl of *Berkshire*, and others therein named, should ' appoint; and as for the said five thousand Acres, now called the *Free Lands*, in Trust for the said ' Earl of *Berkshire*, and others therein named, according to their respective Interests therein; and all the ' said Fen Lands so vested in the said Trustees as aforesaid, were by the said Act to be fenced and in- ' closed by the said Trustees, their Heirs and Assigns, against the Lords and Commoners of the Residue ' of the said Fens; and Liberty was thereby given for the said Lords and Commoners to inclose and ' sever and hold in Severalty such Quantities of the rest of the said Fens, as should be proportional to ' their respective Interests therein, subject to the Powers given by the said Act to the said Trustees for

' draining

'draining the ſaid Fens, as if thoſe Lands had remained common and unincloſed: And by the ſaid Act 'it was enacted, That it ſhould and might be lawful to and for ſuch Perſon and Perſons, their Heirs 'and Aſſigns, or any Three or more of them, being then a real Owner of two hundred and fifty 'Acres of the ſaid Lands or more within the ſaid Fen, to whom the ſaid Truſtees, their Heirs or Aſ'ſigns, ſhould execute any Eſtate or Eſtates of the ſaid ten thouſand and thirty-ſix Acres, or any 'Part thereof, to be Adventurers, and as Adventurers under the ſaid Truſtees, their Heirs or Aſſigns, 'in draining the ſaid Fens, at all Times, and from time to time from thenceforth to hold Meetings for 'ſuch Purpoſes as in the ſaid Act are more particularly mentioned; and to aſſeſs, rate, tax and charge 'all and every the Owner or Owners of the ſaid ten thouſand and thirty-ſix Acres of the ſaid Lands, 'by an equal and proportionable Acre Tax, for carrying on and effecting the ſaid Work, and to appoint 'the Payment thereof at ſuch Times and Places as they ſhould direct; and in Default of Payment of 'ſuch Rates to ſell ſo much of the Defaulter's Lands for Payment thereof, as to them ſhould ſeem 'meet, in ſuch Manner and Form, and by ſuch Ways and Means, as by the ſaid Act is in that Be'half directed; ſubject nevertheleſs to the Conditions and Forfeitures contained in the ſaid Act: And 'whereas by one other Act of Parliament made in the twenty-ſecond Year of the Reign of his ſaid Ma'jeſty King CHARLES the Second, intituled, *An Act for ſettling the draining of the Fens in* Lincolnſhire, '*called* Deeping Fens; the Meetings of the ſaid Undertakers ſo qualified as aforeſaid were appointed to 'be held for ever thereafter at the Town of *Spalding*, on the *Thurſday* next after the Second *Sunday* in '*April* yearly, for laying the ſaid Tax, and the Time for Payment thereof was appointed to be on the 'Tenth Day of *October* then next following; and if the ſame ſhould not be paid on or before the 'Tenth Day of *November* then next following, then the ſame with the Penalty thereby to be impoſed '(not exceeding the third Part of the ſaid Tax) ſhould be levied by Sequeſtration and Sale of the Lands 'of the Defaulters, at ſuch Time, and in ſuch Manner, as by the ſaid Act is directed; and that no Tax 'for draining or preſerving the ſaid Fens ſhould at any Time thereafter be taxed or levied at any other 'Time, or in any other Manner than as aforeſaid: And whereas the ſaid ten thouſand and thirty-ſix 'Acres, and the ſaid five thouſand Acres of the ſaid Lands, have been long ſince fenced and incloſed by 'the ſeveral and reſpective Owners and Proprietors thereof, according to the Powers given by the ſaid 'firſt recited Act in that Behalf; and the ſame and all the reſt of the ſaid Fens were long ſince drained 'and kept drained for ſome Years; yet notwithſtanding all the Endeavours that have been uſed by the 'late and preſent Owners and Proprietors of the ſaid Taxable Lands for many Years, to preſerve and 'keep all the ſaid Fen Lands drained, the ſame have for ſeveral Years laſt paſt been and now are ſo 'overflowed with Waters through the Defects of their Outfalls to Sea and other Cauſes, that little or 'no Profit can be made of them, to the great Loſs and Damage of the Owners and Proprietors as well 'of the ſaid Free Lands as Taxable Lands, and to the Impoveriſhment of the Commoners having 'Right of Common in the reſt of the ſaid Fens, being about Fifteen thouſand Acres, and for which 'ſaid Cauſes and Reaſons about four thouſand Acres of the ſaid Taxable Lands have become forfeited 'for Nonpayment of the draining Taxes charged thereon, and may be ſold by the ſaid Adventurers, or 'any three of them, ſo qualified as aforeſaid, by virtue of the ſaid ſeveral recited Acts or one of them: 'And foraſmuch as the ſaid Fens can never be made profitable, unleſs ſome new Methods be taken to re'cover the ſame, and which according to a Scheme and Eſtimate made thereof will coſt about fifteen 'thouſand Pounds; and foraſmuch alſo as it is provided and enacted by the ſaid firſt recited Act, That 'if the ſaid Truſtees therein named, their Heirs or Aſſigns, ſhould not inn, drain, and keep dry the 'ſaid Fens, as by the ſaid firſt recited Act is directed, or ſhould wilfully or negligently ſuffer the ſaid 'Fens and Waſtes, or the moſt Part of them, to be again drowned and overflowed by the Space of 'five Years after the Expiration of the Time thereby limited for their inning and draining the ſaid Fens, 'and that the ſame ſhall be found and adjudged hurtfully ſurrounded through ſuch Default by ſuch 'Number of Commiſſioners of Sewers as are thereby appointed, and by ſuch Ways and Means as are 'therein directed in that Behalf; that then and from thenceforth the ſaid Truſt of the ſaid Truſtees of 'and in the ſaid ten thouſand and thirty-ſix Acres, and five thouſand Acres of the ſaid Lands, and all 'and every the Eſtate and Eſtates by them executed of all or any of thoſe Lands, ſhall ceaſe, deter'mine, and be utterly void to all Intents and Purpoſes whatſoever, and ſhall not be helped, altered or 'relieved by any Courſe of Law or Equity; and that then and from thenceforth the ſaid Truſtees, 'their Heirs and Aſſigns ſhall ſtand and be ſeiſed of all ſuch the ſaid Lands, in Truſt to permit and ſuf'fer the Commiſſioners of Sewers for the Places therein named to take the whole Rents, Iſſues and 'Profits thereof, to be laid out and expended for regaining the ſaid Fens, and for other the Purpoſes 'therein mentioned; and to make and execute ſuch Eſtate or Eſtates thereof as ſhall be directed and 'appointed by ſuch Number of the ſaid Commiſſioners, and in ſuch Manner as is thereby directed: 'Therefore for preventing the Loſs of ſuch the ſaid Taxable Lands and Free Lands, and for the Pre'ſervation of the Eſtates and Intereſts therein of the ſeveral Owners and Proprietors thereof, and for 'the Recovery and future Preſervation of all the ſaid Fens, the greater Part of the Owners and Proprie'tors of the ſaid Free Lands, in Number of Perſons and Quantity of Land, have come to an Agree'ment in Writing with the ſaid Owners and Proprietors of the ſaid Taxable Lands, by Deed Poll 'bearing Date the twenty-third Day of *February* in the Year of our Lord one thouſand ſeven hundred 'and thirty-ſeven, to join with the ſaid Owners and Proprietors of the ſaid Taxable Lands in making 'Application to Parliament, to obtain an Act to enable them to raiſe the ſaid Sum of fifteen thouſand 'Pounds for the effectual draining and future Preſervation of all the ſaid Fens by ſuch Ways and 'Means, and upon ſuch Terms and Conditions, as are ſet forth in the ſaid Agreement, and to carry 'the ſaid Agreement into Execution, and make the ſame binding upon all Parties, in ſuch Manner 'as by the ſaid Agreement is aſcertained and provided; which ſaid Agreement is as follows; that 'is to ſay,'

Act 22 Car. 2, not printed.

Agreement of the Proprietors of the Taxable and Free Lands.

"WHEREAS the Owners and Proprietors of certain Lands called The Free Lands, containing in the whole five thousand Acres or thereabouts, lying and being in Holland and Kesteven, in the County of Lincoln, called Deeping Fen, Pinchbeck, and Spalding South Fen, Thurlby Fen, Bourn South Fen, and Crowland Fen, and who have executed these Presents, and who are the greater Part of the Owners of the said Free Lands, in Number of Persons and Quantity of Acres, from the frequent Representations made to them by the Adventurers, Owners and Proprietors of the Lands in the said Fens called Taxable Lands, containing in the whole ten thousand Acres, or thereabouts, and by long Experience, have found, that notwithstanding the great Expence which the said Adventurers and Owners of the said Taxable Lands, and those under whom they claim an Interest therein, have been at, and the great Endeavours which have been used by them respectively, to keep that whole Level drained, being in the whole about thirty thousand Acres of Fen Land, the said Adventurers, Owners of the said Taxable Lands, have not been able so to do, by reason of the many Accidents and Misfortunes they have so often met with, and other Causes which prevented them therein, and for which Reasons and Causes the whole Level has for many Years past been so frequently drowned, that very little or no Profit could be made thereof, to the great Loss of all, and Impoverishment of many, of the Proprietors of the said Level, and by which Means about four thousand Acres of the said Taxable Lands are now become forfeited and vested in the Adventurers or Proprietors of the said Taxable Lands for Non-payment of the Draining Taxes chargeable therein pursuant to and by virtue of two several Acts of Parliament made in the Reign of his late Majesty King CHARLES the Second, for draining the said Fens; and that the said Level can never be made profitable, unless some new Methods be taken to recover and secure the same; and it having been computed by skilful and able Engineers employed for that Purpose, that it will cost at least fifteen thousand Pounds to recover and regain the said Level according to the Scheme and Estimate made thereof; and the Owners of the said Free Lands, who have executed these Presents, being fully satisfied that the said Level cannot be regained and secured without a great Expence, which cannot be raised on the said Taxable Lands alone, have therefore readily consented, That the Sum of five thousand Pounds, Part of the said fifteen thousand Pounds, shall be raised by an Acre Rate of twenty Shillings an Acre upon the said Free Lands for such the Purposes aforesaid, in case an Act of Parliament shall be obtained to enable them and the rest of the said Owners of the said Free Lands to raise the same; and the said Adventurers, Owners and Proprietors of the said Taxable Lands, who have also executed these Presents, and by their Constitution under the said several Acts of Parliament are a sufficient Number to treat with the said Owners of the said Free Lands, and by their Acts to bind the rest of the Owners of the said Taxable Lands who shall not execute these Presents, have also consented, That the Sum of six thousand Pounds, other Part of the said fifteen thousand Pounds, shall be raised by a like Acre Tax of twenty Shillings per Acre, to be laid on the said six thousand Acres of the said Taxable Lands, and as by the said two several Acts of Parliament they are impowered to do; and that as the said five thousand Pounds, and six thousand Pounds shall be raised, the same shall be laid out and expended for the Purposes herein after-mentioned; and that when both those Sums shall have been raised, then and not before the said four thousand Acres of the said Taxable Lands, which have been already forfeited for Non-payment of the Taxes chargeable thereon, and are thereby become vested in the said Adventurers, and other the said Taxable Lands which shall become forfeited, and as the same shall become forfeited from time to time, shall be sold for the most Money that can be got for the same; and the said five thousand Pounds, and six thousand Pounds, and the Money arising by such Sale, and the Rents and Profits of the said forfeited Lands in the mean Time, as far as the same will reach to make up the said fifteen thousand Pounds, shall be applied for the perfecting the draining the said Level, and for the Maintenance and future Preservation thereof, and of the Banks, Drains, Sluices and other Works thereof, according to the said Scheme and Estimate thereof as aforesaid: Therefore we, the Proprietors of the said Free Lands, whose Hands and Seals are hereunto subscribed and set with the respective Quantities of Lands appearing against the same, do hereby voluntarily and freely agree to join with the said Owners of the said Taxable Lands, in applying to Parliament for an Act to enable us and the rest of the Owners of the said Free Lands, who shall not have executed these Presents, or who by reason of their Incapacity or other Disabilities in Law cannot join herein, to raise and pay into the Hands of Sir Francis Whichcote Baronet, Treasurer, or his Deputy, or the Treasurer or his Deputy for the time being, of the said Taxable Lands, the said Sum of five thousand Pounds, in the Shares and Proportions herein after mentioned, whensoever such Act of Parliament shall be obtained as aforesaid; that is to say, Thirteen Shillings and four Pence per Acre, Part thereof, on or before the twenty-fourth Day of June next after the Commencement of the said Act, Three Shillings and four Pence more, other Part thereof, on or before the twenty-fourth Day of June next ensuing the said Time so limited for the said Payment of the said thirteen Shillings and four Pence per Acre, and the remaining three Shillings and four Pence, on or before the twenty-fourth Day of June next enluing the said Time so limited for the said Payment of the said first-mentioned three Shillings and four Pence per Acre; and we, the Owners and Proprietors of the said Taxable Lands, whose Hands and Seals are also hereunto subscribed and set with the respective Quantities of Land appearing against the same, do hereby agree, That (in case such Act of Parliament as aforesaid shall be obtained) a Tax of twenty Shillings per Acre shall be laid on the said six thousand Acres of the said Taxable Lands, at our publick Meeting to be held pursuant to the said Acts of Parliament herein before mentioned next after the Commencement of the said Act of Parliament so to be obtained as aforesaid, for raising the said Sum of six thousand Pounds upon the said six thousand Acres of Taxable Lands, and that as the same shall be raised, the same shall be paid to the said Sir Francis Whichcote, Treasurer, or his Deputy, or the Treasurer or his Deputy for the time being, of the said Taxable Lands, at the like Times, in the like Portions, and for the like Purposes, as the said five thousand Pounds is agreed to be raised and paid by the said Free Land Owners. And it is hereby further agreed by all the Parties to these Presents, That as the said several Sums of five thousand Pounds, and six thousand Pounds shall be so raised as aforesaid,

'aforesaid, the same shall from time to time be issued, paid and applied for the draining the said Fens according 'to the said Scheme or Estimate above-mentioned, in such Manner as the Majority of the Owners of the said 'Free Lands, and the Majority of the Owners of the said Taxable Lands, according to their respective Quan- 'tities of Acres, who shall be present at such the said publick Meeting to be held as aforesaid, or the Attorney 'or Attorneys lawfully constituted in that Behalf of such of the said Owners, as well of the said Free Lands 'as Taxable Lands, who shall be then absent, shall order and direct; and such Application and Payment of the 'said Money, pursuant to such Order or Appointment, shall be a full and effectual Discharge to the Treasurer 'or his Deputy for the time being, his and their Heirs, Executors and Administrators, for the Sums he or 'they shall so issue: And forasmuch as some few of the Proprietors of the said Free Lands, to the Amount of 'about one thousand Acres, cannot, by reason of their Incapacity or other Disabilities in Law, join in this 'Agreement, and for that also the Owners of the said Free Lands have not any Power to raise and levy the 'said Acre Rate so agreed to be raised by them as aforesaid; it is therefore agreed, That an humble Application 'shall be made to Parliament, to obtain an Act to impower the said Owners of the said Free Lands to raise 'the said Acre Rate upon all their said Lands, by such Ways and Means as shall be thereby provided; and to 'carry this Agreement into Execution, and make the same binding on all Parties to be benefited thereby, and 'to reimburse such Person or Persons who shall be minded to advance and pay the Shares and Proportions of 'such the said Proprietors of the said Free Lands as are under such Incapacities or Disabilities as aforesaid, 'all such Monies as shall be advanced and paid by such Person or Persons as aforesaid to the said Treasurer, 'or his Deputy for the time being, for the Share and Proportion of such the said Proprietors of the said Free 'Lands under such Incapacity or Disability as aforesaid, out of the yearly Profits of the Lands of such of the 'said Proprietors, and not otherwise, until such Monies, with legal Interest, shall be fully satisfied and re- 'paid; any thing aforesaid to the contrary thereof notwithstanding; it being intended that such the Shares 'and Proportions of such Persons under such Incapacities or Disabilities as aforesaid shall be raised upon the 'Credit of such Provision to be made by the said Act in that Behalf, rather than a Work of so much Conse- 'quence to the Publick should be delayed or frustrated for want thereof. In Witness whereof we the said 'Owners and Proprietors of the said Free and Taxable Lands have hereunto set our Hands and Seals, with 'our respective Quantities of Land, as well Free as Taxable, against our respective Names, the twenty-third 'Day of February one thousand seven hundred and thirty-seven.

Free Lands:

'Eleven hundred and fifty-one Acres, Rutland; five hundred and fifty Acres, C. Bertie; five hundred and 'thirty-two Acres, Weyman Lee; two hundred and eighty-five Acres, Sam. Horne; five hundred and thirty- 'two Acres, for my Daughter Eva Weyman, Mary Weyman; seventy-five Acres, Will. Sharman.'

Taxable Lands:

'Three hundred and forty Acres, Wm. Newland; five hundred and six Acres, C. Bertie; two hundred and 'fifty Acres, Alex^r. Wilson; one hundred and twenty Acres, Sam. Horne; four hundred and twenty-two Acres, 'William Perry; two hundred and seventy Acres, for Jacob Preston Esquire, Sam. Horne; one hundred and 'six Acres, White Kennett; five hundred Acres, William Fortrey; nine hundred seventy-two Acres, three 'Roods, James Fortrey; sixty-three Acres, Charles Bletso; three hundred forty-six Acres, Fr. Whichcote; 'two hundred and sixty-one Acres, John Hurn; three hundred and forty-six Acres, John Blackwell; sixty 'Acres, for my Mother Alice Figg, Will. Sharman; forty-five and half Acres, J. Hepburn; forty Acres, 'Esther Gates; for a third Part of two hundred and fifty-eight Acres, with two Decoys, Robt. Beavor; 'thirty Acres, T. Norton; one hundred and six Acres, J. Raymond.

'Sealed and delivered by his Grace the Duke of Rutland, &c.'

"The said Agreement valid in Law. The Acre Rate to be levied on Defaulters by Distress and Sale. "For want of Distress Defaulters Lands to be sold. The Power of the Commissioners of Sewers Com' "Lincoln, not hereby lessened. The said Lands exempted from other Payments. The Tax on for- "feited Lands to be raised by the like Means as upon the other Lands. This Act not to prejudice the 'Earl of Exeter.

Anno

Anno duodecimo GEORGII II.

'AT the Parliament begun and holden at *Weſtminſter*, the fourteenth Day of *January*, *Anno Dom.* one thouſand ſeven hundred and thirty-four, in the eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, &c. And from thence continued by ſeveral Prorogations to the [a] first Day of *February* 1738, being the fifth Seſſion of this preſent Parliament.

[a] *Vent. primo die* Febr. *Anno Regni, &c. duodecimo; continuat. uſque ad et in* Jovis, xvmam *diem* Novemb. *Anno Regni, &c.* xiiio. In Recordo.

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and thirty-nine. EXP.

CAP. II.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and thirty-nine. EXP. 2 s. in the Pound.

CAP. IV.

An Act to enable the Inhabitants of the Pariſh of Saint *Nicholas* in the City of *Worceſter*, to raiſe Money for diſcharging the Debts they have contracted in rebuilding their Pariſh Church. PR.

CAP. V.

An Act to continue the Duties for Encouragement of the Coinage of Money.

May it pleaſe Your moſt Excellent Majeſty,

Preamble, reciting the former Acts for the Encouragement of Coinage. 18 Car. 2. c. 5.

'WHEREAS great Benefit and Advantage did accrue to *England* by one Act of Parliament paſſed in the eighteenth Year of the Reign of his Majeſty King CHARLES the Second, intituled, *An Act for encouraging of Coinage*, and continued by another Act made in the twenty-fifth Year of the Reign of his ſaid Majeſty King CHARLES, intituled, *An Act for continuing a former Act concerning Coinage*; both which ſaid Acts were revived by an Act made in the firſt Year of the Reign of his Majeſty King JAMES the Second, and were continued by an Act made in the fourth Year of the Reign of King WILLIAM and Queen MARY of glorious Memory, and were further continued by an Act made in the twelfth Year of the Reign of the ſaid late King WILLIAM, and were further continued by an Act made in the ſeventh Year of the Reign of her late Majeſty Queen ANNE of bleſſed Memory, and then extended to *Scotland*, and were further continued by an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt of glorious Memory, to be in Force for ſeven Years, from the firſt Day of *March* one thouſand ſeven hundred and fifteen, and until the End of the firſt Seſſion of Parliament then next following; and were further continued by another Act made in the ninth Year of his ſaid late Majeſty's Reign for ſeven Years, from the firſt Day of *March* one thouſand ſeven hundred and twenty-three, and until the End of the firſt Seſſion of Parliament then next following; and were further continued by another Act made in the fourth Year of the Reign of his preſent Majeſty for ſeven Years, from the firſt Day of *March* one thouſand ſeven hundred and thirty, and until the End of the firſt Seſſion of Parliament then next following; ſo that unleſs the ſaid Act be continued, the Encouragement given thereby will ceaſe, and this Kingdom be deprived for the future of ſo great a Good as it hath for many Years laſt paſt enjoyed;' Now we your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, do give and grant unto your Majeſty the Rates, Duties and Impoſitions herein after-mentioned, for and during the Term and Time herein after expreſſed, and do humbly pray, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſuch and the like Rates, Duties and Impoſitions as by the ſaid Act of the eighteenth Year of King CHARLES the Second were granted, and by the ſaid ſubſequent Acts were continued, for and upon the Importation of Wines, Vinegar, Cyder and Beer during the reſpective Terms and Times therein mentioned, ſhall be further continued, and be paid and payable to his Majeſty,

Coinage Duties continued for 7 Years. Continued by 20 Geo. 2. c. 11. *And further by* 1 Geo. 3. c. 16.

Majeſty, his Heirs and Succeſſors, for and upon all Wines, Vinegar, Cyder and Beer, which ſhall be imported or brought into *Great Britain* within or during the Space of ſeven Years to commence from the firſt Day of *March* one thouſand ſeven hundred and thirty-eight, and until the End of the firſt Seſſion of Parliament then next following, and no longer; and that all the ſaid former Acts, and all other Acts of Parliament concerning Coinage, and every of them, and every Clauſe, Article and Sentence in them or any of them contained, now being in Force, ſhall be and are by virtue of this Act continued, and ſhall be in Force, and be duly put in Execution for and during all ſuch Time and Term as are before mentioned, as fully and effectually as if the ſame were particularly repeated and re-enacted in the Body of this preſent Act; any former Law, Statute, Proviſion, Matter or Thing whatſoever, to the contrary notwithſtanding.

II. And to the End the Importers of Gold and Silver into the Mints of *England* and *Scotland* reſpectively may not be diſcouraged by any Deficiency of the Revenue by this Act ſettled for defraying the Coinage thereof; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the Treaſury, or any three or more of them now being, or the Lord High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, and they are hereby impowered and directed, out of the Monies ariſing by this Act, or out of any other publick Supplies granted or to be granted by Parliament, to cauſe ſo much Money to be applied as ſhall be neceſſary for defraying the Expences of the ſaid Mints of *England* and *Scotland* reſpectively, by way of Impreſt, and upon Account for that Service; ſo as the ſame, together with the Coinage Duties ariſing by this Act, do not exceed in any one Year the Sum of fifteen thouſand Pounds; and ſo as the ſaid Monies be iſſued out of the Exchequer of *Great Britain* to the Maſter of the Mint in *England*, and the Maſter of the Mint in *Scotland* reſpectively, for the ſaid Purpoſes.

Treaſury to iſſue out Monies for defraying the Expences of the Mints,

not exceeding 15,000 l. per Annum.

CAP. VI.

An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpoſe. EXP.

CAP. VII.

An Act to enable the Pariſhioners of the Pariſh of *Ealing*, in the County of *Middleſex*, to raiſe Money by Rates upon themſelves for finiſhing the Church of the ſaid Pariſh. PR.

CAP. VIII.

An Act for repairing the Road between *Stamford* and *Grantham*, in the County of *Lincoln*. PR.

Certain Tolls are granted from 24 June 1739, for 21 Years. [Continued by 24 Geo. 2. c. 3.]

CAP. IX.

An Act for applying a Sum of Money, given by the Will of *Daniel Wiſeman* Eſquire, deceaſed, for finiſhing the new Church at *Woolwich* in the County of *Kent*; and for raiſing an Annuity by an Aſſeſſment on the Pariſh of *Woolwich*, during the Lives of *Mary Wiſeman* and *Elizabeth Crouch*, and the Life of the Survivor of them, purſuant to the ſaid Will. PR. 5 *Geo.* 2. *c.* 4.

CAP. X.

An Act for repairing the Roads from the North weſt Parts of the County of *Lincoln*, through *Nettlam-fields*, *Wragby-lane* and *Baumber-fields*, to the *Wolds*, or North-eaſt Part of the ſaid County. PR.

Certain Tolls are granted from 24 June 1739, for 21 Years.

CAP. XI.

An Act for enlarging the Term and Powers granted by an Act paſſed in the ſixth Year of the Reign of his preſent Majeſty, for repairing the Road from *Fyfield* in the County of *Berks*, to Saint *John's Bridge* in the County of *Glouceſter*; and for repairing the Roads from an Inn called *The Hind's Head* in the Pariſh of *Kingſton Bagpuze*, in the ſaid County of *Berks*, to that Part of *Newbridge* which ſtands in the ſaid County of *Berks*. PR.

The Tolls of 6 Geo. 2. c. 16. are farther continued for 21 Years.

CAP. XII.

An Act for repairing the Roads from *Bakewell* to *Cheſterfield* in the County of *Derby*, and from *Cheſterfield* to *Worksopp* in the County of *Nottingham*, and from *Cheſterfield* to the Place where the Northern Road meets the *Cheſterfield* Road, which leads to *Manſfield*, in the ſaid County of *Nottingham*. PR.

Certain Tolls are granted from 1 June 1739, for 21 Years.

CAP. XIII.

An Act for continuing the Act made in the eighth Year of the Reign of her late Majesty Queen ANNE, to regulate the Price and Assize of Bread; and for continuing, explaining and amending the Act made in the second Year of the Reign of his present Majesty, for the better Regulation of Attornies and Solicitors.

Preamble.

'WHEREAS the Laws herein after mentioned (which have by Experience been found useful 'and beneficial) are near expiring;' May it therefore please your most Excellent Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the eighth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act to regulate the Assize of Bread*, which was to be in Force for three Years, and from thence to the End of the then next Session of Parliament, together with the Alterations made relating thereto, by an Act made in the first Year of the Reign of his late Majesty King GEORGE, intituled, *An Act for continuing several Laws therein mentioned relating to Coals, Hemp and Flax*, Irish *and* Scotch *Linen, and the Assize of Bread, and for giving Power to adjourn the Quarter-Sessions for the County of* Anglesea *for the Purposes therein mentioned*; which said Act and Alterations had further Continuance by several subsequent Acts, are near expiring, shall be and are hereby continued and in Force from the Expiration thereof to the twenty-fourth Day of *June* which shall be in the Year of our Lord one thousand seven hundred and forty-eight, and from thence to the End of the then next Sessions of Parliament.

Further Continuance of the Acts 8 Annæ, c. 18. and the Alterations thereof by the Act 1 Geo. 1. c. 26.

' Continued and amended by 22 Geo. 2. c. 46.'

See farther 31 *Geo.* 2. *c.* 29. 32 *Geo.* 2. *c.* 18.

'II. And whereas several Doubts and Difficulties have arisen touching the Powers of the Magi-'strates of Burghs and Corporate Towns, and of the Powers of the Justices of the Peace in such 'other Towns and Divisions where no Magistrates are, in that Part of *Great Britain* called *Scotland*, touching the regulating the Price and Assize of Bread;' Be it therefore declared and enacted by the Authority aforesaid, That the said Act of the eighth Year of the Reign of her late Majesty Queen ANNE, together with the Alterations made in an Act of the first Year of the Reign of his late Majesty King GEORGE, relating to the said Act of the eighth Year of the Reign of her said late Majesty, does extend, and shall be with all the Powers, Provisions, Clauses and Declarations, extended, to that Part of *Great Britain* called *Scotland*.

extended to Scotland.

Act 2 Geo. 2. c. 23. further continued.

' Continued and amended by 22 Geo. 2. c. 46.' *and made perpetual by* 30 *Geo.* 2. *c.* 19. § 75.

III. And be it further enacted by the Authority aforesaid, That an Act made in the second Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Attornies and Solicitors*, which was to continue in Force from the first Day of *June* one thousand seven hundred and twenty-nine, for the Space of nine Years, and from thence to the End of the then next Sessions of Parliament, and is near expiring, shall be and is hereby further continued from the Expiration thereof until the said twenty-fourth Day of *June* one thousand seven hundred and forty-eight, and from thence to the End of the then next Sessions of Parliament.

The not indorsing the Attorney's Name on Warrants upon Writs, not to vitiate the same. Officers to indorse the Attornies Names upon Writs.

IV. And be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and thirty-nine, the not subscribing or indorsing the Name of the Attorney's Clerk in Court, or Solicitor, on any Warrant that shall be made out upon any Writ, Process or Execution, shall not vitiate the same; but such Writ, Process and Execution, and all Proceedings thereon, shall be as valid and effectual, notwithstanding such Omission, as if the said recited Act for regulating Attornies and Solicitors had not been made; provided the Writ whereon such Warrant is made out be regularly subscribed or indorsed according to the said Act; and every Sheriff or Sheriffs, or other Officer, who shall make out any Warrant upon any Writ, Process or Execution, and shall not subscribe or indorse the Name of the Attorney, Clerk in Court or Solicitor, who sued out the same, shall forfeit the Sum of five Pounds, to be assessed as a Fine upon such Sheriff or Sheriffs, or other Officer, by the Court out of which such Writ, Process or Execution shall issue; one Moiety thereof to be paid to his Majesty, his Heirs, and Successors, and the other Moiety to the Person or Persons aggrieved by such Omission.

Attornies, &c. may use Abbreviations in their Bills.

V. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-nine, it shall and may be lawful to and for every Attorney, Clerk in Court and Solicitor, to write his Bill of Fees, Charges and Disbursements, with such Abbreviations as are now commonly used in the *English* Language; any Thing in any former Law to the contrary notwithstanding.

Act 2 Geo. 2. c. 23. not to extend to any Bill of Fees between one Solicitor and another.

VI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-nine, the said Act of the second Year of his present Majesty, for the better Regulation of Attornies and Solicitors, or any Clause, Matter or Thing therein contained, shall not extend to any Bill of Fees, Charges and Disbursements, that are now, or shall hereafter become, due from any Attorney or Solicitor to any other Attorney or Solicitor, or Clerk in Court; but that every such Attorney, Solicitor or Clerk in Court, may use such Remedies for the Recovery of his Fees, Charges and Disbursements against such other Attorney or Solicitor, as he might have done before the making of the said Act.

Penalty on Persons unqualified acting in County Courts.

VII. And be it further enacted, That in case any Person shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and thirty-nine, commence or defend any Action, or sue out any Writ, Process or Summons, or carry on any Proceedings in the Court commonly

called *The County Court*, holden in any County in that Part of *Great Britain* called *England*, who is not or ſhall not then be legally admitted an Attorney or Solicitor, according to the ſaid Act made in the Second Year of the Reign of his preſent Majeſty, that ſuch Perſon ſhall for every ſuch Offence forfeit the Sum of twenty Pounds, to be recovered with Coſts by any other Perſon who ſhall ſue for the ſame, within twelve Months next after ſuch Offence ſhall be committed, in any of his Majeſty's Courts of Record.

Concerning Attornies ſee farther 22 *Geo.* 2. *c.* 46. 23 *Geo.* 2. *c.* 26. 33 *Geo.* 2. *c.* 16.

VIII. And be it enacted by the Authority aforeſaid, That any Perſon being one of the People called *Quakers* who may have ſerved, or ſhall hereafter ſerve, a Clerkſhip with an Attorney or Solicitor, and ſhall be qualified as by the ſaid Act before is required, ſhall, upon taking his ſolemn Affirmation inſtead of the Oaths thereby directed to be taken, before ſuch Judges and others who are hereby authorized and required to adminiſter the ſaid Affirmation, be admitted and inrolled as an Attorney or Solicitor, as if he had taken the ſaid Oaths; any thing in the ſaid Act to the contrary notwithſtanding.

Quakers to be inrolled upon their Affirmation.

Concerning Quakers ſee farther 22 *Geo.* 2. *c.* 46.

IX. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-nine, no Attorney or Solicitor who ſhall be a Priſoner in any Gaol or Priſon, or within the Limits, Rules or Liberties of any Gaol or Priſon, ſhall, during his Confinement in any Gaol or Priſon, or within the Limits, Rules or Liberties of any Gaol or Priſon, in his own Name, or in the Name of any other Attorney or Solicitor, ſue out any Writ or Proceſs, or commence or proſecute any Action or Suit in any Courts of Law or Equity; and that all Proceedings in ſuch Actions or Suits ſhall be void and of none Effect; and ſuch Attorney or Solicitor ſo commencing or proſecuting any Action or Suit as aforeſaid, ſhall be ſtruck off the Roll, and incapacitated from acting as an Attorney or Solicitor for the future; and any Attorney or Solicitor permitting or impowering any ſuch Attorney or Solicitor as aforeſaid to commence or proſecute any Action or Suit in his Name, ſhall be ſtruck off the Roll, and incapacitated from acting as an Attorney or Solicitor for the future.

No Attornies, &c. to commence Suits, if Priſoners.

Penalty.

X. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prevent any Attorney or Solicitor ſo confined as aforeſaid, from carrying on or tranſacting any Suit or Suits commenced before the Confinement of ſuch Attorney or Solicitor as aforeſaid; any thing in this Act contained to the contrary notwithſtanding.

Proviſo.

CAP. XIV.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers, Deviſees and Leſſees. " Deeds and Wills of Papiſts made ſince " 29 *Sept.* 1717, and not regiſtred, valid if regiſtred by 28 *Nov.* 1739, unleſs Advantage of not " inrolling them hath been taken on or before 2 *Feb.* 1738. Purchaſes made by Proteſtants not " to be avoided through Neglect of Inrolment." EXP.

CAP. XV.

An Act to enable his Majeſty to ſettle an Annuity of fifteen thouſand Pounds on his Royal Highneſs the Duke of *Cumberland*, and the Heirs of his Body, and alſo one other Annuity of twenty-four thouſand Pounds on their Royal Highneſſes the Princeſs AMALIE, the Princeſs CAROLINE, the Princeſs MARY and the Princeſs LOVISA.

Moſt Gracious Sovereign,

Preamble, reciting the Acts 1 Annæ, ſtat. 1. c. 7.

'WHEREAS by an Act made in the firſt Year of the Reign of her late Majeſty Queen ANNE, 'intituled, *An Act for the better Support of her Majeſty's Houſhold, and of the Honour and Dig-* 'nity of the Crown; all Grants which ſhould be afterwards made by her ſaid late Majeſty, her 'Heirs or Succeſſors, of any Manors, Meſſuages, Lands, Tenements, Rents, Tithes, Woods or other 'Hereditaments (Advowſons excepted) other than ſuch as are therein expreſſed, are declared to be 'void; and by another Act made in the ninth Year of her ſaid late Majeſty's Reign, intituled, *An* 9 Annæ, c. 10. 'Act for eſtabliſhing a general Poſt-office for all her Majeſty's Dominions, and for ſettling a weekly Sum 'out of the Revenues thereof for the Service of the War, and other her Majeſty's Occaſions; it was enacted, That ſuch Part of the Duties and Revenues ariſing in and by the General Letter-office or 'Poſt-office, which was thereby veſted in her ſaid late Majeſty, her Heirs and Succeſſors, and therein mentioned to be undeterminable, ſhould not be alienable, chargeable or grantable for any Eſtate, 'Term or Time whatſoever, to endure longer than the Life of the King or Queen that ſhould 'make ſuch Alienation, Charge or Grant reſpectively; and that all Gifts, Grants, Alienations or 'Aſſurances whatſoever, to be had or made of, or charged upon, the ſame Duties or Revenues, 'or any Part thereof, contrary to the Proviſion of that Act, ſhould be null and void: And whereas 'her ſaid late Majeſty at the Time of making the ſaid reſpective Acts having no Iſſue nor any 'Proſpect of any, no Power was thereby reſerved to make Proviſion for the younger Children of 'the Crown: And whereas your Majeſty is bleſſed with a numerous Royal Progeny, endowed with 'many excellent Virtues and Accompliſhments, and your Majeſty has been pleaſed to expreſs your 'Royal Inclination, that a competent Proviſion ſhould be made for your younger Children out of 'the hereditary Revenues of the Crown, to take Effect after the Demiſe of your Majeſty (whom 'God long preſerve) which gracious Inclination of your Majeſty your faithful Commons think highly

'juſt and reaſonable;' Wherefore your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by any Letters Patent or Indenture, or by ſeveral Letters Patents or Indentures, under the Great Seal of *Great Britain* hereafter to be made, to give and grant unto his Royal Highneſs WILLIAM Duke of *Cumberland*, and the Heirs of his Body, one Annuity or yearly Rent or Sum of fifteen thouſand Pounds of lawful Money of *Great Britain*; which Annuity or yearly Rent or Sum of fifteen thouſand Pounds, and every Part thereof, ſhall commence and take Effect from the Day of the Demiſe of his Majeſty (whom God long preſerve) and ſhall be paid and payable at the four moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, The Feaſt of Saint *Michael* the Archangel, the Feaſt of the Nativity of our Lord Chriſt, the Feaſt of the Annunciation of the bleſſed Virgin *Mary*, and the Feaſt of Saint *John* the Baptiſt, by even and equal Portions; the firſt Payment thereof to be made at ſuch of the ſaid Feaſt Days as ſhall firſt and next happen after the Demiſe of his Majeſty, with ſuch Powers for his Royal Highneſs the Duke of *Cumberland*, and the Heirs Male of his Body, to make Proviſion out of the ſaid Annuity or annual Rent by way of Jointure on any Wife or Wives he or they ſhall marry, and for his and their younger Sons, and for his and their Daughters, in ſuch Manner as his ſaid Majeſty ſhall in his Royal Wiſdom in and by his ſaid Letters Patent, Indenture or Indentures, think fit to give, limit or appoint.

His Majeſty impowered to ſettle 15,000 l. per Ann. on his Royal Highneſs the Duke of Cumberland, and the Heirs of his Body; '19 Geo. 2. c. 29. *ſettles an additional Revenue of* 25,000 *l. a Year on his Highneſs.*

II. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by ſuch Letters Patent or Indenture, or by any other Letters Patent, Indenture or Indentures, under the Great Seal of *Great Britain* hereafter to be made, to give and grant unto their Royal Highneſſes the Princeſs AMALIE, the Princeſs CAROLINE, the Princeſs MARY and the Princeſs LOVISA, and the Survivors and Survivor of them, or to ſuch other Perſon or Perſons as his Majeſty ſhall think fit to be named in ſuch Letters Patent, Indenture or Indentures, and his or their Heirs, during the Lives of their ſaid Royal Highneſſes, and the Life of the Survivor of them, in Truſt for their ſaid Royal Highneſſes, and the Survivors or Survivor of them, ſubject to ſuch Contingencies and Determination as to the Whole or Part thereof, as are or is herein after mentioned and provided, one other Annuity or yearly Rent or Sum of twenty four thouſand Pounds of lawful Money of *Great Britain*; which Annuity or yearly Rent or Sum of twenty four thouſand Pounds ſhall commence and take Effect from the Day of the Demiſe of his Majeſty (whom God long preſerve) and ſhall be paid and payable at the ſaid four moſt uſual Feaſts or Days of Payment in the Year by even and equal Portions; the firſt Payment thereof to be made at ſuch of the ſaid Feaſt Days which ſhall next happen after the Demiſe of his ſaid Majeſty; and that the ſaid Annuity or yearly Rent or Sum of fifteen thouſand Pounds ſhall and may by ſuch Letters Patent, Indenture or Indentures, be directed to be, and ſhall be iſſuing and payable out of, and charged and chargeable upon all and every the Revenues and Monies ariſing and to ariſe by virtue and in purſuance of the ſaid Act of the ninth Year of her ſaid late Majeſty's Reign, intituled, *An Act for eſtabliſhing a General Poſt-office for all her Majeſty's Dominions, and for ſettling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majeſty's Occaſions*; or by virtue or in purſuance of any Proviſo, Clauſe, Matter or Thing therein contained, or of any other Act or Acts of Parliament thereby referred to; the weekly Sum of ſeven hundred Pounds mentioned in the ſaid Act of the ninth Year of her ſaid late Majeſty's Reign, during ſuch Time as the ſaid weekly Sum is to continue, and any other Monies by that Act appointed to be reſerved for the Uſe of the Publick, always excepted and foreprized: And that the ſaid Annuity or yearly Rent or Sum of twenty-four thouſand Pounds ſhall and may by ſuch Letters Patent, Indenture or Indentures, be directed to be, and ſhall be iſſuing and payable out of, and charged and chargeable upon the hereditary Rates and Duties of Exciſe upon Beer, Ale and other Liquors, which were granted to the Crown by an Act of Parliament of the twelfth Year of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance; and for ſettling a Revenue on his Majeſty in lieu thereof*; or which ſhall ariſe, or are payable by virtue of any other Act or Acts relating thereto.

and 25,000 l. per Ann. on the four younger Princeſſes.

The former chargeable on the Revenues of the Poſt-office,

the latter on the hereditary Exciſe.

III. Provided always, That nothing in this Act contained, or to be contained in ſuch Letters Patent, Indenture or Indentures as aforeſaid, ſhall extend to hinder or obſtruct the Payments of the weekly Sum of three thouſand ſeven hundred Pounds, or the yearly Sum of fifteen thouſand ſeven hundred fifty-nine Pounds, nineteen Shillings and four Pence, by former Acts of Parlament charged upon the ſaid Rates and Duties of Exciſe, or ſome of them, or the Application thereof to the reſpective Uſes intended by ſuch former Acts concerning the ſame; any thing herein contained to the contrary notwithſtanding.

Proviſo.

IV. And it is hereby further enacted by the Authority aforeſaid, That if the ſaid Revenue of the Poſt-office, applicable to the Payment of the ſaid yearly Sum of fifteen thouſand Pounds, ſhall at the End of any Quarter of a Year be inſufficient to anſwer the quarterly Payment of the ſaid Annuity or yearly Rent or Sum of fifteen thouſand Pounds, and all Arrears thereof which ſhall be then due out of the ſame, according to the true Meaning of this Act; then and in every ſuch Caſe the Comptroller of the ſaid Office for the time being ſhall and he is hereby required without Fee or Charge, at the Requeſt of his ſaid Royal Highneſs the Duke of *Cumberland*, or the Heirs of his Body, or of ſuch other Perſon as ſhall be intitled to receive any Part thereof in purſuance of this Act, and of ſuch Letters Patent, Indenture or Indentures as aforeſaid, or of any Perſon by him or them reſpectively

Deficiency of the Poſt-office Revenue to anſwer the quarterly Payment of the 15,000 l. Annuity, how to be ſupplied.

tively authorized for that Purpoſe, to make and deliver to his ſaid Royal Highneſs, or the Heirs of his Body, or ſuch other Perſon as ſhall be intitled as aforeſaid, or to his or their Order, a Certificate in Writing of the Sum which ſhall be wanting to compleat the Payment of ſuch Arrears; and on producing thereof the Commiſſioners of the Treaſury, or any three or more of them, or the Lord High Treaſurer for the time being, ſhall cauſe every ſuch Deficiency to be paid and ſatisfied out of any overplus Monies of the ſaid Rates and Duties of Exciſe, or out of ſome other Monies ariſing or to ariſe by any hereditary Branches of the Revenue belonging to his Majeſty, his Heirs and Succeſſors, being appointed for the Uſes of the Civil Government, with Preference to all other Payments hereafter to be charged upon ſuch Overplus Monies, or other Branches by any ſubſequent Grant or Grants to be made, or any Act or Acts of Parliament hereafter to be paſſed: And if the ſaid Rates and Duties of Exciſe applicable to the Payment of the ſaid yearly Rent or Sum of twenty-four thouſand Pounds ſhall at the End of any Quarter of a Year be inſufficient to anſwer the quarterly Payment of the ſaid laſt-mentioned Annuity, or any Arrears thereof then due out of the ſame, according to the true Intent and Meaning of this Act; then and in every ſuch Caſe the Comptroller of the Exciſe for the time being ſhall and he is hereby required without Fee or Charge at the Requeſt of their ſaid Royal Highneſſes the Princeſs AMALIE, the Princeſs CAROLINE, the Princeſs MARY and the Princeſs LOVISA, or the Survivors or Survivor of them, or of ſuch of them as ſhall be intitled to the ſaid Annuity, or any Part thereof, or of any other Perſon or Perſons authorized by them reſpectively for that Purpoſe, to make and deliver to them reſpectively a Certificate in Writing of the Sum which ſhall be then wanting to compleat the Payment of ſuch Arrears; and on the producing thereof, the Commiſſioners of the Treaſury, or any three or more of them, or the Lord High Treaſurer for the time being, ſhall cauſe every ſuch Deficiency to be ſatisfied and paid out of any overplus Monies of the ſaid Poſt-office Revenues, or out of ſome other Monies ariſing or to ariſe by ſuch hereditary Branches of the Revenue appointed for the Uſes of the Civil Government as aforeſaid, with Preference to all other Payments hereafter to be charged upon ſuch overplus Monies or other Branches by any ſubſequent Grant or Grants to be made, or any Act or Acts of Parliament hereafter to be paſſed; any Thing in this Act, or any other Law or Statute whatſoever to the contrary in any wiſe notwithſtanding.

Deficiency of the Annuity of 24,000 l.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Annuities or yearly Rents or Sums of fifteen thouſand Pounds, and twenty-four thouſand Pounds, as aforeſaid, ſhall be paid and payable by and from the immediate Hands of all and every the Commiſſioners, Farmers, Treaſurers or Receivers for the time being of the ſaid Revenues reſpectively, upon which the ſaid ſeveral and reſpective Annuities or yearly Sums of fifteen thouſand Pounds, and twenty-four thouſand Pounds, or any Part or Parts thereof, ſhall be charged, without any Fees or Charges to be demanded or taken for paying the ſame or any Part thereof; and the Acquittance or Acquittances, Receipt or Receipts of his ſaid Royal Highneſs the Duke of *Cumberland*, and the Heirs of his Body, and of ſuch other Perſon or Perſons as ſhall be intitled to receive any Part of the ſaid Annuity of fifteen thouſand Pounds as aforeſaid, and of their ſaid Royal Highneſſes the Princeſſes, or the Survivors or Survivor of them, or of ſuch of them as ſhall be intitled to the ſaid Annuity of twenty-four thouſand Pounds, or any Part thereof, or of any Perſon or Perſons authorized by them reſpectively for that Purpoſe, ſhall be a good and ſufficient Diſcharge for the Payment thereof, without any further or other Warrant to be ſued for, had or obtained in that Behalf; and that the ſaid yearly Sums or Annuities, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions and other publick Charges whatſoever; and that if the Officers of the Receipt of his Majeſty's Exchequer, or the ſaid Commiſſioners, Farmers, Treaſurers or Receivers for the time being of any of the ſaid Duties or Revenues, upon which the ſaid ſeveral and reſpective Annuities or yearly Sums of fifteen thouſand Pounds, and twenty-four thouſand Pounds, or any Part or Parts thereof, ſhall be charged as aforeſaid, ſhall refuſe or neglect to pay the ſaid ſeveral and reſpective Annuities or yearly Sums, or any Part thereof, according to the true Intent of this Act, and of ſuch Letters Patent or Letters Patents, Indenture or Indentures, to be granted by his Majeſty as aforeſaid; then his ſaid Royal Highneſs the Duke of *Cumberland*, and the Heirs of his Body, and ſuch other Perſon or Perſons as ſhall be ſo intitled to receive any Part of the ſaid Annuity of fifteen thouſand Pounds as aforeſaid, and the ſaid Princeſſes, or the Survivors or Survivor of them, or ſuch of them as ſhall be intitled to receive the ſaid Annuities reſpectively, or either of them, or any Part thereof, or ſuch their Truſtees reſpectively, may from time to time ſue, proſecute and implead ſuch Officers, Commiſſioners, Farmers, Treaſurers or Receivers, or any of them, or all or any of their Securities, their Heirs, Executors and Adminiſtrators, by Bill, Plaint or Action of Debt, and ſhall and may recover Judgments, and ſue out Executions thereupon, againſt ſuch Officers, Commiſſioners, Farmers, Treaſurers or Receivers reſpectively, and their reſpective Securities, their Heirs, Executors or Adminiſtrators, for ſo much of ſuch Sum or Sums of Money then due and owing upon the ſaid ſeveral and reſpective Rents or Annuities of fifteen thouſand Pounds, and twenty-four thouſand Pounds, or any Part thereof, as ſhall have been in the Hands of ſuch Officers, Commiſſioners, Farmers, Treaſurers or Receivers reſpectively, at the time and times when ſuch Demand ſhall be made of the Payment of the ſaid ſeveral and reſpective Annuities or yearly Sums, or any Part thereof as aforeſaid.

The ſaid Annuities how to be paid;

to be Tax free.

On Non-payment, how to be recovered.

VI. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Precepts, Directions and Clauſes to be contained in his Majeſty's Letters Patent or Letters Patents, Indenture or Indentures, hereafter to be made as aforeſaid, for the better and more certain Payment and Aſſurance of the ſaid yearly Rents, Annuities or Sums of fifteen thouſand Pounds, and twenty-four thouſand Pounds, and for making the ſaid reſpective Revenues liable thereunto, ſhall be and are

Validity of his Majeſty's Letters Patent for the Payment of the ſaid Annuities.

are hereby enacted to be good and effectual in the Law, according to the Tenor and Purport thereof in the ſaid Letters Patent or Letters Patents, Indenture or Indentures to be expreſſed, notwithſtanding any Reſtriction or other Matter or Thing contained in the ſaid Act of Parliament made in the firſt Year of her ſaid late Majeſty's Reign, intituled, *An Act for the better Support of her Majeſty's Houſhold, and of the Honour and Dignity of the Crown*; and notwithſtanding any Reſtriction or other Matter or Thing contained in the ſaid Act of the ninth Year of her ſaid late Majeſty's Reign, for eſtabliſhing the Poſt-office, or any other Act or Acts of Parliament, and any Miſ-recital, Non-recital, Omiſſion or other Defect, in the ſaid Letters Patent or Letters Patents, Indenture or Indentures hereafter to be made, in any wiſe notwithſtanding; ſaving to all and every Perſon and Perſons, Bodies Politick or Corporate, their Heirs, Executors, Adminiſtrators and Aſſigns (other than the King's Majeſty, his Heirs and Succeſſors, and other than ſuch Perſon and Perſons who do or may ſtand ſeiſed or poſſeſſed in Truſt for his Majeſty, his Heirs and Succeſſors) all ſuch Right, Title, Intereſt and Demand whatſoever, which they or any of them have or may have of, in, to or out of the Revenues aforeſaid, or any Part thereof, before the making of this Act, as fully and effectually to all Intents and Purpoſes, as if this Act had not been made; this Act or any Thing therein contained to the contrary notwithſtanding.

The ſaid 15,000l. not to be aliened, &c. otherwiſe than for Life;

or as is conſiſtent with the Powers granted by the ſaid Letters Patent.

VII. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Annuity or yearly Sum of fifteen thouſand Pounds, ſhall not at any time or times hereafter be aliened, conveyed, diſpoſed, charged or incumbred by his ſaid Royal Highneſs, or by any of the Heirs of his Body, for any greater or longer Eſtate or Time than during the natural Life of the Perſon ſo aliening, conveying, diſpoſing, charging or incumbring the ſame, or ſo as to prevent the ſame from deſcending to the Heirs in Tail according to the ſaid Limitation, other than, and according to, and in purſuance of ſuch Power, for making Jointures, and for the Benefit of younger Sons and of Daughters of his ſaid Royal Highneſs the Duke, or of any of the Heirs of his Body, as ſhall be limited and given in and by ſuch Letters Patent, Indenture or Indentures as aforeſaid.

Diſpoſal of the 24,000l. in caſe of the Death or Marriage of the Princeſſes.

VIII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That upon the Death of any of their ſaid Royal Highneſſes the Princeſſes, or upon the Marriage of any one of them, and the Payment of a Portion of or in Conſideration of ſuch Marriage, not leſs than forty thouſand Pounds Sterling, the Right, Title, Share and Intereſt of ſuch Princeſs ſo dying, or being married, in and to the ſaid yearly Rent or Annuity of twenty-four thouſand Pounds, or any Part thereof, ſhall ceaſe and determine; and the ſaid whole Annuity ſhall from thenceforth accrue and remain to the three other Princeſſes; and upon the Death or Marriage of any other of the ſaid Princeſſes, and the Payment of a Portion not leſs than forty thouſand Pounds Sterling on or in Conſideration of ſuch Marriage, the Right, Share and Intereſt of ſuch other Princeſs ſo dying, or being married, in or to the ſaid Annuity of twenty-four thouſand Pounds, ſhall ceaſe and determine; and two third Parts of the ſaid Annuity of twenty-four thouſand Pounds, amounting to ſixteen thouſand Pounds *per Annum*, and no more, ſhall accrue and belong to the other two Princeſſes then unmarried; and upon the Death or Marriage of either of the ſaid two laſt mentioned Princeſſes, and Payment of a Portion not leſs than forty thouſand Pounds Sterling on or in Conſideration of ſuch Marriage, the Right, Share and Intereſt of ſuch Princeſs, or, in and to the ſaid Annuity of ſixteen thouſand Pounds, ſhall ceaſe and determine, and the other of the ſaid Princeſſes then living ſhall be intitled to twelve thouſand Pounds *per Annum*, Part of the ſaid Rent, or Annuity of ſixteen thouſand Pounds, and no more, to ceaſe and be determined on her Death or Marriage, and the Payment of a Portion not leſs than forty thouſand Pounds Sterling on or in Conſideration of ſuch Marriage.

CAP. XVI.

An Act for enlarging the Term and Powers granted by an Act paſſed in the firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing the Road from the* Powder Mills *on* Hounſlow Heath *in the County of* Middleſex, *to a Place called* Baſingſtone, *near the Town of* Bagſhot, *in the Pariſh of* Windleſham, *in the County of* Surrey. P R.

The Tolls are farther continued for 21 Years. 1 Geo. 2. c. 6.

CAP. XVII.

An Act to enable the Pariſhioners of the Pariſh of Saint *Catharine Coleman* in *Fenchurch-ſtreet* in the City of *London*, to rebuild the Church of the ſaid Pariſh. P R.

Explained and amended by 15 *Geo.* 2. *c.* 12.

'WHEREAS the Pariſh Church of Saint *Catharine Coleman* in *Fenchurch ſtreet* in the City of *London*, is a very ancient Fabrick, and being built at firſt with Chalk and Rubble, is now ſo decayed in the Walls and Pillars and ſeveral other Parts thereof, that the whole Building, and alſo the Steeple belonging to the ſaid Church, are in a ruinous Condition:' Now to the Intent the ſaid Church may be rebuilt for the publick Worſhip of God, and the Inſtruction of the Inhabitants of the ſaid Pariſh in the true Chriſtian Religion as now profeſſed in the Church of *England*; and that the ſaid Steeple may alſo be rebuilt, and that the ſame may be effected in a Manner that may be leaſt burthenſome to the Inhabitants of the ſaid Pariſh; the Rector, Churchwardens and other Inhabitants of the ſaid Pariſh, do moſt humbly beſeech your moſt excellent Majeſty, that it may be enacted; and be it enacted, *&c.*

"Truſtees

" Truſtees impowered to pull down and rebuild the Church. Funeral Rates. Rates for tolling the " Bells, as ſpecified by an Indenture, and Rates for the Uſe of Palls, to be applied to the Purpoſes " of the Act. The Rates to be veſted in the Truſtees. Collectors exempted from the Office of Scaven- " ger. Annuities for Life on Contributions, at 8*l. per Centum per Annum*, to be charged on the Rates. " Quarterly Aſſeſſments to be made; and to be paid two Thirds by the Landlord, and one by the " Tenant. The Rates not to intitle Perſons to Settlements. Pariſhioners impowered to alter the burial " Fees. Rights of the Biſhop of *London*, and the Rector, not to be prejudiced.

CAP. XVIII.

An Act for repairing the Road or Highway from the *Dun Cow* in the Town of *Dunchurch*, through the Pariſh of *Bilton* over *Dunſmore Heath* to the Town of *Hill Morton* in the County of *Warwick*; and from thence through the ſeveral Pariſhes of *Creek*, *Weſt Haddon* and *Eaſt Haddon*, in the County of *Northampton*, to Saint *James's End*, in the Pariſh of *Dunſton*, in the ſaid County of *Northampton*. P R.

Certain Tolls are granted from 24 *June* 1739, for 21 Years. 16 Geo. 2. c. 20.

CAP. XIX.

An Act for granting to his Majeſty the Sum of five hundred thouſand Pounds out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and thirty-nine; and for enabling his Majeſty to raiſe the further Sum of five hundred thouſand Pounds out of the growing Produce of the ſaid Fund; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for giving Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

Preamble.

MOST gracious Sovereign: We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the Supply granted to your Majeſty in this Seſſion of Parliament, by Ways the leaſt burthenſome to your Majeſty's Subjects, have reſolved to give and grant unto your Majeſty the Sum of five hundred thouſand Pounds, out of the Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*, towards the Supply granted to your Majeſty for the Service of the Year one thouſand ſeven hundred and thirty-nine; and alſo to enable your Majeſty to iſſue and apply the further Sum of five hundred thouſand Pounds out of the growing Produce of the ſaid Sinking Fund, or to raiſe the ſame by Loans or Exchequer Bills, at an Intereſt not exceeding three Pounds *per Centum per Annum*, to be charged upon and ſecured by the ſaid Fund, for the Service of the ſaid Year one thouſand ſeven hundred and thirty-nine, in caſe the Exigency of Affairs ſhould require the ſame, in ſuch Manner and Form as is herein after mentioned; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from time to time quarterly be, in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called the *Sinking Fund*, at any Time before the Feaſt Day of the Nativity of Saint *John the Baptiſt*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and thirty-nine (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued, paid and applied a Sum not exceeding the ſaid Sum of five hundred thouſand Pounds, for or towards the Supply granted to his Majeſty, for the Service of the ſaid Year one thouſand ſeven hundred and thirty-nine; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

Treaſury to iſſue out of the Sinking Fund, 500,000 l.

II. And for or towards raiſing the ſaid further Sum or Sums of Money, not exceeding in the Whole the ſaid Sum of five hundred thouſand Pounds; it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, and they are hereby authorized and impowered from time to time, at or after the ſaid Feaſt Day of the Nativity of Saint *John the Baptiſt*, to iſſue and apply the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) towards raiſing the ſaid further Sum of five hundred thouſand Pounds, for or towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and thirty-nine as aforeſaid; but in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the high Treaſurer for the time being, ſhall think it more adviſeable to raiſe the ſaid Sum of five hundred thouſand Pounds, or any Part thereof, by Loans or Exchequer Bills as aforeſaid, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick and Corporate, to advance or lend to his Majeſty,

and the growing Produce of the ſaid Fund, towards raiſing the further Sum of 500,000 l. for the Service of the Year 1739.

or the ſaid Sum may be raiſed by Loans or Exchequer Bills.

Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money, not exceeding the ſaid Sum of five hundred thouſand Pounds, upon the Credit of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Intereſt after a Rate not exceeding three Pounds *per Centum per Annum*, ſo as ſuch Loans be allowed to be made by the Commiſſioners of the Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, who are hereby authorized to iſſue their Warrants for that Purpoſe, as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover, that no Money ſo to be lent upon the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Lender to have Tallies and Orders.

III. And be it further enacted, That all and every Perſon and Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, not exceeding the ſaid Rate of three Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtred in Courſe according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators or Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the Monies to come in of the ſaid Surpluſſes, Exceſſes and Overplus Monies; and he, ſhe or they, who ſhall have his, her or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund* as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, without undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever, other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid; and that no Fee, Reward, or Gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's Subjects, for providing or making of any ſuch Books or Regiſters, or any Entries, Views, or Searches in or for Payment of Money lent, or the Intereſt thereof, as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks, or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made either in Point of Regiſtry or Payment contrary to the true Meaning of this Act by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt with full Coſts of Suit to the Party grieved, and ſhall be forejudged of his Office or Place; and if ſuch Preference be unduly made by any his Deputy or Clerk without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Office or Place; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Order of Loan, or the Clerk of the Pells record, or the Tellers make Payment upon ſuch Order, according to each Perſon's due Place and Order, as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch Manner as aforeſaid: All which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

Orders and Payments to be in Courſe.

No undue Preference.

Officers to take no Fees.

Penalties recoverable by Action of Debt.

What ſhall be interpreted no undue Preference.

IV. Provided always, and it is hereby declared, That if it ſhall happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference, which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

V. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay, ſubſequent Orders of Perſons that come and demand their Money, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them, Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Orders aſſignable.

VI. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtred by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his Order, may aſſign or transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*;

and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

VII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the ſaid Sum of five hundred thouſand Pounds to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being ſhall judge it more adviſeable to raiſe the ſaid Sum of five hundred thouſand Pounds, or any Part thereof, by Exchequer Bills inſtead of ſuch Loans as aforeſaid; that then they reſpectively are hereby authorized and impowered at any Time or Times to prepare and make, or cauſe to be prepared and made, at the Exchequer any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the whole the ſaid Sum of five hundred thouſand Pounds, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form and Order, and according to the ſame or like Rules and Directions as in and by a certain Act of Parliament for continuing the Duties on Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and thirty-nine, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſame Act. Treaſury may raiſe the ſaid Sum by iſſuing out new Exchequer Bills.

VIII. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities contained in the ſaid laſt-mentioned Act, relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Duties or Impoſitions granted or continued by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſame Exchequer Bills had been originally authorized by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated or re-enacted in the Body of this preſent Act. Clauſes of the Malt Act 1730, relating to Exchequer Bills, to extend to thoſe of this Act.

IX. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills as ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate and Charges incident to, or attending the ſame, ſhall be and are hereby charged and chargeable upon, and ſhall be repaid and borne by or out of the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for or towards paying off, cancelling and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof. The ſaid Bills charged on the Sinking Fund.

X. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and thirty-nine*, and ſo much Money (if any ſuch be) of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and thirty-nine*, and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo the Sum of one hundred nineteen thouſand four hundred fifty-one Pounds ſeventeen Shillings and nine Pence, granted for the Service of the Year one thouſand ſeven hundred and thirty-eight, and not appropriated for the Service of that Year; and the Sum of one million by this Act granted as aforeſaid, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein after expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay, It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding eight hundred forty-ſix thouſand ſix hundred eighty-nine Pounds two Shillings and ſix Pence, for or towards the naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for and towards Sea Services in the Office of Ordnance, performed and to be performed. Application of the Supplies. 846,689 l. 2 s. 6 d. for Naval Services.

XI. And it is alſo hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for or towards the Support of the Royal Hoſpital at *Greenwich*, and for the better 10,000 l. to Greenwich Hoſpital.

Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

110,591 l. 17 s. and 9 d. for the Office of Ordnance.

XII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred and ten thouſand five hundred ninety-one Pounds ſeventeen Shillings and nine Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services, not provided for by Parliament.

950,911 l. 4 s. 9 d. Halfpenny, for Land Forces, i. e.

647,549 l. 11 s. 3 d. Halfpenny for Guards and Garriſons.

228,062 l. 10 s. 7 d. Halfpenny, for the Plantations.

27,172 l. 15 s. 5 d. to Chelſea Hoſpital.

5,041 l. 8 s. 3 d. Halfpenny, for extraordinary Expences.

59,124 l. 19 s. 2 d. for Half-pay.

3,960 l. to reduced Officers Widows.

XIII. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding nine hundred and fifty thouſand nine hundred and eleven Pounds four Shillings and nine Pence Halfpenny, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding ſix hundred forty-ſeven thouſand five hundred forty-nine Pounds eleven Shillings and three Pence Halfpenny, for defraying the Charge of ſeventeen thouſand ſeven hundred and four Men, including Commiſſion and Non-commiſſion Officers and Invalids, for Guards, Garriſons, and ſix independent Companies for the Service of the Highlands, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, for the Year one thouſand ſeven hundred and thirty-nine; and any Sum or Sums of Money not exceeding two hundred twenty-eight thouſand ſixty-two Pounds ten Shillings and ſeven Pence Halfpenny, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons at *Annapolis Royal*, *Canſo*, *Placentia* and *Gibraltar*, and *Georgia*, for the Year one thouſand ſeven hundred and thirty-nine; and any Sum or Sums of Money not exceeding twenty-ſeven thouſand one hundred ſeventy-two Pounds fifteen Shillings and five Pence, upon Account, for the Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and thirty-nine; and any Sum or Sums of Money not exceeding five thouſand forty-one Pounds eight Shillings and three Pence Halfpenny, for defraying ſeveral extraordinary Expences and Services incurred in the Year one thouſand ſeven hundred and thirty-eight, and not provided for by Parliament; and any Sum or Sums of Money not exceeding thirty-nine thouſand one hundred twenty-four Pounds nineteen Shillings and two Pence, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and thirty-nine, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding three thouſand nine hundred and ſixty Pounds, for paying of Penſions to Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and thirty-nine; which ſaid Sum of three thouſand nine hundred and ſixty Pounds, ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, Deductions, or other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct or appoint.

3,552 l. 18 s. for Deficiency of the Stamp Duties.

20,000 l. to replace to the Sinking Fund.

10,000 l. towards maintaining the African Forts.

4000 l. to the repairing Weſtminſter Abbey.

2000 l. to St. Margaret's Church.

20,000 l. to the Colony of Georgia.

70,583 l. 6 s. 8 d. Subſidy to the King of Denmark.

XIV. And it is alſo hereby enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding three thouſand five hundred and fifty-two Pounds eighteen Shillings, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas*, one thouſand ſeven hundred and thirty-ſeven, purſuant to a Clauſe in an Act of Parliament paſſed in the fourth Year of his Majeſty's Reign, for raiſing one million two hundred thouſand Pounds by Annuities and a Lottery for the Service of the Year one thouſand ſeven hundred and thirty-one; and any Sum or Sums of Money, not exceeding twenty thouſand Pounds, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame to the Governor and Company of the Bank of *England* for one Year's Intereſt due on or before the eighth Day of *September* one thouſand ſeven hundred and thirty-eight, being after the Rate of four Pounds *per Centum* on the principal Sum of five hundred thouſand Pounds by them lent on the Credit of the Salt Duties, towards the Supply of the Year one thouſand ſeven hundred and thirty-five, purſuant to a Clauſe in an Act of Parliament paſſed in the eighth Year of his Majeſty's Reign, for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of four Years; and any Sum or Sums of Money not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coaſt of *Africa*; and any Sum or Sums of Money not exceeding four thouſand Pounds, towards repairing and finiſhing the Collegiate Church of *Saint Peter*, *Weſtminſter*; and to enable the Dean and Chapter of the ſaid Collegiate Church to purchaſe two prebendal Houſes, in lieu of two to be taken down for facilitating the Repairs, and the finiſhing of the ſaid Church; and any Sum or Sums of Money, not exceeding two thouſand Pounds, for the further repairing and finiſhing the Tower and Roof of the Pariſh Church of Saint *Margaret*, *Weſtminſter*; and there ſhall and may be iſſued to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, any Sum or Sums of Money, not exceeding twenty thouſand Pounds, by them to be applied for the further ſettling and improving the ſaid Colony; and any Sum or Sums of Money, not exceeding ſeventy thouſand five hundred eighty-three Pounds ſix Shillings and eight Pence, on Account of the Levy-money and Subſidy payable to the King of *Denmark*, purſuant to the Treaty bearing Date the 3rd/14th Day of *March*

March one thouſand ſeven hundred and thirty $\frac{8}{9}$, for the Year one thouſand ſeven hundred and thirty-nine; and any Sum or Sums of Money, not exceeding five hundred thouſand Pounds, towards enabling his Majeſty to make ſuch further Augmentation of his Forces either by Sea or Land, as may become abſolutely neceſſary, and as the Exigency of Affairs may require; and the Sum of ſixty thouſand Pounds, being the Sum acknowledged to be due from *Great Britain* to *Spain*, and agreed by the King of *Spain* in the Convention between *Great Britain* and *Spain*, bearing Date at the *Pardo* the fourteenth Day of *January* one thouſand ſeven hundred and thirty-nine new Stile, to be applied, together with the further Sum of ninety-five thouſand Pounds, to be advanced by the Crown of *Spain*, towards making Satisfaction to his Majeſty's injured Subjects, for the Damages they have ſuſtained by the Depredations of the *Spaniards*; and any Sum or Sums of Money, not exceeding five thouſand Pounds, for making Satisfaction to *Solomon Merrit* of *London*, Merchant, for himſelf and others late Owners of the Ship *Santa Iſabella*, a *Spaniſh* Man of War, taken by his late Majeſty's Fleet near *Sicily*, in the Year one thouſand ſeven hundred and eighteen, and ſold to them; which Ship was afterwards delivered up to the *Spaniards*, purſuant to a Treaty between the two Crowns.

500,000 l. for the Augmentation of Forces.
60,000 l. for the Spaniſh Depredations.
5,000 l. Satisfaction to Solomon Merrit.

XV. And be it enacted, That the ſaid Aids or Supplies provided as aforeſaid ſhall not be iſſued and applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout, by any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

The Aids not to be miſapplied.

XVI. And as to the ſaid Sum of thirty-nine thouſand one hundred twenty-four Pounds nineteen Shillings and two Pence, by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; That no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Gariſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

Rules for the Application of Half-pay. *See farther* 13 *Geo.* 2. *c.* 23.

'XVII. And whereas by an Act of Parliament made in the eleventh Year of his Majeſty's Reign, 'intituled, *An Act for granting to his Majeſty the Sum of two millions for the Service of the Year one thou-* 'ſand ſeven hundred and thirty-eight; *and for paying to the Governor and Company of the Bank of* Eng- 'land *one million for redeeming an Annuity of forty thouſand Pounds payable to them, and for the further* 'appropriating the Supplies granted in this Seſſion of Parliament; ſeveral Supplies which had been granted 'to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein ex- 'preſſed, amongſt which, any Sum or Sums of Money not exceeding forty-one thouſand nine hun- 'dred fifty-nine Pounds fifteen Shillings and ten Pence, was appropriated to be paid to the reduced 'Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved 'in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of forty-one thouſand nine hundred and fifty-nine Pounds fifteen Shillings and ten Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the ſaid Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act to the contrary notwithſtanding.

11 *Geo.* 2. *c.* 22.

The Overplus of laſt Year's Half-pay how to be applied.

XVIII. And, for the Relief of any Perſon or Perſons who through Neglect or Inadvertency have omitted to pay the ſeveral Rates and Duties, or any Part thereof, upon Monies given, paid, contracted or agreed for, with or in relation to any Clerk, Apprentice or Servant, which hath been put or placed to or with any Maſter or Miſtreſs, to learn any Profeſſion, Trade or Employment, and to have ſuch Indentures or other Writings which ſhall contain the Covenants, Articles, Contracts or Agreements relating to the Service of ſuch Clerk, Apprentice or Servant, ſtamped within the Times by the ſeveral Acts of Parliament for thoſe Purpoſes reſpectively limited, or who have alſo in like Manner omitted to inſert and write in Words at length in ſuch Indentures or other Writings as aforeſaid the full Sum or Sums of Money or any Part thereof received, or in any wiſe directly or indirectly given, paid, agreed or contracted for, with, or in relation to every ſuch Clerk, Apprentice or Servant as aforeſaid; Be it enacted by the Authority aforeſaid, That upon Payment of the Rates and Duties upon Monies or ſuch Part of ſuch Monies ſo neglected or omitted to be paid as aforeſaid, on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and thirty-nine, to ſuch Perſon or Perſons to whom the ſame ought to be paid, and tending the ſaid Indentures or other Writings to be ſtamped at the ſame Time, or at any Time on or before

Clauſe in favour of Perſons who have inadvertently omitted to pay the Duties on taking Apprentices, &c.

See farther concerning Indentures 18 *Geo.* 2. *c.* 22. 20 *Geo.* 2. *c.* 45. 22 *Geo.* 2. *c.* 23.

before the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine (of which timely Notice is to be given in the *London Gazette*) the ſame Indentures or other Writings ſhall be good and available in Law or Equity, and may be given in Evidence in any Court whatſoever; and the Clerk, Apprentice or Servant therein named ſhall be capable of following and exerciſing their reſpective intended Trades or Employments, as fully as if the ſaid Rates and Duties ſo omitted had been duly paid, and the full Sum or Sums received or agreed for as aforeſaid had been inſerted; and the Perſons who have incurred any Penalties by the Omiſſions aforeſaid, ſhall be acquitted and diſcharged of and from the ſaid Penalties; any thing in this or the ſaid former Acts to the contrary in any wiſe notwithſtanding.

CAP. XX.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, one made in the ſixth Year of the Reign of her late Majeſty Queen ANNE, and the other in the ſeventh Year of the Reign of his late Majeſty King GEORGE the Firſt, for repairing and enlarging the Highways between the Top of *Kingſdown-hill*, and the City of *Bath*; and for amending ſeveral other Highways leading to the ſaid City; and for cleanſing, paving, and enlightning the Streets, and regulating the Chairmen there; and for keeping a regular Nightly Watch within the ſaid City and Liberties thereof. P R.

The two firſt mentioned Acts are further continued for 21 Years, *&c.*

CAP. XXI.

An Act for taking off the Duties upon Woollen and Bay Yarn imported from *Ireland* to *England*, and for the more effectual preventing the Exportation of Wooll from *Great Britain*, and of Wooll, and Wooll manufactured, from *Ireland* to Foreign Parts.

Moſt Gracious Sovereign,

Preamble.
For former Laws concerning Wool, refer to 25 *Ed.* 1. *c.* 7.
34 *Ed.* 1. *ſt.* 4. *c.* 3.
18 *Ed.* 3. *ſt.* 2. *c.* 3.
31 *Ed.* 3. *ſt.* 1. *c.* 2.
34 *Ed.* 3. *c.* 19.
36 *Ed.* 3. *c.* 11.
8 *H.* 6. *c.* 22.
23 *H.* 8. *c.* 17.
2 & 3 *P.* & *M.* *c.* 13.
39 *El.* *c.* 14.
7 *Jac.* 1. *c.* 7.
12 *Car.* 2. *c.* 32.
13 & 14 *Car.* 2. *c.* 18 & 19.
1 *W.* & *M.* *ſt.* 1. *c.* 32.
7 & 8 *W.* 3. *c.* 28.
9 & 10 *W.* 3. *c.* 40.
10 & 11 *W.* 3. *c.* 10.
3 *Geo.* 1. *c.* 21.
4 *Geo.* 1. *c.* 11.
5 *Geo.* 1. *c.* 11.
12 *Geo.* 1. *c.* 34.
13 *Geo.* 1. *c.* 23.
5 *Geo.* 2. *c.* 21.

'WHEREAS in the Book of Rates annexed to the Act of Tonnage and Poundage, made in the Twelfth Year of the Reign of King CHARLES the Second, a particular Rate of three Pounds, ſix Shillings and eight Pence, for every hundred Weight, containing one hundred and twelve Pounds, was fixed upon Woollen or Bay Yarn imported; according to which Rate a Subſidy of twelve Pence in the Pound was thereby payable to his Majeſty: And whereas according to the ſaid Rate a further Subſidy of Poundage of twelve Pence in the Pound on Woollen or Bay Yarn was granted to your Majeſty for your Life (which God long preſerve) by an Act made in the firſt Year of your Reign: And whereas by an Act made in the ſecond Year of her late Majeſty Queen ANNE, another Subſidy was granted on the Importation of Woollen or Bay Yarn in Proportion to the ſaid Rate, commonly called, *The one third Subſidy*; and by an Act paſſed in the third Year of her ſaid late Majeſty, another Subſidy was granted on the Importation of Woollen or Bay Yarn, commonly called, *The Two Thirds Subſidy*; all which Acts, which granted the ſaid ſeveral Subſidies commonly called, *The Old Subſidy*, *One Third Subſidy*, and *Two Thirds Subſidy* (except the Act for the ſaid further Subſidy, which is granted to your Majeſty during your Life) are by ſeveral ſubſequent Acts of Parliament continued for ever, ſubject to Redemption by Parliament: And whereas the taking off the Duties upon Woollen or Bay Yarn imported from *Ireland*, may be a Means to prevent the exporting Wooll and Woollen Manufactures from *Ireland*, to Foreign Parts, and may be of Uſe to the Manufactures of *Great Britain*:' We your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May* in the Year of our Lord one thouſand ſeven hundred and forty, the ſaid ſeveral Subſidies payable to your Majeſty, your Heirs and Succeſſors, by any Law now in Force, upon Woollen or Bay Yarn imported from *Ireland* after that Time ſhall ceaſe and determine, and be no longer payable.

Duties on Woollen or Bay Yarn from Ireland taken off.

II. And to the End that his ſacred Majeſty, nor any of the publick Creditors, or other Perſon or Perſons, Bodies Politick or Corporate, who are intitled to any Part, Share or Intereſt in the Monies ariſing by the ſaid Duties on Bay Yarn and Woollen Yarn imported into this Kingdom from the Kingdom of *Ireland*, as aforeſaid, may ſuffer by the ceaſing and determining thereof; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury now being, or the High Treaſurer or any Three or more of the Commiſſioners of the Treaſury for the time being, and they are hereby enjoined and required, on or before the twenty-fifth Day of *December* in the Year of our Lord one thouſand ſeven hundred and thirty-nine, to cauſe an Account to be made up and ſtated of the Monies which ſhall have ariſen by the ſaid Duties on Bay Yarn and Woollen Yarn for ſeven Years laſt paſt.

Treaſury to make an Account of the ſaid Duties for the laſt 7 Years,

the Medium whereof to be charged annually on the Aggregate Fund.

III. And it is hereby further enacted, That the Medium of the Monies which have ariſen by the ſaid Duties within the ſaid ſeven Years, ſhall be a certain annual Sum to be charged on the Fund called the *Aggregate Fund*; and being ſo charged, ſhall from time to time be iſſued, paid, diſtributed and applied to make good to his Majeſty, during his natural Life (which God long preſerve) and to the ſeveral publick Creditors, or other Perſon or Perſons, Bodies Politick or Corporate, having Intereſt or Security in the Monies ariſing by the ſaid Duties on Bay Yarn and Woollen Yarn, the like Parts, Shares or Proportions

portions out of the ſaid annual Sum, as the Monies ariſing by the ſaid Duties on Bay Yarn and Woollen Yarn would have been appropriated and applied, in caſe the ſaid Duties had been continued, and not been determined by this Act.

IV. Provided nevertheleſs, That nothing in this Act contained ſhall extend, or be conſtrued to extend to take off, or cauſe to ceaſe and determine the Duties upon Worſted Yarn, being of two or more Threads twiſted or thrown, or Cruel, imported into *Great Britain* from the Kingdom of *Ireland*. Proviſo.

'V. And whereas notwithſtanding the ſeveral Laws made to prevent the Exportation of Wooll unmanufactured from this Kingdom and *Ireland* to Foreign Parts, ſuch Exportation is notoriouſly continued;' Now for the better preventing ſuch Exportation of Wooll from thence, and ſecuring the ſame to be manufactured within this Kingdom; Be it further enacted by the Authority aforeſaid, That all Wooll and Woollen or Bay Yarn, Wooll-fells, Shortlings, Mortlings, Wooll-flocks, Worſted Yarn, Cloth, Serge, Bays, Kerſeys, Says, Frizes, Druggets, Cloth-ſerges, Shalloons, Stuffs, and other Draperies and Woollen Manufactures or mixed with Wooll or Wooll-flocks, which ſhall from time to time be exported from the ſaid Kingdom of *Ireland*, from and after the firſt Day of *May* in the Year our Lord one thouſand ſeven hundred and forty, into the Ports of this Kingdom, hereafter mentioned, ſhall be ſhipped off, and entered at the Ports of *Dublin*, *Waterford*, *Youghall*, *Kinſale*, *Cork*, *Drogheda*, *New Roſs*, *Newry*, *Wexford*, *Wicklow*, *Sligoe*, *Limerick*, *Galway* and *Dundalk*, in the ſaid Kingdom of *Ireland*, and at or from no other Port or Place within the ſaid Kingdom; nor ſhall the ſame be imported into any Parts of the Kingdom of *Great Britain*, other than the Ports of *Biddeford*, *Barnſtaple*, *Minehead*, *Bridgewater*, *Briſtol*, *Milford-haven*, *Cheſter* and *Liverpool*, in the ſame Manner as if the ſaid Ports of *Newry*, *Wexford*, *Wicklow*, *Sligoe*, *Limerick*, *Galway* and *Dundalk*, had been particularly named for Exportation of the ſaid Goods, in the Act paſſed in the tenth and eleventh Year of the Reign of the late King WILLIAM the Third, intituled, *An Act to prevent the Exportation of Wooll out of the Kingdom of* Ireland *and* England, *and for other Purpoſes therein mentioned*; any thing in this or any other Act to the contrary thereof in any wiſe notwithſtanding. Ports of Exportation of Wooll in Ireland, and Importation in England. 26 Geo. 2. c. 11. 10 W. 3. c. 10.

VI. And the better to prevent the Exportation of Wooll or Woollen Yarn, and the other Species of Wooll or Woollen Manufactures, before-mentioned, from *Ireland* into Foreign Parts; Be it further enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December* in the Year of our Lord one thouſand ſeven hundred and thirty-nine, no Wooll, or any of the ſaid Goods, ſhall be loaden or laid on board any Ship, Veſſel or Boat in *Ireland*, or imported or brought from thence into this Kingdom, but in ſuch Ships, Veſſels or Boats, as ſhall be of the Built of *Great Britain* or *Ireland*, and which ſhall be wholly owned and manned by the Subjects of this Kingdom, or *Ireland*, and duly regiſtred in ſuch Manner and Form as herein after mentioned; under the Penalty of the Forfeiture of the ſaid Goods, or the Value thereof, as alſo of the Ship, Veſſel or Boat, in which the ſame ſhall be laden or put on board, together with all her Guns, Ammunition, Tackle, Apparel and Furniture. Ships how to be qualified for loading Wooll.

VII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, no Ship or Veſſel whatſoever ſhall be deemed or paſs as a Ship of the Built of *Great Britain* or *Ireland*, ſo as to be qualified to load or take on board in any of the Ports of *Ireland*, herein appointed for that Purpoſe, any Wooll, Woollen or Bay Yarn, or other the Species before-mentioned, in order to import or bring the ſame into the Ports of *Great Britain*, in this Act mentioned and appointed for that Purpoſe, until the Perſon or Perſons claiming Property in ſuch Ship or Veſſel, ſhall regiſter the ſame as followeth (that is to ſay) Proof ſhall be made upon the Oath, or Affirmation in caſe the Perſon be a *Quaker*, of one or more of the Owners of ſuch Ship or Veſſel, before the Collector and Comptroller of his Majeſty's Cuſtoms in ſuch Port of *Great Britain* or *Ireland* reſpectively, to which ſuch Ship or Veſſel ſhall belong; which Oath or Affirmation the ſaid Officers of the Cuſtoms reſpectively are hereby authorized to adminiſter in the Tenor following; that is to ſay, Wooll to be exported in Veſſels only of the Built of Great Britain or Ireland.

'I *A. B.* do make Oath (or, being a *Quaker*, do ſolemnly affirm) that the Ship of
' whereof is at preſent Maſter being built of
' Tons, was built at in the Year and that of
' and of are at preſent Owners thereof; and that no Foreigner, directly
' or indirectly, hath any Share, Part or Intereſt therein.'

A Certificate of which Oath or Affirmation, atteſted by the Collector and Comptroller of the Cuſtoms who adminiſter the ſame, under their Hands and Seals, ſhall, after having been regiſtred by them, be delivered to the Maſter of the Ship for the Security of her Navigation; a Duplicate of which Regiſter ſhall be immediately tranſmitted to the Commiſſioners of his Majeſty's Cuſtoms in the Port of *London*, in order to be entred in the general Regiſter, to be there kept by them for this Purpoſe.

VIII. And be it further enacted by the Authority aforeſaid, That no Ship's Name regiſtred ſhall be afterwards changed, without regiſtring ſuch Ship again, which is hereby required likewiſe to be done upon any Tranſfer of Property to another Port, and delivering up the former Certificate to be cancelled, under the ſame Penalties, and in the like Method, as is herein before directed: And that in caſe of any Alteration of Property in the ſame Port, by the Sale of one or more Shares in any Ship, after regiſtring thereof, ſuch Sale ſhall always be acknowledged by Indorſement of the Certificate of the Regiſter, before Ship's Name not to be altered, without regiſtring the ſame again.

and Alteration of Property to be indorſed.

fore two Witneſſes, in order to prove that the intire Property in ſuch Ship remains to ſome of the Subjects of *Great Britain* or *Ireland*, if any Diſpute ariſes concerning the ſame.

'IX. And whereas great Quantities of Wooll have been clandeſtinely exported under the Denomination of Coverlids, Waddings, and other Manufactures made of Wooll, whereas the ſame was only 'Wooll ſlightly wrought, or ſtitched together, and may be reduced to Wooll again, by which Practice the unfair Traders have evaded the good Laws made to prevent the Exportation of Wooll;' For preventing the like Practices for the future, be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, no Coverlids, Waddings, or other Manufactures, or pretended Manufactures, made of Wooll ſlighty ſtitched, worked, or otherwiſe put together, ſo as the ſame may be reduced to, and made uſe of as Wooll again, or Matraſſes, or Beds ſtuffed with combed Wooll, or Wooll fit for coming, ſhall be exported from *Great Britain* or *Ireland* to Parts beyond the Seas, under the like Penalties and Forfeitures which are by any Law in Being inflicted on Perſons concerned in the Exportation of Wooll.

Penalty on exporting Wooll ſlightly wrought.

Wooll in what to be packed up.

X. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, no Wooll, Wooll-fells, Mortlings, Shortlings, Wooll-flocks, Worſted, Bay or Woollen Yarn, ſhall be packed up in *Great Britain* or *Ireland*, in any Box, Barrel, Cask, Caſe, Cheſt, or any other Packgage, but in Packs or Truſſes of Leather or Canvas commonly called *Packcloth*; and all ſuch Packs or Truſſes of Leather or Canvas ſhall be ſtamped or marked on the Outſide thereof with the reſpective Words WOOLL or YARN, in large Letters, not leſs than three Inches in Length, under the Penalty and Forfeiture of all ſuch Wooll, or other the Goods aforeſaid, with the Package thereof, and three Shillings for every Pound Weight thereof, to be paid by the Owner or Packer of ſuch Wooll or Yarn.

No Wooll to be exported but upon Notice given to the Commiſſioners of the Cuſtoms, &c.

XI. And for preventing any fraudulent Tranſportation of Wooll, Wooll-fells, Mortlings, Shortlings, combed Wooll, Woollen or Bay Yarn, Worſted Yarn, Cruels, or Wooll ſlightly manufactured, under the Pretence of carrying the ſame Coaſtwiſe in *Great Britain* or *Ireland*, Be it further enacted by the Authority aforeſaid, That no Wooll, Wooll-fells, Mortlings, Shortlings, combed Wooll, Woollen or Bay Yarn, Worſted Yarn, Cruel, or Wooll ſlightly manufactured as aforeſaid, ſhall, from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, be put or laden on board any Ship, Veſſel or Boat, bound to Parts beyond the Seas, or ſhall be carried or laden in order to be carried in any Ship, Veſſel, Bottom, or Boat Coaſtwiſe, or from one Port of *Great Britain* or *Ireland* to another, unleſs Notice be firſt given to the Commiſſioners or chief Managers of the Cuſtoms, or to the Cuſtomer or Collector and Comptroller of the Port from which the ſame is intended to be ſent or exported, of the Quantity, Quality, and Package, together with the Marks and Numbers thereof, with the Name of the Ship and Maſter or Commander on which the ſaid Goods are to be laden, as likewiſe the Name or Names of the Owner or Owners of the ſaid Goods, and the Place of his or their Abode or Habitation, and the Place and Port into which the ſame are intended to be imported, and to whom conſigned; and unleſs Bond be firſt entered into to the Uſe of his Majeſty, his Heirs and Succeſſors, with one or more ſufficient Securities, in Treble the Value of the Goods ſo intended to be caaried coaſtwiſe, that the ſame ſhall (the Danger of the Seas excepted) be landed accordingly; due Notice whereof ſhall be forthwith tranſmitted by the Cuſtomer or Collector and Comptroller of the Port from whence the ſame ſhall be exported, to the Cuſtomer or Collector and Comptroller of the Port into which the ſame is intended to be imported, and Entry made, in the Manner required by this or any other Act; and unleſs a Licence be alſo firſt taken under the Hands of the Commiſſioners or chief Managers of the Cuſtoms for the time being, or any three of them, or from the Cuſtomer or Collector and Comptroller where ſuch Bond is given for the landing and carrying thereof, as aforeſaid; which Licence they are hereby required to grant without any Fee or Reward, or any other Charge to the Perſon demanding the ſame; any Law, Statute, or Uſage to the contrary in any wiſe notwithſtanding: And all ſuch Bonds ſo entered into for the carrying ſuch Goods coaſtwiſe in *Great Britain* or *Ireland*, ſhall not be diſcharged, but by producing a Certificate under the Hand and Seal of the Cuſtomer or Collector and Comptroller of the Port or Place in *Great Britain* or *Ireland* where ſuch Goods were landed, ſetting forth the Quantity, Quality and Package, together with the Marks and Numbers thereof, with the Name of the Ship and Maſter out of which ſuch Goods were landed; and that all ſuch Bonds as ſhall remain undiſcharged by ſuch Certificate after ſix Months, ſhall be tranſmitted to the Commiſſioners of the Cuſtoms in *Great Britain*, or the Commiſſioners of the Revenue in *Ireland*, who are hereby required to put them in Suit immediately: And if any Wooll, Wooll-fells, Mortlings, Shortlings, combed Wooll, Woollen or Bay Yarn, Worſted Yarn, Cruels, or Wooll ſlightly manufactured, ſhall be carried or laden on board any Ship, Veſſel, Bottom, or Boat, in order to be carried coaſtwiſe, or from one Port to another Port, before ſuch Bond entered into, and ſuch Licence taken out as aforeſaid, and before all the Directions of this and every other Act made to prevent the Tranſportation of any of the Goods aforeſaid ſhall be fully and duly complied with, ſo far as the ſame relate to the Exporter or Proprietor of ſuch Goods; or if any of the ſaid Goods ſhall be laden on board any Ship, Veſſel, or Boat, bound to Parts beyond the Seas; then all ſuch Goods as ſhall be ſo carried and laden, or the Value thereof, ſhall be forfeited and loſt, together with the Ship, Veſſel, Bottom, or Boat, on which ſuch Goods ſhall be ſo laden or put on Board, with all her Guns, Ammunition, Tackle, Apparel, and Furniture.

Security for the landing it,

and a Licence taken.

Bonds not to be diſcharged but upon producing a Certificate,

Forfeiture on Default.

No other Security hereby leſſened, or Law avoided.

XII. Provided nevertheleſs, That nothing herein contained ſhall extend, or be conſtrued to extend, to alter or leſſen any other Security now required by Law for Goods carried coaſtwiſe, or to repeal or make

make void any Law now in Force in *Great Britain* or *Ireland* made to prevent the Exportation of Wooll, or any the Goods or Commodities aforesaid.

XIII. And for the better preventing Frauds that may be practised in the collusive landing any Wooll or Woollen Yarn from *Ireland*, or in the shipping or landing any of the said Goods carried coastwise, Be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *December* one thousand seven hundred and thirty-nine, none of the said Goods imported into this Kingdom from *Ireland*, nor any of the said Goods carried coastwise within this Kingdom or *Ireland*, shall be landed or shipped, but in the Presence of the proper Officers appointed to attend the same, nor at any other Place or Places, than the lawful Quays set out in the Manner prescribed by the Act of Frauds, passed in the Fourteenth Year of King CHARLES the Second, for *England*, *Wales*, and *Berwick* upon *Tweed*, and by the Act passed in the Sixth Year of the Reign of her late Majesty Queen ANNE, for settling a Court of *Exchequer* in *Scotland*, for that Part of the United Kingdom, without Special Sufferance and Leave had from the Commissioners and Officers of the Customs, or at such Quays in *Ireland*, as are or shall be appointed according to the Laws of that Kingdom; on Pain of forfeiting the said Goods, or the Value thereof, and three Shillings for every Pound Weight of such Goods, to be paid by the Owner or Proprietor thereof, or any Person concerned in such unlawful shipping or landing, to be prosecuted and recovered as hereafter is directed; any Law, Custom, or Usage to the contrary notwithstanding.

Wooll before whom, and where to be landed.

15 & 14 Car. 2. c. 11.

6 Anne, c. 26.

XIV. And in order to prevent any fraudulent Practices by Officers or other Persons in making collusive Seizures, or by entering Informations, and making private or secret Agreements, whereby may be evaded any of the Forfeitures or Penalties inflicted by Law to prevent the transporting out of this Kingdom any Wooll, Wooll-fells, Wooll-flocks, Mortlings, Shortlings, Worsted, Bay or Woollen Yarn, Fullers-earth, Fulling-clay, Tobacco-pipe-clay, or any other scouring Clay or Earth, or to prevant the illegal transporting out of *Ireland* any of the said Goods, or of Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-serges, Shalloons, or any other Drapery Stuffs, or Woollen Manufactures whatsoever, made up or mixed with Wooll or Wooll-flocks; Be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons whatsoever, other than the Officers of some or one of the Revenues of Customs or Excise or Salt-duties, to enter any Information of Seizure of any Wooll, Wooll-fells, or other Species of Goods before enumerated, as forfeited by virtue of this or any other Act; nor shall it be lawful for any Person or Persons whatsoever, to enter, or cause or procure to be entered, filed or prosecuted, any Information or Informations against any Person or Persons for the Recovery of any Penalty or Forfeiture aforesaid, unless such Information or Informations be filed and prosecuted in the Name of his Majesty's Attorney General, or in the Name or Names of some Officer or Officers of some or one of the aforesaid Revenues of Customs, Excise, or Salt-duties in *Great Britain* or *Ireland*; and if any Information of Seizure of any of the Goods before-mentioned shall be made or prosecuted by any Person or Persons whatsoever, other than in the Name of the Attorney General, or in the Name of some Officer of his Majesty's Revenue as aforesaid; the same, and all the Proceedings thereupon had, are hereby declared to be null and void; as is also every other Information or Informations, with all the Proceedings thereon, which shall be filed or entered for any of the Penalties aforesaid, in the Name or Names of any other Person or Persons than as herein before-mentioned; any Law, or Custom to the contrary notwithstanding.

None but Officers to enter Informations of Seizures;

to be prosecuted in the Attorney General's or their Names, only.

XV. Provided nevertheless, That nothing in this Act contained shall extend, or be construed to extend, to take away the Power given to the Commanders and Officers of his Majesty's Ships of War, or the armed Sloops appointed or to be appointed by the Lords Commissioners of the Admiralty, or the Lord High Admiral for the time being, to guard against the Transportation of Wooll out of the Kingdom of *Great Britain* or *Ireland*, pursuant to and Act made in the tenth and eleventh Year of King WILLIAM the Third, intituled, *An Act to prevent the Exportation of Wooll out of the Kingdoms of* Ireland *and* England, *and for the Encouragement of the Woollen Manufactures of the Kingdom of* England; and another Act passed in the fifth Year of his present Majesty's Reign, intituled, *An additional Act for Encouragement of the Woollen Manufactures of this Kingdom, by the more effectual preventing the unlawful Exportation of the Woollen Manufactures of the Kingdom of* Ireland *to Foreign Parts*, or by any other Act.

This Act not to take away the Power of the King's Guard-ships.

10 & 11 W. 3. c. 10.

5 Geo. 2. c. 21.

XVI. And be it further enacted by the Authority aforesaid, That if any Officer of the Revenue shall directly or indirectly make any collusive Seizure or Information of any of the said Goods, or any fraudulent or collusive Agreement whatsoever, whereby the Owner or Claimer thereof, their Agents or Servants, may avoid the Forfeitures and Penalties, or any Part thereof, incurred by this or any other Act made to prevent the Transportation of Wooll, or any of the other Species of Goods before-mentioned; he shall, for such Offence, forfeit the Sum of two hundred Pounds, and also be rendered incapable of serving his Majesty in any Office or Employment in the Revenue; and also the Exporters, Importers, and Owners of the Goods so collusively seized, or with whom such collusive Agreement shall be made, shall forfeit Treble the Value thereof; and all such Penalties and Forfeitures shall be to the Use of him or them who shall inform or sue for the same, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, or in any of his Majesty's Courts of Record at *Dublin*; wherein no Essoin, Protection or Wager of Law, or any more than one Imparlance shall be allowed.

Penalties for collusive Seizures, on Officer,

and Owner,

to go to the Informer.

XVII. Provided nevertheless, That any Person whatsoever concerned in any such collusive or fraudulent Seizure or Agreement, who shall first discover such his Offence to the Commissioners of the Customs in *England* or *Scotland* for the time being, or the Commissioners of the Revenue in *Ireland* for the time being respectively, shall be clearly acquitted and discharged thereof, provided he makes such Discovery within the Space of three Months after the Offence shall have been committed, and so as any one or more of his Accomplices therein be convicted thereof; and if such Person first making such Discovery

Encouragement to Offenders to discover their Accomplices.

as

as aforeſaid, within the Time aforeſaid, be not an Officer of the Revenue, or Owner of the Goods, he ſhall, as a further Encouragement for making ſuch Diſcovery, have and receive to his own Uſe and Benefit the whole Money which on the Conviction or Convictions of ſuch Offender or Offenders ſhall be recovered from him, her or them, and be levied on his, her or their Eſtate or Effects, the Charges of Proſecution being firſt thereout deducted.

Informations and Actions where to be entered and proſecuted.

XVIII. And be it further enacted, That all Actions, Suits and Informations, to be had and commenced upon this, or any other Acts for preventing the Exportation of Wooll, Wooll-fells, Wooll-flocks, Mortlings, Shortlings, Worſted, Bay or Woollen Yarn, Cruels, or Wooll ſlightly manufactured, or Mattraſſes, or Beds ſtuffed with combed Wooll, or Wooll fit for combing, Fullers-earth, Fulling-clay, Tobacco-pipe-clay, or any other ſcouring Earth or Clay from *Great Britain* or *Ireland*; or for preventing the Exportation from *Ireland* into Foreign Parts, of Cloth, Serges, Bays, Kerſeys, Frizes, Druggets, Shalloons, Stuffs, Cloth-ſerges, or any other Drapery made of or mixed with Wooll manufactured in *Ireland*, may be entered and proſecuted (except where it is in this Act otherwiſe directed) in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland*, or at the Quarter-Seſſions of the Peace, or before any two Juſtices of the Peace for any County, City or Place in this Kingdom, in a ſummary Way, at the Election of the Seizer or Informer, or by any Law relating to the Revenue of *Ireland*, in that Kingdom; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, or any more than one Imparlance; and if the Property thereof be claimed by any Perſon or Perſons, in ſuch Caſe the *Onus probandi* ſhall lie upon the Owner or Claimer thereof, and not on the Officer or Seizer; any thing in this or any other Act contained to the contrary notwithſtanding.

Onus probandi to lie upon the Owner.

XIX. And be it further enacted by the Authority aforeſaid, That all the Forfeitures and Penalties before in this Act mentioned and appointed, except where the ſame is otherwiſe directed by this Act, ſhall be to the Uſe of ſuch Perſon or Perſons as ſhall ſeize, inform or ſue for the ſame, in the Manner herein before directed.

XX. And be it further enacted by the Authority aforeſaid, That on the Condemnation of any Wooll, or any other of the Species of Goods before enumerated, the ſaid reſpective Commiſſioners ſhall and may cauſe all ſuch Goods to be publickly ſold to the beſt Bidder, at ſuch Places as the ſaid Commiſſioners ſhall think proper; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding; and out of the Produce of ſuch Sale, they ſhall cauſe to be paid all Charges of Condemnation and Sale, and the Remainder to ſuch Perſon or Perſons who ſhall ſeize, inform or ſue for the ſame as aforeſaid.

Officer making Seizure upon Information, the Informer to have Half.

XXI. Provided always, and be it declared and enacted by the Authority aforeſaid, In caſe any Officer of the Cuſtoms, Exciſe or Salt-duty, ſhall receive any Information from any other Perſon or Perſons, whereby any Seizure of the ſaid Goods ſhall be made, or any Proſecution ſhall be commenced and carried on to Effect; ſuch Perſon or Perſons ſhall have and receive to his own Benefit one Half of what ſhall be recovered, levied and received by any ſuch Officer, as a Reward for his Information or Diſcovery; any thing herein contained to the contrary notwithſtanding.

Proviſion where the Offender is unable to pay the 3 s. Penalty.

XXII. And be it further enacted and declared by the Authority aforeſaid, That if any Perſon or Perſons, Offender or Offenders, ſhall, by Conviction, Judgment or otherwiſe, become liable to the Payment of the Penalty of three Shillings *per* Pound Weight, inflicted by this or any former Act made to prevent the Exportation of Wooll, for ſuch Wooll, or other the Species before-mentioned, and ſhall not be of ſufficient Ability to pay the ſame, by which Means the Informer or Proſecutor will loſe the Benefit of ſuch his Information and Proſecution; then and in ſuch Caſe it ſhall and may be lawful for the reſpective Commiſſioners to cauſe one Shilling *per* Pound Weight for all ſuch of the ſaid Goods, for which ſuch Offender or Offenders ſhall be convicted, to be paid by the Receiver General of the Revenue under the Management of the reſpective Commiſſioners, out of any publick Money in his Hands; and the Money paid by any Receiver General, Caſhier, or other Officer as aforeſaid, ſhall be accepted of and allowed in his Accounts, as ſo much Money paid to his Majeſty; and every ſuch Officer is and ſhall be hereby diſcharged thereof accordingly; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Encouragement to Maſters or Mariners of Ships, employed in clandeſtine exporting of Wooll, to make Diſcovery thereof.

XXIII. Provided always, and be it further enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, if the Maſter of any Ship or Veſſel employed in the clandeſtine exporting to Parts beyond the Seas, from *Great Britain* or *Ireland*, any Wooll, Wooll-fells, Wooll-flocks, Mortlings, Shortlings, Worſted, Bay or Woollen Yarn, Cruels, or Wooll ſlightly manufactured, or Mattraſſes, or Beds ſtuft with combed Wooll, or Wooll fit for combing, or any Fullers-earth, Fulling-clay, Tobacco-pipe-clay, or any other ſcouring Earth or Clay, or in the clandeſtine importing from *Ireland* any Woollen Cloth, Serges, Bays, Kerſeys, Sayes, Frizes, Druggets, Cloth-ſerges, Shalloons, or any other Drapery Stuffs, or Woollen Manufacture, made and manufactured in *Ireland*; or if the Mate or any of the Mariners of ſuch Ship or Veſſel ſhall give an Account in ſix Months after ſuch ſhipping or exporting any of the Goods before-mentioned, to the Commiſſioners of the Cuſtoms in *England* or *Scotland*, or to the Commiſſioners of the Revenues in *Ireland* reſpectively, of the Name of the Ship or Veſſel, and the Species and Quantities of ſuch Goods ſo clandeſtinely exported or ſhipt for Exportation to Parts beyond the Seas, together with the Name of the Owner or Owners, Exporter or Exporters of ſuch Goods, or the Name of the Perſon or Perſons who act in his or their Aid and Aſſiſtance, ſo as he or they may be proſecuted and convicted for ſuch his or their Offence or Offences committed againſt this or any other Act made to prevent the illegal Exportation of Wooll, or any the Species or Goods before-mentioned; ſuch Maſter, Mate or Mariner, ſhall not only be indemnified for ſo doing, but ſhall be clearly acquitted and diſcharged from any

any the Pains, Penalties and Forfeitures he or they are by Law ſubject to for ſuch his or their Offence or Offences; and ſhall alſo have and receive three fourth Parts of the Penalties or Forfeitures, clear of Charges, that ſhall be recovered and received by Means of ſuch their Diſcovery; which the reſpective Commiſſioners aforeſaid are to cauſe to be paid and diſtributed in ſuch Manner and Proportion as they ſhall think proper, and the other fourth Part to his Majeſty, his Heirs and Succeſſors, after deducting the Charges of Proſecution and Condemnation; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Perſons qualified to put this Act in Execution.

XXIV. And to prevent any Diſpute relating to the Authority of any Perſon or Perſons acting as an Officer, or as Officers of the Cuſtoms, Exciſe or Salt-duties in *Great Britain* or *Ireland*, for the putting in Execution this Act, or any other Act or Acts of Parliament relating to thoſe Revenues, or made againſt the Tranſportation of Wooll; Be it further enacted by the Authority aforeſaid, That every Perſon, who by Deputation, Commiſſion or other Inſtrument, under the Hands and Seals of the Commiſſioners of the Cuſtoms, Exciſe or Salt, in *Great Britain* or *Ireland* reſpectively, ſhall be appointed to act as an Officer or Servant under them, for putting this or any of the ſaid Acts in Execution, ſhall be eſteemed an Officer of the Cuſtoms, Exciſe or Salt reſpectively, to all Intents and Purpoſes in the Law whatſoever.

300l. Penalty on offering to bribe an Officer.

XXV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall offer or promiſe to give any Bribe, Recompence or Reward whatſoever, to any Officer or Officers of the Cuſtoms, Exciſe or Salt in *Great Britain* or *Ireland*, to connive at or permit the Tranſportation or the Concealment of any Wooll, Wooll-flocks, Wooll-fells, Mortlings, Shortlings, Yarn, made of Wooll, Cruels or Wooll ſlightly manufactured, or Mattraſſes or Beds ſtuffed with combed Wooll, or Wooll fit for combing, Fullers-earth, Fullers-clay, and Tobacco-pipe-clay, or any other ſcouring Earth or Clay; or to the removing thereof, contrary to this or any other Act made againſt the Tranſportation thereof; or to do, conceal or connive at any other Act, whereby any of the Proviſions made by this or any other Law as aforeſaid may be evaded or broken; every ſuch Perſon and Perſons ſhall for every ſuch Offence (whether the ſame Offer, Propoſal or Promiſe be accepted or performed or not) forfeit the Sum of three hundred Pounds, to be recovered and applied to the Uſe of him or them who ſhall inform or ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland*, or in any of His Majeſty's Courts of Record at *Dublin*; wherein no Eſſoin, Protection or Wager of Law, or any more than one Imparlance ſhall be allowed.

Perſons oppoſing Officers in their Duty, deemed Felons.

XXVI. And for the more effectual putting this Act in Execution, Be it further enacted by the Authority aforeſaid, That if any Officer or Officers of the Cuſtoms, Exciſe or Salt, or any other Perſon or Perſons that ſhall act in Aid or Aſſiſtance of any Officer or Officers of the Cuſtoms, Exciſe or Salt, in putting this Act in Execution, ſhall be hindered, oppoſed, obſtructed, moleſted, wounded or beaten, in ſeizing any Wooll, Wooll-fells, Wooll-flocks, Mortlings, Shortlings, Woollen or Bay Yarn, or any other Species of Goods before enumerated, by any Perſon or Perſons whatſoever, either in the Day or Night, by Land or Water; the Perſon or Perſons that ſhall ſo hinder, oppoſe, obſtruct, moleſt, wound, or beat any ſuch Officer or Officers, or any Perſon or Perſons who ſhall act in his or their Aid or Aſſiſtance in the making ſuch Seizures as aforeſaid; or any other Perſon or Perſons whatſoever, being armed with offenſive Arms or Weapons, or wearing any Vizard, Maſk, or other Diſguiſe, who ſhall reſcue or attempt to reſcue any Wooll or other the Goods aforeſaid, which ſhall be ſeized by any Officer or Officers of the Cuſtoms, Exciſe or Salt; every ſuch Perſon or Perſons that ſhall be convicted of any of the ſaid Offences ſhall, by Order of the Court before whom ſuch Offender or Offenders ſhall be convicted, be tranſported to ſome of His Majeſty's Colonies and Plantations in *America*, for ſuch Term as ſuch Coutt ſhall think fit, not exceeding ſeven Years, in the ſame Manner as by an act made in the fourth Year of the Reign of His late Majeſty King GEORGE the Firſt, of glorious Memory, intituled, *An Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Tranſportation of Felons, and unlawful Exporters of Wooll; and for declaring the Law upon ſome Points relating to Pirates*; and by one other Act made in the ſixth Year of the Reign of His late Majeſty, intituled, *An Act for the preventing Robbery and other Felonies, and for the more effectual Tranſportation of Felons*, the Offenders therein mentioned are to be tranſported to the ſaid Colonies and Plantations; and if any ſuch Offender or Offenders ſhall return into *Great Britain*, or *Ireland*, before the Expiration of the Time for which ſuch Perſon ſhall be tranſported, contrary to the Intent and Meaning hereof, he or they ſo returning ſhall ſuffer as Felons, and have Execution awarded againſt them as Perſons attainted of Felony, without Benefit of Clergy.

4 Geo. 1. c. 11.

6 Geo. 1. c. 23.

4 Geo. 1. c. 11.

'XXVII. And whereas by an Act paſſed in the fourth Year of his late Majeſty King GEORGE 'the Firſt, intituled, *An Act for the further preventing Robbery, Burglary, and other Felonies, and for 'the more effectual Tranſportation of Felons, and unlawful Exporters of Wooll, and for declaring the Law 'upon ſome Points relating to Pirates*, it is enacted, That if any Perſon or Perſons ſhall be in Priſon 'for want of ſufficient Bail, for unlawful Exportation of Wooll or Wooll-fells, and ſhall refuſe to 'appear or plead to a Declaration or Information to be delivered to ſuch Perſon or Perſons, or to 'the Gaoler, Keeper or Turnkey of the Priſon, at the ſaid Priſon, for the ſaid Offence, by the Space 'of one Term, Judgment ſhall be entered againſt him by Default; and in caſe Judgment ſhall be obtained againſt any ſuch Perſon or Perſons by Default, Verdict or otherwiſe, and ſuch Perſon or Perſons 'ſhall not pay the Sum recovered againſt him or them for the ſaid Offence within the Space of three Months 'after entering up of ſuch Judgment, the Court before whom ſuch Judgment ſhall be obtained, ſhall by 'Order of Court cauſe ſuch Offender or Offenders to be tranſported in the ſame Manner as Felons a-'foreſaid, for the Term of ſeven Years; and if ſuch Offender or Offenders ſhall return into *Great Bri-*

'*tain* or *Ireland* before the Expiration of the ſaid ſeven Years, he or they ſhall ſuffer as Felons, and 'have Execution awarded againſt them as Perſons attainted of Felony, without Benefit of Clergy: And 'whereas the ſaid Act extended only to the Perſon or Perſons who actually exported the Wooll or Wooll-'fells, but not to their Aiders or Abettors;' Be it therefore enacted by the Authority aforeſaid, That the ſaid Act, and every thing therein contained, ſo far as the ſame concerns the Exporters of Wooll or Wooll-fells, ſhall extend or be conſtrued to extend to all and every Perſon or Perſons who act as Aiders or Abettors to ſuch Exporters of Wooll or Wooll-fells, as fully, to all Intents and Purpoſes, as if the ſame was repeated and re-enacted in the Body of this Act.

Act 4 Geo. 1. c. 11. to extend to the Abettors of Exporters of Wooll.

Bonds not chargeable with the Stamp-duties.

XXVIII. Provided always, and be it further enacted, That all Bonds taken or to be taken purſuant to this Act, ſhall not be chargeable with any the Duties upon ſtampt Vellum, Parchment or Paper; any Law or Statute made or to be made to the contrary notwithſtanding.

500 l. Penalty on inſuring or procuring Wooll to be landed in foreign Parts.

'XXIX. And whereas it is found by Experience that great Quantities of Wool, Wooll-fells, Wooll-'flocks, Mortlings, Shortlings, Cruels, Worſted, Woollen and Bay Yarn, Mattraſſes and Beds ſtuffed 'with combed Wooll, or Wooll fit for combing, are frequently exported from *Great Britain* or *Ireland* 'in foreign Parts, and of Woollen Manufactures from *Ireland* into foreign Parts, to the great Prejudice 'of the Woollen Manufacture of this Kingdom; which Practice hath of late been much increaſed and 'promoted by evil-diſpoſed Perſons, who, notwithſtanding the Laws already made, do undertake as in-'ſurers or otherwiſe, that ſuch Goods ſhall be delivered in Parts beyond the Seas:' For preventing ſo great a Miſchief for the future, be it further enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, all and every Perſon or Perſons whatſoever, who by way of Inſurance or otherwiſe ſhall undertake or agree, that any of the Goods or Merchandizes before-mentioned ſhall be carried or conveyed to any Parts beyond the Seas from any Port or Place whatſoever, within this Kingdom or *Ireland*, contrary to the true Intent and Meaning of this Act; or in purſuance of ſuch Inſurance, Undertaking or Agreement, ſhall deliver or cauſe or procure to be delivered any of the ſaid Goods in any Parts beyond the Seas, ſuch Perſon or Perſons, and all and every their Aiders, Abettors and Aſſiſtants, ſhall, for every ſuch Offence, forfeit and loſe the Sum of five hundred Pounds, to the Uſe of the Informer or Proſecutor, over and above all other Forfeitures and Penalties to which they are liable by any Act now in Force.

The like Penalty on the inſured.

XXX. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons whatſoever, who ſhall pay or agree to pay any Sum or Sums of Money for the inſuring, conveying or exporting out of this Kingdom or *Ireland*, contrary to the true Intent and Meaning of this Act, any of the Goods or Merchandizes aforeſaid; ſhall, for every ſuch Offence, forfeit and loſe the Sum of five hundred Pounds to the Uſe of the Informer, or ſuch Perſon or Perſons as ſhall ſue for the ſame.

Encouragement to Perſons inſuring and inſured, to make Diſcovery.

XXXI. And be it further enacted by the Authority aforeſaid, That in caſe the Inſurer, Conveyer or Manager of or in ſuch Fraud, or the Perſon or Perſons agreeing to inſure, convey or manage therein, do or ſhall within the Space of ſix Months after ſuch Tranſaction or Agreement firſt give Notice thereof to the Commiſſioners of the Cuſtoms in *England* or *Scotland* for the time being, or to the Commiſſioners of the Revenue in *Ireland* for the time being, ſo as the Perſon or Perſons concerned with him, her or them in ſuch Offence be convicted thereof; he, ſhe or they ſo firſt diſcovering, ſhall not only be clearly acquitted and diſcharged of ſuch Offence, and from the Penalties to which he, ſhe or they is or are liable by Reaſon thereof, but ſhall alſo have to his, her and their own Uſe, the whole Forfeiture hereby impoſed upon the Party or Parties making ſuch Inſurance or Agreement, after the Charges of Proſecution are deducted; and ſhall likewiſe retain and enjoy to his, her or their own Uſe the Inſurance-money or Reward given or paid to him, her or them, by the Perſon or Perſons concerned with him, her or them therein; and in caſe the Party or Parties inſured ſhall, within the like Space of ſix Months, firſt make Diſcovery thereof to the Commiſſioners of the Cuſtoms in *England* or *Scotland* for the time being, or to the Commiſſioners of the Revenue in *Ireland* for the time being, ſo as the Perſon or Perſons concerned with him, her or them in ſuch Offence, be convicted thereof; he, ſhe or they ſo firſt diſcovering, ſhall recover and receive back ſuch Inſurance-money or Premium, as he, ſhe or they hath or have paid upon ſuch Inſurance or Agreement; and in caſe the ſaid Inſurance-money or Premium ſhall not at the Time of ſuch Diſcovery be actually paid, then the Perſon or Perſons ſo firſt diſcovering, is and are hereby ſaved harmleſs, and indemnified from paying the ſame, or any Part thereof; and all and every Agreement and Agreements entered into for paying ſuch Monies, is and are hereby declared to be null and void; and ſuch Perſon or Perſons ſo firſt diſcovering ſhall alſo have to his, her and their own Uſe the whole Forfeiture impoſed upon ſuch Inſurer, Conveyer or Manager as aforeſaid, after Charges of Proſecution are deducted; and ſhall alſo be clearly acquitted and diſcharged of the Forfeitures hereby impoſed upon him, her or them.

The ſaid Penalties how to be recovered.

XXXII. And be it further enacted, That all the ſaid Penalties and Forfeitures incurred by the Perſons concerned in the fraudulent and illegal Inſurances, or Agreements to inſure or be inſured as before-mentioned, ſhall be ſued for, proſecuted and recovered in any Court of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland* or *Ireland*, by Action of Debt, Bill, Plaint or Information, in the Name of his Majeſty's Attorney General, or in the Name of any Officer of his Majeſty's Cuſtoms, Exciſe, or Salt Duties; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or any more than one Imparlance.

'XXXIII. And whereas Policies of Inſurance are commonly made on Goods and Merchandizes, as 'well as on Ships or Veſſels, wherein the Inſurer undertakes, in Conſideration of a Premium given 'him by the aſſured, to bear all the Riſques and Hazards of the Voyage; and it is generally unknown 'to the Inſurers what Sorts of Goods and Merchandizes are loaded on board any Ship or Veſſel, 'whereby it frequently happens that Inſurances are made on Wooll or Woollen Yarn to be carried

'from

'from *Great Britain* or *Ireland* to Foreign Parts beyond the Seas, or on Woollen Manufactures to be 'carried from *Ireland* to Foreign Parts beyond the Seas, as well as on Ships or Veſſels having on board 'ſuch Wooll or Woollen Yarn, or Woollen Manufactures from *Ireland*: And whereas the diſcourag- 'ing all ſuch Inſurances may be a Means to prevent the fraudulent Exportation of Wooll and Woollen 'Yarn, and Woollen Manufactures from *Ireland*;' Be it therefore further enacted by the Authority aforeſaid, That all Policies of Inſurance which, from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, ſhall be made on Goods and Merchandizes loaden or to be loaden on any Ship or Veſſel bound from *Great Britain* or *Ireland* to Foreign Parts beyond the Seas, which ſhall afterwards appear to be Wooll or Woollen Yarn, or any other Species of Wooll before-mentioned, or Woollen Manufactures from *Ireland*, and all Policies of Inſurance which, from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-nine, ſhall be made on any Ship or Veſſel bound from *Great Britain* or *Ireland* to Foreign Parts beyond the Seas, which ſhall have on board any Wooll or Woollen Yarn, or any other Species of Wooll before-mentioned, or Woollen Manufactures from *Ireland*, ſhall be deemed and taken to be null and void, notwithſtanding any Words or Agreement whatſoever, which ſhall be inſerted in any ſuch Policy of Inſurance; and nothing ſhall be recovered by the aſſured in either Caſe from the Inſurer for Loſs or Damage, or for the Premium which ſhall have been given as the Conſideration for inſuring ſuch Goods and Merchandizes, Ship or Veſſel; any Law, Cuſtom or Uſage to the contrary notwithſtanding. Inſurances on Woollen Goods void.

XXXIV. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared; or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants have in other Caſes by Law. General Iſſue. Treble Coſts.

Concerning Wool, &c. ſee farther, 15 *Geo.* 2. *c.* 27. 25 *Geo.* 2. *c.* 14 & 19. 26 *Geo.* 2. *c.* 8 & 11. 29 *Geo.* 2. *c.* 33. 30 *Geo.* 2. *c.* 12.

CAP. XXII.

An Act to rectify a Miſtake in an Act made in the ſixth Year of the Reign of his late Majeſty King GEORGE, for preventing Frauds and Abuſes in the publick Revenues of Exciſe, Cuſtoms, Stamp-duties, Poſt-office and Houſe-money, relating to the Condition of Bonds taken from Maſters of Ships; and to indemnify Perſons who have acted under the ſaid Miſtake; and alſo to obviate a Doubt which has ariſen upon an Act made in the ſeventh Year of his ſaid late Majeſty's Reign, for the further preventing his Majeſty's Subjects from trading to the *Eaſt-Indies* under foreign Commiſſions; and for encouraging and further ſecuring the lawful Trade thereto, with regard to Proſecutions in *Ireland* in a ſummary Way, for the fraudulent Importation of *Eaſt-India* Goods into that Kingdom.

'WHEREAS in the Record of an Act paſſed in the ſixth Year of the Reign of King GEORGE the Firſt, intituled, *An Act for preventing Frauds and Abuſes in the publick Revenues of Exciſe, Cuſtoms, Stamp-Duties, Poſt-office, and Houſe-money*, is a Clauſe which recites, That whereas divers Ships 'and Veſſels of the Burthen of fifty Tons, or under, laden with Tobacco, Brandy, Spirits and other 'cuſtomable or prohibited Goods, pretending to be bound for foreign Parts, do frequently lie hovering 'on the Coaſt of *Ireland*, with Intention to run the ſame privately on Shore, as Opportunity offers, to 'the great Diminution of his Majeſty's Revenue, and Ruin of fair Traders; and Ships or Veſſels of the 'Burthen of fifty Tons, or under, do frequently lie hovering on that Coaſt to take in Wooll not lawfully 'licenſed, to be brought into *England*, and other Staple Commodities of *Ireland* prohibited to be export- 'ed; for the better preventing whereof it was declared and enacted by the ſaid Act, That from and 'after the firſt Day of *Auguſt* one thouſand ſeven hundred and twenty, where any Ship or Veſſel of the 'Burthen of fifty Tons, or under, laden with cuſtomable or prohibited Goods, ſhould be found at An- 'chor, or hovering on the Coaſts of *Ireland*, within two Leagues of the Shore, and not proceeding on 'her Voyage, Wind and Weather permitting, it ſhould and might be lawful to and for any Officer or 'Officers of his Majeſty's Cuſtoms of that Kingdom, to go on board every ſuch Ship or Veſſel, and to 'take an Account of the Lading, and to demand and take Security from the Maſter or other Perſon hav- 'ing or taking the Charge or Command of ſuch Ship or Veſſel in that Voyage, by his own Bond, by 'him to be entred into, unto his Majeſty, his heirs and Succeſſors, in ſuch Sum or Sums of Money as 'ſhould be treble the Value of ſuch Goods then on board, with Condition that ſuch Ship or Veſſel, as 'ſoon as Wind and Weather, and the State and Condition of ſuch Ship or Veſſel did permit, ſhould 'and would proceed regularly on ſuch Voyage, and ſhould not land ſuch Goods (except Wooll lawfully 'licenſed as aforeſaid) in and at ſome foreign Port or Ports; and if ſuch Maſter or other Perſon having 'or taking the Charge or Command of ſuch Ship or Veſſel ſhould upon ſuch Demand refuſe to enter into 'ſuch Bond, or having entred into ſuch Bond, ſhould not depart or proceed regularly on ſuch Voyage as 'ſoon as Wind and Weather and the State and Condition of ſuch Ship or Veſſel ſhould permit, unleſs Preamble, reciting the Act 6 Geo. 1. c. 21.

'otherwiſe ſuffered to make a longer Stay by the Collector, or other principal Officer in his Abſence, of 'ſuch Port where ſuch Ship or Veſſel ſhould be, not exceeding twenty Days; then and in either of the 'ſaid Caſes all the Goods ſo on board ſuch Ship or Veſſel ſhould and might by any Officer or Officers 'of the Cuſtoms, by Direction of the Collector or other principal Officer as aforeſaid, be taken out of 'and from ſuch Ship or Veſſel, and forthwith brought on Shore and ſecured, and in caſe the ſaid Goods 'were cuſtomable, the Cuſtoms and other Duties ſhould be paid for the ſame; and as concerning Wooll 'or any prohibited Goods, or other Goods liable to Forfeiture, which might be found on board ſuch 'Ships or Veſſels at the Time of their unlading as aforeſaid, the ſame are thereby declared to be ſubject 'to Forfeiture, and the Officers of the Cuſtoms ſhould and might proſecute the ſame, as alſo the Ship or 'Veſſel, in caſe ſhe ſhould be liable to Condemnation: And whereas there appears to be a Miſtake in 'the ſaid recited Clauſe in the Act aforeſaid, by the Word [*not*] being inſerted in the Record thereof, be-'tween the Word [*ſhall*] and the Word [*land*] contrary to the Meaning and Intention of the ſaid Act;' Now for remedying the ſaid Miſtake, be it enacted and declared by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing this Act, the herein before-mentioned Bonds to be entred into by the Maſters of Ships or Veſſels, or the Perſons having or taking Charge or Command thereof, according to the Direction and Proviſion before recited

The Amendment.

of the ſaid Act, ſhall be with Condition, That ſuch Ship or Veſſel, as ſoon as Wind and Weather and the Condition of ſuch Ship or Veſſel will permit, ſhall and will proceed regularly on ſuch Voyage, and ſhall land ſuch Goods (except Wooll lawfully licenſed) in and at ſome foreign Port or Ports; and if ſuch Maſter or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel ſhall upon ſuch Demand refuſe to enter into ſuch Bond, or having entred into ſuch Bond ſhall not depart or proceed regularly on ſuch Voyage, as ſoon as Wind and Weather and the State and Condition of ſuch Ship or Veſſel ſhall permit, unleſs otherwiſe ſuffered to make a longer Stay by the Collector, or other principal Officer in his Abſence, of ſuch Port where ſuch Ship or Veſſel ſhall be, not exceeding twenty Days; then and in either of the ſaid Caſes all the Goods ſo on board ſuch Ship or Veſſel, ſhall and may by any Officer or Officers of the Cuſtoms, by Direction of the Collector or other principal Officer as aforeſaid, be taken out of and from ſuch Ship or Veſſel, and forthwith brought on Shore and ſecured; and in caſe the ſaid Goods are cuſtomable, the Cuſtoms and other Duties ſhall be paid for the ſame; and as concerning Wooll, or any prohibited Goods, or other Goods liable to Forfeiture, which may be found on board ſuch Ships or Veſſels at the Time of their unlading as aforeſaid, the ſame are hereby declared to be ſubject to Forfeiture, and the Officers of the Cuſtoms ſhall and may proſecute the ſame, as alſo the Ship or Veſſel, in caſe ſhe ſhall be liable to Condemnation.

'II. And whereas ſome Officers of his Majeſty's Cuſtoms in the Kingdom of *Ireland*, and other Per-'ſons aſſiſting them, may have gone on board, and demanded and taken Security from the Maſters or 'Perſons having the Charge of ſuch Ships or Veſſels as aforeſaid, and have otherwiſe acted under the 'ſaid Act, according to the Intention of the ſaid Act, though not according to the Letter thereof, 'whereby ſuch Officers and Perſons may be liable to Proſecutions for the ſame;' Therefore to indemnify and ſave harmleſs ſuch Officers and Perſons, their Heirs, Executors and Adminiſtrators, for taking ſuch

Perſons indemnified who have acted according to the Intent of the Act.

Securities and acting as aforeſaid; Be it enacted by the Authority aforeſaid, That all ſuch Officers and Perſons as have taken any ſuch Securities or acted as aforeſaid, their Heirs, Executors and Adminiſtrators, ſhall, and each and every of them are hereby reſpectively acquitted, indemnified, releaſed and diſcharged of and from all Actions, Proſecutions, Penalties, Forfeitures, Outlawries, Convictions and Judgments incurred, obtained, had or to be incurred, obtained or had, on account, or by reaſon of the ſame.

Act 7 Geo. 1. c. 21.

'III. And whereas by a Clauſe in an Act of Parliament made in the ſeventh Year of the Reign of his 'late Majeſty King GEORGE the Firſt, intituled, *An Act for the further preventing his Majeſty's Subjects 'from trading to the* Eaſt Indies *under foreign Commiſſions, and for encouraging and further ſecuring the 'lawful Trade thereto; and for further regulating the Pilots of* Dover, Deal, *and the* Iſle *of* Thanet; 'it is amongſt other Things enacted, That from and after the twenty-fourth Day of *June* one thou-'ſand ſeven hundred and twenty-one, no Commodity of the Growth, Product or Manufacture of the '*Eaſt-Indies*, or other the Places in the ſaid Act before mentioned, ſhall be imported or carried into 'the Kingdom of *Ireland*, the Iſlands of *Jerſey*, *Guernſey*, *Alderney*, *Sark* or *Man*, or into any Land, 'Iſland, Plantation, Colony, Territory or Place, to his Majeſty, or to the Crown of *Great Britain* 'belonging, or which ſhall hereafter belong to his Majeſty, his Heirs and Succeſſors, in *Africa* or '*America*, but ſuch only as ſhall be *bona fide*, and without Fraud, loaden and ſhipt in *Great Britain*, 'in Ships navigated according to the ſeveral and reſpective Laws now in Being, as to the ſeveral Places 'to which the ſaid Goods ſhall be imported or carried, under the Penalty of forfeiting all ſuch Goods 'or the Value thereof, together with the Ship or Veſſel in which they ſhall be imported, with all her 'Guns, Tackle, Furniture, Ammunition and Apparel; and ſuch Ship and Goods ſhall and may be 'ſeized, and the ſame, or the Value thereof, ſhall and may be proſecuted in any of his Majeſty's 'Courts of Record at *Weſtminſter*, or in *Dublin*, or in any of his Majeſty's Courts in ſuch Land, 'Iſland, Colony, Territory or Place where the Offence ſhall be committed, or in the Royal Courts 'of *Jerſey* and *Guernſey* reſpectively, by Bill, Plaint or Information, wherein no Eſſoin, Protection or 'Wager of Law ſhall be allowed, or any more than one Imparlance; one Moiety of which Forfeiture 'ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them 'who ſhall ſeize or ſue for the ſame; except ſuch Offence ſhall be committed in any of his Majeſty's 'Plantations in *Africa* or *America*; in which caſe one third Part of the ſaid Forfeiture ſhall be to the 'Uſe of his Majeſty, his Heirs and Succeſſors, one other third Part to the Governor of ſuch Land,

'Iſland, Colony or Place where the Offence ſhall be committed, and the other third Part to the In-'former or Proſecutor; any Law, Cuſtom or Uſage to the contrary notwithſtanding: And if any Of-'ficer or Officers of the Cuſtoms in the ſaid Kingdom of *Ireland*, or in the Lands, Iſlands, Colonies, 'Plantations, Territories or Places aforeſaid, ſhall willingly or knowingly connive at the fraudulent Im-'portation of any ſuch Commodities as is before mentioned, contrary to the true Meaning of the ſaid 'laſt mentioned Act; or if any ſuch Officer or Officers ſhall take upon him or them to ſeize any of 'the ſaid Commodities, and ſhall by Fraud or Colluſion deſiſt or delay the Proſecution thereof to 'Condemnation; he or they ſo conniving, deſiſting or delaying, ſhall forfeit and loſe the Sum of five 'hundred Pounds, to be ſued for and recovered in Manner aforeſaid; one Moiety of which Forfeiture 'to be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to him or 'them who will inform and ſue for the ſame; and ſuch Officer or Officers ſhall alſo for the future be 'incapable of holding any Office or Employment under his Majeſty, his Heirs and Succeſſors: And 'whereas a Doubt hath ariſen, whether by reaſon of the ſaid laſt mentioned Act the Penalties and 'Forfeitures incurred by the Laws now in Force in the ſaid Kingdom of *Ireland*, againſt running, or 'intending to run Goods into that Kingdom, or for landing or carrying the ſame away without due 'Entry being made thereof, or paying or giving Security for the Payment of the Duties thereout due 'and payable to his Majeſty, can (as to Commodities of the Growth, Production or Manufacture of 'the *Eaſt Indies*, mentioned in the ſaid recited Act) be ſued for, and recovered in a ſummary Way, 'in any other Manner than by Bill, Plaint or Information in ſome of his Majeſty's Courts of Record 'in *Dublin*: And whereas divers evil-diſpoſed Perſons have of late been encouraged to run great Quan-'tities of *India* Goods into the Kingdom of *Ireland*, which were not loaden or ſhipped in or from any 'Part of *Great Britain*, whereby the Payment of any Duty for the ſame hath been avoided, to the 'great Diminution of his Majeſty's Revenue in the Kingdom of *Ireland*, contrary to the true Intent 'and Meaning of the ſaid Act;' For Remedy whereof, and for obviating and taking away all ſuch Doubts, be it further enacted by the Authority aforeſaid, That the Commiſſioners of Exciſe in the Kingdom of *Ireland* for the time being, or any three of them, or the Sub-commiſſioners of Exciſe for the time being, or the major Part of them reſpectively, in their reſpective Limits and Diſtricts in the Kingdom of *Ireland*, ſhall, from and after the paſſing of this Act, and they are hereby authorized and required to hear and determine all Offences againſt any Clauſe or Article contained in any Act of Parliament now in Force in the Kingdom of *Ireland*, made for preventing the running or intending to run into the ſaid Kingdom any Commodity of the Growth, Product or Manufacture of the *Eaſt Indies*, or other Places beyond the *Cape of Good Hope*; and the ſaid Commiſſioners and Sub-commiſſioners ſhall and may, and they are hereby impowered to proceed in a ſummary Way, and hear, determine and give Judgment or Sentence thereupon, and order and direct the Fines, Penalties and Forfeitures to be recovered and levied, in ſuch or the like Manner, as they the ſaid Commiſſioners and Sub-commiſſioners are enabled to proceed to hear, determine, give Judgment, and levy the Fines, Penalties and Forfeitures in Caſes of Exciſe in the Kingdom of *Ireland*, by any Law, Act or Acts of Parliament now in Force in that Kingdom; any thing in the ſaid Act paſſed in the ſeventh Year of the Reign of his late Majeſty King GEORGE the Firſt to the contrary notwithſtanding.

Commiſſioners or Sub-commiſſioners of Exciſe, in *Ireland*, to try Offences againſt any Acts for prohibiting the running of *India* Goods, in a ſummary Way.

Concerning Eaſt-India Company ſe. further.
17 *Geo.* 2. *c.* 17.
27 *Geo.* 2. *c.* 9.
1 *Geo.* 3. *c.* 14.

CAP. XXIII.

An Act for providing a Reward to *Joanna Stephens*, upon a proper Diſcovery to be made by her for the Uſe of the Publick, of the Medicines prepared by her for the Cure of the Stone. P R.

'WHEREAS *Joanna Stephens* of the City of *Weſtminſter*, Spinſter, hath acquired the Know-'ledge of Medicines, and the Skill of preparing them, which by a diſſolving Power ſeem capa-'ble of removing the Cauſe of the painful Diſtemper of the Stone, and may be improved, and more 'ſucceſsfully applied, when the ſame ſhall be diſcovered to Perſons learned in the Science of Phyſick;' Now for encouraging the ſaid *Joanna Stephens* to make Diſcovery thereof, and for providing her a Re-compence in caſe the ſaid Medicines ſhall be ſubmitted to the Examination of proper Judges, and by them be found worthy of the Reward hereby provided; may it pleaſe your Majeſty, that it may be enacted, *&c.*

" 5000 *l.* granted out of the Supplies for the Diſcovery of Mrs. *Stephens*'s Medicines. Treaſury to iſſue " the ſaid Sum on a proper Certificate."

CAP. XXIV.

An Act to impower the high Court of *Chancery* to lay out upon proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Caſh in the Bank of *England*, belonging to the Suitors of the ſaid Court, for the Eaſe of the ſaid Suitors, by applying the Intereſt ariſing therefrom, for anſwering the Charges of the Office of the Accountant General of the ſaid Court.

'WHEREAS the Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* did, on the twenty-ſixth Day of *May* one thouſand ſeven hundred and twenty-five, make an Order 'for

Preamble, reciting the Acts 12 Geo. 1. c. 32.

'for the Masters of the high Court of *Chancery* to deliver into the Bank of *England* the Money, 'Bonds, Tallies, Orders and Effects of the Suitors of the said Court under their respective Care and 'Direction; and the Lord high Chancellor of *Great Britain*, by an Order of the fourth Day of *Novem-* 'ber following, direct the said Order of the twenty-sixth Day of *May* to be kept and observed, with 'the Explanations, Alterations and Additions in the said Order of the fourth of *November* contained: 'And whereas by an Act of Parliament made and passed in the twelfth Year of the Reign of his late 'Majesty King GEORGE the First, intituled, *An Act for the better securing the Monies and Effects of the* 'Suitors of the Court of Chancery, *and to prevent the counterfeiting of* East-India *Bonds and Indorsements* 'thereon, *as likewise Indorsements on* South-Sea *Bonds*; after reciting and setting forth both the said Or- 'ders of the Court of *Chancery*, it was, amongst other Things, enacted, That one Person should be 'appointed by the high Court of *Chancery* to act, perform, and do all such Matters and Things relating 'to the Delivery of the Suitors Money and Effects into the Bank, and taking them out of the Bank, 'and the keeping the Accounts with the Bank, and all other Matters relating thereto, as in and by the 'said recited Orders, or either of them, were prescribed and directed to be done and performed by the 'Masters and Usher of the said Court of *Chancery*; and which Officer so to be appointed, was to be 'called the *Accountant General of the Court of* Chancery, and should hold such Office during the Plea- 'sure of the said Court; and an Account should be kept in his Name with the Bank of *England* for 'and on the Behalf of the Suitors of the said Court of *Chancery*, in such Manner as is directed by the 'said recited Orders with respect to the Masters of the said Court and the Bank; and it was thereby 'enacted, That the said Accountant General should, as to the several Regulations and Directions pre- 'scribed in the said Orders, stand and be in the Place and Room of the Masters and Usher of the 'said Court, and should receive no other Fee or Reward from the Suitors for the Exercise of the said 'Office, than what was allowed to the Masters in and by the said Order of the twenty-sixth of *May* 'one thousand seven hundred and twenty-five: And whereas in pursuance of the said Act of Parlia- 'ment, the Court of *Chancery* hath constantly appointed a Person to exercise the said Office of Ac- 'countant General, who thereby became intitled to the Fees allowed to be taken by the said Act: And 'whereas, although the said Office hath been found to be of publick Utility, and of great Benefit and 'Safety to the Suitors of the Court of *Chancery*, yet the Fees allowed for the Execution of the said 'Office are very disproportionate and unequal, for that in all Instances of Receipts and Payments, Ac- 'ceptances and Transfers of small Sums, the said Fees are a great Burthen to the Suitors; and also 'that for a great Variety of Business and Transactions in the said Office, which are either prescribed 'by the said Act, or are absolutely necessary for the regular keeping of the Suitors Accounts, no Fee 'is provided or can be taken under the same Act: And whereas by an Act of Parliament made and 'passed in the twelfth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An* 'Act for Relief of the Suitors of the high Court of Chancery; it was, amongst other Things, enacted, 'That all the Money and Cash then deposited in the Bank, or that should at any Time thereafter be 'paid into or deposited in the Bank, on the Account of the Suitors of the Court of *Chancery*, or any 'of them, or by Order of the said Court, and all the Monies arising by the Rates and Duties given 'by the said Act, or borrowed thereon, and paid into the Bank, should be accounted and taken to 'be one common and general Cash, and should be promiscuously issued and issuable, when and as the 'Court of *Chancery* should direct, for the answering, paying and clearing the Debts and Demands of 'any of the Suitors of the said Court: And whereas from many Years Experience it hath been found, 'that there always hath been and now is a very large Sum of Money belonging to the Suitors of the 'Court of *Chancery*, which lies dead and unemployed in the Bank;' Wherefore in order to give Ease to the Suitors of the said Court, and likewise provide a just Support and Maintenance for an Office which is so essential to the Security of the Suitors Property; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of the Cash that now lies, or shall hereafter lie dead and unemployed in the Bank of *England*, belonging to the Suitors of the Court of *Chancery*, a Sum not exceeding thirty-five thousand Pounds, shall and may by virtue of any Order or Orders of the said Court to be made for that Purpose, from time to time, be placed out in one intire Sum, or in Parcels, on such Government or Parliamentary Securities, as in and by such Order or Orders shall be directed; to the Intent that the Interest and annual Profits arising from the Money so to be placed out as aforesaid may be applied for the Purposes herein after mentioned; and that the said Court of *Chancery* may, from time to time, change the Security or Securities on which the said Monies shall be placed, as the said Court shall think expedient.

and c. 33.

35,000 l. of the Cash of the Suitors in Chancery in the Bank to be placed out on Government Securities.

The Interest to be received by the Bank.

II. And it is hereby further enacted, That the Interest and annual Profits arising and to be produced from the said Securities, shall from time to time be received by the Governor and Company of the Bank of *England*, and placed to the Credit of an Account to be raised in the Books kept there for the Suitors of the said Court, of Interest arising from Money placed out in pursuance of this Act; and that out of such Interest Money and annual Profits, there shall be paid by quarterly Payments the annual Sum of one thousand and twenty Pounds; which Payment shall be made by the Governor and Company of the Bank of *England*, by virtue of an Order or Orders of the Court of *Chancery* to be made for that Purpose; *videlicet*, To the Accountant General of the Court of *Chancery*, the Sum of six hundred and fifty Pounds; to his first Clerk, the Sum of two hundred and fifty Pounds; to his second Clerk, the Sum of one hundred and twenty Pounds; which said Salaries shall commence from the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and thirty-nine; and shall be in lieu of, and in Recompence and Satisfaction for, all Fees whatsoever, which from

Salaries amounting to 1020 l. per Ann. to be paid thereout, in lieu of Fees;

ſhat time ſhall or would be due or payable to the ſaid Office by the Suitors; and that the Reſidue of the Intereſt and annual Profits ariſing and to be produced from the ſaid Securities, ſhall be accounted for and taken as Part of the common and general Caſh of and belonging to the Suitors of the ſaid Court of *Chancery*, and ſhall be iſſued and applied purſuant and according to the Directions of the before recited Act of Parliament, intituled, *An Act for Relief of the Suitors of the high Court of* Chancery.

which are to ceaſe from 29 Sept. 1739.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September*, no Fee or Fees whatſoever ſhall be taken in the ſaid Office for any Matter or Thing directed to be done or performed therein by the Act herein firſt recited; and that if any Perſon belonging, or who ſhall hereafter belong, to the ſaid Office ſhall preſume to take any Fee or Reward, every ſuch Perſon ſhall be looked upon as guilty of Extortion, and ſhall and may be liable to be proſecuted for the ſame by Indictment or Information, or upon Complaint thereof made to the Court of *Chancery* ſhall be puniſhed for the ſame as for a Contempt of the Court.

The ſaid Sum, or any Part thereof, to be recalled, in caſe of need.

IV. Provided always, and it is hereby further enacted and declared, That if at any Time hereafter the Whole or any Part of the ſaid Sum of thirty-five thouſand Pounds ſhall be wanted to anſwer any of the Demands of the Suitors of the ſaid Court of *Chancery*, then, and in ſuch Caſe, the ſaid Court may and ſhall direct the ſame, or any Part thereof, to be called in, or the Securities on which the ſame ſhall be placed to be diſpoſed of, in order that the Suitors of the ſaid Court may at all Times be paid their reſpective Demands out of the common and general Caſh belonging to ſuch Suitors.

See farther 23 *Geo.* 2. *c.* 25.

CAP. XXV.

An Act to obviate ſome Doubts which have ariſen upon the Conſtruction of an Act made in the firſt Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for explaining Part of an Act made in the firſt Year of the Reign of King* JAMES *the Firſt, concerning tanned Leather*; and for rendering more effectual a Clauſe in the ſaid laſt mentioned Act, which obliges Curriers to curry Leather; and for repealing two Clauſes in the ſaid laſt mentioned Act.

Preamble, reciting the Act 1 W. & M. ſt. 1. c. 33.

'WHEREAS certain Doubts have ariſen upon the Conſtruction of an Act paſſed in the firſt Year of the Reign of their late Majeſties King WILLIAM and Queen MARY, intituled, *An Act for explaining Part of an Act made in the firſt Year of the Reign of King* JAMES *the Firſt, concerning tanned Leather*, relating to the cutting and ſelling of tanned Leather in ſmall Pieces: And whereas the cutting and ſelling of tanned Leather in ſmall Pieces, for the Uſe of the various Artificers working up the ſame into made Wares, is a great Convenience and Advantage to ſuch Artificers, and a Benefit to the Publick in general;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-nine, it ſhall and may be lawful for all Leatherſellers, Curriers, Shoemakers, and all other Perſons whatſoever, who do deal or work in Leather, freely to buy all Sorts of tanned Leather in any open Fair or Market, whether curried or uncurried, ſuch Leather being firſt ſearched and ſealed according to the Form of the Statutes in that Caſe made and provided; and to cut and ſell the ſame in any ſmall Pieces, whether curried or uncurried, in their publick and open Shops, to the various Artificers who work up and convert the ſame into their made Wares, or to any other Perſon or Perſons whatſoever; any thing in the ſaid recited Act or any former Acts contained to the contrary thereof in any wiſe notwithſtanding.

Liberty granted to buy, cut and ſell Leather, curried or uncurried, in ſmall Pieces.

II. Provided nevertheleſs, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to give Liberty to any Perſon or Perſons whatſoever, to make, cauſe or procure to be made, any Boots, Shoes, Clogs or Slippers, or to ſew, cloſe or fit to the Laſt, or cauſe or procure to be ſewed, cloſed or fitted to the Laſt, Pieces of Leather for making Boots, Shoes, Clogs or Slippers for Sale, other than ſuch Perſon or Perſons who are or ſhall be legally intitled to exerciſe the Trade of a Cordwainer, or ſuch Perſons as ſhall be Coblers or Tranſlators.

Perſons unqualified not hereby licenſed to exerciſe the Shoemakers Trade;

III. Provided always, That nothing in this Act contained ſhall be conſtrued to extend to give a Right to any Leatherſeller, Currier, Shoemaker or any other Perſon whatſoever, to exerciſe their reſpective Trades in any Town Corporate or Place where by Law they cannot now exerciſe the ſame.

nor Shoemakers to act in any Place againſt Law.

IV. And for the making more effectual a Clauſe in the ſaid Act made in the firſt Year of the Reign of King JAMES the Firſt, which obliges Curriers to curry Leather for the ſeveral Artificers working up the ſame; Be it further enacted by the Authority aforeſaid, That if any Currier or Curriers ſhall, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-nine, refuſe to curry any Leather brought or ſent to him or them for that Purpoſe, by any Leatherſellers, Shoemakers or other Perſons whatſoever, who do deal or work in Leather, or ſhall neglect to curry the ſame within the Space of ſixteen Days, between the twenty-eighth Day of *September* and the twenty-fifth Day of *March* following, and within the Space of eight Days in the remaining Part of the Year, after ſuch Leather ſhall be brought or ſent and delivered to him or them; ſuch Currier or Curriers, who ſhall in either of the ſaid Caſes offend, ſhall for every ſuch Offence, being thereof lawfully convicted before any one or more Juſtice or Juſtices of the Peace within the County, City, Town Corporate, Liberty or Place where ſuch Offence ſhall be committed, by the Oath of one or more credible Witneſs

1 Jac. 1. c. 22.

Penalty on Curriers refuſing to curry any Leather within a limited Time.

Witneſs or Witneſſes, forfeit and pay the Sum of five Pounds, to be recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any there ſhall be) after deducting the Expence of ſuch Diſtreſs and Sale, to the Owners thereof; one Moiety of which Forfeiture ſhall go to the Informer, and the other Moiety to the Poor of the Pariſh where ſuch Offence or Offences ſhall be committed; any thing in the ſaid Clauſe, or in any former Law contained to the contrary thereof in any wiſe notwithſtanding.

Juſtices may mitigate Penalties.

V. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices, where they ſhall ſee Cauſe, to mitigate or leſſen any ſuch Penalties according to their Diſcretion.

Appeal from them to the Quarter-Seſſions.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf or themſelves aggrieved by the Determination of the Juſtice or Juſtices aforeſaid, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the General Quarter-Seſſions of the Peace, to be next held for ſuch County, City, Town Corporate, Liberty or Place, where ſuch Offence ſhall be committed; and that the Determination of the Juſtices, or the major Part of them then and there made, ſhall be concluſive and final, to all Intents and Purpoſes whatſoever; and that no *Certiorari* ſhall be allowed to remove any Determinations or Proceedings as above directed.

Two Clauſes in the Act 1 Jac. 1. repealed.

VII. And be it further enacted by the Authority aforeſaid, That the two Clauſes in an Act made in the firſt Year of King JAMES the Firſt, intituled, *An Act concerning Tanners, Curriers, Shoemakers, and other Artificers, occupying the cutting of Leather*, which prohibit any Perſons dwelling in *London*, the Liberties thereof, or within three Miles of the ſaid City, occupying wet curried Leather in their Art or Occupation, to put forth ſuch Leather to be curried, but to ſuch Perſons as are free of the Company of Curriers of the City of *London*, under Pain of Forfeiture of ſuch Leather, or the Value thereof; and alſo prohibiting any Perſons within the ſaid City, or three Miles Diſtance, to put in any made Wares any curried Leather, before the ſame ſhall be ſearched and allowed by the Wardens of the Curriers of *London*, and be ſealed with their Seal, upon Pain of forfeiting for every Hide or Skin otherwiſe curried or employed, ſix Shillings and eight Pence, and the Value of ſuch Hide or Skin; ſhall, from and after the ſaid twenty-fourth Day of *June*, be, and are by this preſent Act repealed and made void to all Intents and Purpoſes whatſoever; any thing in the ſaid recited Act or any other Act contained to the contrary thereof in any wiſe notwithſtanding.

See 13 *Geo.* 2. *c.* 8.

Privileges of the Curriers Company not hereby leſſened.

VIII. Provided nevertheleſs, That nothing herein contained ſhall extend, or be conſtrued to extend, to leſſen or take away any Power or Privilege given to the ſaid Company of Curriers by Charter or Grant, ſo far as they may or can uſe or exerciſe the ſame in the City of *London* or Liberties thereof.

Publick Act.

IX. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a Publick Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XXVI.

An Act for the better preventing Frauds and Abuſes in Gold and Silver Wares.

Preamble, reciting the Act 28 Ed. 1. c. 20. 5 *H.* 4. *c.* 13. 2 *H.* 5. *ſt.* 2. *c.* 4. 8 *H.* 5. *c.* 3.

'WHEREAS by an Act of Parliament made in the twenty-eighth Year of the Reign of King EDWARD the Firſt, made amongſt other Things for the aſſaying, touching and marking Veſſels of Gold, it was ordained, That no Goldſmith within the King's Dominions ſhould thenceforth make any Veſſel, Jewel, or other Thing of Gold or Silver, but of true Allay, *videlicet*, Gold not worſe than the Touch of *Paris*; and Silver of the Sterling Allay, or better; and that no Silver Veſſel ſhould depart out of the Worker's Hands, till aſſayed by the Wardens of the Craft, and marked with the *Leopard's Head*; and that the Wardens ſhould go from Shop to Shop amongſt the Goldſmiths, to aſſay if their Gold was of the Touch aforeſaid, and if it was not, the ſame ſhould be forfeited; and that all the good Towns of *England*, where Goldſmiths were, ſhould be ordered by that Statute, as well as thoſe in *London*; and that one (for the reſt) from each Town ſhould come to *London*, to be aſcertained of the Touch; and if any Perſon ſhould offend againſt that Statute, he ſhould be puniſhed by Impriſonment, and Ranſom at the King's Pleaſure: And whereas by another Act of Parliament made in the ſecond Year of the Reign of King HENRY the Sixth, concerning the Fineneſs of Harneſs of Silver, and the Marks with which it ſhould be marked, it was amongſt other Things ordained and eſtabliſhed, That no Goldſmith nor Worker of Silver within the City of *London*, ſhould ſell any Workmanſhip of Silver, unleſs it ſhould be Fine as Sterling, except the ſame ſhould need Soder in the making, nor until the ſame ſhould be touched with the Touch of the *Leopard's Head*, if it might bear the ſame, and alſo with the Workman's Mark, on Pain to forfeit double the Value; and that the Workman's Mark ſhould be made known to the Wardens of the ſame Craft: And whereas by another Act of Parliament made in the eighteenth Year of the Reign of Queen ELIZABETH, intituled, *An Act for Regulation of Abuſes in Goldſmiths*, it was enacted, That after the twentieth of *April* then next, no Goldſmith ſhould work, ſell or exchange, or cauſe to be wrought, ſold or exchanged, any Plate or Goldſmiths Ware of Gold leſs in Fineneſs than twenty-two Carracts, nor with more than neceſſary Soder; nor ſhould make, ſell or exchange any Plate or Goldſmiths Wares of Silver, leſs in Fineneſs than eleven Ounces two Penny Weight; nor put to ſale, exchange or ſell any Plate or Goldſmiths Work of Silver, before he ſhould have ſet his own Mark thereto, if it might bear the ſame, upon Pain to forfeit the Value of the Thing ſo ſold or exchanged: And whereas by another Act of Parliament made in the twelfth Year of the Reign of his late Majeſty King WILLIAM the Third, intituled, *An Act for appointing Wardens and Aſſay-maſters for aſſaying wrought Plate, in the Cities of*

2 Hen. 6. c. 14. 4 *H.* 7. *c.* 2. 28 Eliz. c. 15. 15 *Car.* 2. *c.* 7. 1 *W.* & *M. ſt.* 1. *c.* 30. 6 & 7 *W.* 3. *c.* 17. 7 & 8 *W.* 3. *c.* 19. 8 *W.* 3. *c.* 8. 9 *W.* 3. *c.* 28. 12 W. 3. *c.* 4.

'*of* York, Exeter, Briſtol, Cheſter *and* Norwich, it was amongſt other Things enacted, That the 'Goldſmiths, Silverſmiths and Plate-workers, who then were, or ſhould be free of, and inhabiting in, 'any of thoſe Cities, and having ſerved Apprenticeſhips thereto, ſhould be and were thereby reſpec- 'tively incorporated a Company of and belonging to ſuch City, and ſhould be called and known by 'the Name of the Company of *Goldſmiths* of ſuch City reſpectively, and were thereby authorized to 'elect two wardens yearly, and to elect an Aſſayer in each of the ſaid Cities; and that it ſhould be 'lawful for ſuch Aſſayer to detain eight Grains from every Pound Troy of Silver he ſhould aſſay; and 'that ſuch Aſſayer ſhould be paid towards his Charge and Trouble in the aſſaying the Plate of Perſons 'inhabiting any Town or Place where no Aſſayer was or ſhould be appointed, a Sum not exceeding ſix 'Pence in every Pound Troy; and the Goldſmiths of the Town of *Newcaſtle upon Tyne* have, by an 'Act paſſed in the firſt Year of the Reign of her late Majeſty Queen ANNE, been incorporated with 'the like Powers: And whereas the Wardens and Commonalty of the Myſtery of *Goldſmiths* of the 'City of *London* are and have been a Guild or Corporation Time out of Mind, with divers Privileges, 'confirmed and enlarged from time to time by ſeveral Charters from his Majeſty's Royal Predeceſſors, 'Kings and Queens of this Realm (amongſt other Things) for the ſearching, aſſaying, ſuperviſing, 'marking and regulating Wrought Plate, in order to aſcertain the Standard thereof, for the Good and 'Safety of the Publick: And whereas his late Majeſty King CHARLES the Second, by his Letters Pa- 'tent under his Great Seal of *England*, bearing Date the fourth Day of *January* in the eighteenth Year 'of his Reign, reciting, That the Wardens of the ſaid Company, in puniſhing Defaults in the ſaid 'Trade, had been at great Charges, and at the Peril of their Bodies, as well as the Loſs of their 'Goods, ſo that the Wardens then late, on account of the Menaces and Aſſaults from the Workers, 'could not put into Execution the Authorities given to them by former Charters, and many Frauds had 'been committed; therefore his ſaid Majeſty King CHARLES the Second, by his ſaid Letters Patent, 'impowered the Wardens of the ſaid Company of *Goldſmiths* of *London*, and their Succeſſors, to com- 'mit Offenders to Priſon, and to ſet Fines upon them, and to ſeize and break deceitful Wares: And 'whereas the Standards of the Plate of this Kingdom are both for the Honour and Riches of the Realm, 'and ſo highly concern his Majeſty's Subjects, that the ſame ought to be moſt carefully obſerved, and 'all Deceits therein to be prevented as much as poſſible; but notwithſtanding the aforeſaid ſeveral Acts 'of Parliament and Charters, great Frauds are daily committed in the manufacturing of Gold and Sil- 'ver Wares, for want of ſufficient Power effectually to prevent the ſame;' Now for remedying ſuch Abuſes for the future, may it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty eighth Day of *May* one thouſand ſeven hundred and thirty-nine, no Goldſmith, Silverſmith, or other Perſon whatſoever making, trading or dealing in Gold or Silver Wares, within that Part of *Great Britain* called *England*, ſhall work or make, or cauſe or procure to be wrought or made any Gold Veſſel, Plate, or Manufacture of Gold whatſoever, leſs in Fineneſs than twenty-two Carracts of fine Gold in every Pound Weight Troy; nor work or make, or cauſe or procure to be wrought or made, any Silver Veſſel, Plate, or Manufacture of Silver whatſoever, leſs in Fineneſs than eleven Ounces two penny Weight of fine Silver in every Pound Weight Troy; nor ſell, exchange or expoſe to Sale, or export out of this Kingdom, any Gold Veſſel, Plate, or Manufacture of Gold whatſoever, made after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, leſs in Fineneſs than twenty-two Carracts of fine Gold in every Pound Weight Troy; nor ſell, exchange or expoſe to Sale, or export out of this Kingdom, any Silver Veſſel, Plate or Manufacture of Silver whatſoever, made after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, leſs in Fineneſs than eleven Ounces two penny Weight of fine Silver in every Pound Weight Troy; upon Pain that every ſuch Goldſmith, Silverſmith, or other Perſon for every ſuch Offence ſhall forfeit and pay the Sum of ten Pounds, to be recovered and diſpoſed of as herein after is mentioned; and for Default of Payment the Offender ſhall be committed by the Court, in which Judgment ſhall be given thereon, to the Houſe of Correction for the County, City or Liberty where convicted; there to remain, and be kept to hard Labour, for any Time not exceeding the Space of ſix Months, or until Payment be made of the ſaid Forfeiture.

1 *Ann. ſt.* 1. *c.* 9. 10 *Ann. c.* 26. §. 46. 6 *Geo.* 1. *c.* 11.

Fineneſs of Gold and Silver Wares limited.

II. Provided always, and it is hereby declared, That nothing in this Act ſhall extend to any Jewellers Works, that is to ſay, any Gold or Silver wherein any Jewels or other Stones are or ſhall be ſet (other than Mourning Rings) nor to any jointed Night Ear-rings of Gold, or Gold Springs of Lockets.

This Act not to extend to Jewellers Works (except Mourning Rings).

III. Provided alſo, and it is hereby enacted, That if any Shopkeeper, or other Perſon trading or dealing in Gold or Silver Wares (not being the Maker or Worker thereof) ſhall happen to expoſe, ſell or expoſe to Sale any Gold or Silver Wares worſe than the reſpective Standards, and ſhall within fourteen Days next after Notice of the Coarſeneſs thereof to him or her given, diſcover and make known to the Party aggrieved, or to the Maſter, Wardens or Clerk of any of the Companies of Goldſmiths belonging to the Place or Diſtrict within which ſuch Shopkeeper, or other Perſon trading or dealing in Gold or Silver Wares as aforeſaid, ſhall reſide, the Name and Place of Abode of the Maker or Worker thereof, or of the Perſon or Perſons of whom ſuch Shopkeeper, or other Perſon trading or dealing in Gold or Silver Wares as aforeſaid, really bought ſuch coarſe Gold or Silver Wares; and ſhall produce him, her or them, if living, ſo that he, ſhe or they may be ſued or proſecuted for the ſame; and if ſuch Shopkeeper or other Perſon trading or dealing in Gold or Silver Wares, who ſold, expoſed to Sale, or exported the ſame, ſhall, at any Trial to be had againſt ſuch Maker or Worker, or ſuch other Perſon or Perſons of whom the ſame were bought as aforeſaid, for ſuch Offence, give or produce material

How Shopkeepers are to be exempted from Proſecutions.

Evidence againſt ſuch Maker or Worker, or ſuch other Perſon of whom the ſame were bought as aforeſaid; and the Judge before whom the Cauſe ſhall be tried, ſhall under his Hand upon the Record certify the ſame; and alſo that there did not on ſuch Trial appear any Ground to believe that ſuch Shopkeeper, or other Perſon trading or dealing in Go'd or Silver Wares as aforeſaid, was concerned in or privy to ſuch Fraud; or if ſuch Shopkeeper or Dealer ſhall on the Trial of any Suit or Proſecution againſt him, her or themſelves, concerning the Premiſſes, prove that he, ſhe or they delivered to ſuch Maker or Worker a ſufficient Quantity of Standard Gold or Silver to make the ſaid Wares, and paid a reaſonable Price for the Faſhion thereof, or paid ſuch Maker or Worker, or other Perſon or Perſons, a Market Price for Standard Gold or Silver of that Weight, beſides a reaſonable Price for the Faſhion thereof; then and in any or either of the ſaid Caſes ſuch Shopkeeper or Dealer ſhall be and is hereby exempted and diſcharged from any Penalty or Forfeiture to be incurred by this Act for exporting, ſelling or expoſing to Sale ſuch coarſe Gold or Silver Wares as aforeſaid, and from any Action, Suit or Proſecution for the ſame; any thing herein contained to the contrary in any wiſe notwithſtanding.

No Trials againſt them, but within 4 Terms.

IV. Provided always, That it ſhall not be neceſſary for ſuch Shopkeeper or other Perſon trading or dealing in Gold or Silver Wares, who ſold, expoſed to Sale, or exported ſuch coarſe Gold or Silver Wares as aforeſaid, to give or produce ſuch Material Evidence, or to procure ſuch Certificate as aforeſaid, in order to his Indemnity or Diſcharge from any Penalty or Forfeiture by virtue of this Act, unleſs ſuch Trial againſt ſuch Maker or Worker, or other Perſon of whom the ſame were bought as aforeſaid, ſhall be had within four Terms after ſuch Diſcovery made as aforeſaid reſpectively; nor unleſs reaſonable Notice ſhall be given to ſuch Shopkeeper or other Perſon trading or dealing in Gold or Silver Wares as aforeſaid, of the Time of ſuch Trial.

Penalty on ſelling or exporting Gold or Silver Wares before marked.

V. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, no Goldſmith, Silverſmith, or other Perſon whatſoever, making or ſelling, trading or dealing in, Gold or Silver Wares, ſhall ſell, exchange or expoſe to Sale, within that Part of *Great Britain* called *England*, any Gold or Silver Veſſel, Plate or Manufacture of Gold or Silver whatſoever, made after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, or export the ſame out of this Kingdom, until ſuch time as ſuch Veſſel, Plate or Manufacture of Gold, (being of the Standard of twenty-two Carracts of fine Gold *per* Pound Troy) and ſuch Veſſel, Plate or Manufacture of Silver (being of the Standard of eleven ounces two-penny Weight of fine Silver *per* Pound Troy) ſhall be marked as followeth; that is to ſay, with the Mark of the Worker or Maker thereof, which ſhall be the firſt Letters of his Chriſtian and Surname, and with theſe Marks of the ſaid Company of Goldſmiths in *London*, *viz.* the Leopard's Head, the Lion Paſſant, and a diſtinct variable Mark or Letter to denote the Year in which ſuch Plate ſhall be made; or with the Mark of the Worker or Maker, and with the Marks appointed to be uſed by the Aſſayers at *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich*, or *Newcaſtle upon Tyne*; or Plate (being of the Standard of eleven Ounces Ten penny Weight of fine Silver *per* Pound Weight Troy) with the Mark of the Worker or Maker thereof, which ſhall be the firſt Letters of his Chriſtian and Surname, as aforeſaid, and with theſe Marks of the ſaid Company, *viz.* the Lion's head eraſed, the Figure of a Woman, commonly called *Britannia*, and the ſaid Mark or Letter to denote the Year as aforeſaid; or with the Mark of the Worker or Maker, and the Marks of one of the ſaid Cities or Towns; upon Pain that every ſuch Goldſmith, Silverſmith, and other Perſon, for every ſuch Offence ſhall forfeit and pay the Sum of ten Pounds, to be recovered and diſpoſed of as herein after is mentioned; and for Default of Payment, ſhall be committed by the Court in which Judgment ſhall be given thereon, to the Houſe of Correction for the County, City or Liberty, where convicted, there to remain and be kept to hard Labour for any Time not exceeding the Space of ſix Months, or until Payment be made of the ſaid Forfeiture.

Wares excepted.

VI. Provided alſo, and it is hereby declared, That nothing in this Act contained ſhall extend to oblige any of the following Wares of Gold or Silver to be ſtamped or marked by the ſaid reſpective Companies of Goldſmiths, or any of them; that is to ſay, Rings, Collets for Rings or other Jewels, Chains, Necklace Beads, Lockets, hollow or raiſed Buttons, Sleeve Buttons, Thimbles, Corral Sockets and Bells, Ferrils, Pipe Lighters, Cranes for Bottles, very ſmall Book Claſps, any Stock or Garter Claſps, jointed, very ſmall Nutmeg Graters, Rims of Snuff Boxes, whereof Tops or Bottoms are made of Shell or Stone, Sliding Pencils, Toothpick Caſes, Tweezer Caſes, Pencil Caſes, Needle Caſes, any Philligree Work, any Sorts of Tippings or Swages on Stone or Ivory Caſes, any Mounts, Screws, or Stoppers to Stone or Glaſs Bottles, or Phials, any ſmall or ſlight Ornaments put to Amber or other Eggs or Urns, any wrought Seal or Seals with Cornelian or other Stones ſet therein, or any Gold or Silver Veſſel, Plate or Manufacture of Gold or Silver ſo richly engraved, carved or chaſed, or ſet with Jewels or other Stones, as not to admit of an Aſſay to be taken of, or a Mark to be ſtruck thereon, without damaging, prejudicing or defacing the ſame, or ſuch other Things as by reaſon of the ſmallneſs or thinnneſs thereof are not capable of receiving the Marks herein before-mentioned or any of them, and not weighing Ten-penny Weight of Gold or Silver each.

Penalty in the Act 12 W. 3. c. 6. 2. repealed.

'VII. And whereas by a Clauſe contained in the ſaid recited Act made in the twelfth Year of the 'Reign of his late Majeſty King WILLIAM the Third, it was enacted, That if any Perſon ſhould 'counterfeit any of the Stamps appointed by that Act to be uſed by the Wardens or Aſſayers there-'in mentioned for marking wrought Plate, or any of the Stamps uſed by the Wardens of the Com-'pany of Goldſmiths of the City of *London*, ſuch Perſon ſhould for every ſuch Offence forfeit the Sum 'of five hundred Pounds, to be recovered and diſpoſed of as therein is mentioned: And whereas the 'ſaid Penalty or Forfeiture of five hundred Pounds for counterfeiting the Stamps on wrought Plate is by

'Experience

'Experience found to be too great a Penalty or Forfeiture, and hath been ſome Occaſion of Perſons 'eſcaping unpuniſhed, who have been guilty of counterfeiting the ſaid Stamps, whereby the good In- 'tention of the ſaid Act hath been evaded;' Be it therefore enacted by the Authority aforeſaid, That the ſaid Clauſe, and the Powers therein contained, ſhall from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, ceaſe and determine; any thing therein contained to the contrary notwithſtanding.

100 l. Penalty on forging Stamps.

This Clauſe is repealed by 31 Geo. 2. c. 32. *which makes forging Stamps, &c. Felony without Benefit of Clergy.*

VIII. And be it further enacted, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, if any Goldſmith or Silverſmith, or other Perſon whatſoever, ſhall caſt, forge or counterfeit, or cauſe or procure to be caſt, forged, or counterfeited, any of the Marks or Stamps of the ſaid Company of Goldſmiths in *London*, or any of the Marks or Stamps appointed to be uſed for marking wrought Plate at *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich* or *Newcaſtle upon Tyne*, or any of them; or ſhall caſt, forge or counterfeit, or cauſe or procure to be caſt, forged or counterfeited, any Mark, Stamp or Impreſſion, to reſemble any Mark, Stamp or Impreſſion, to be made with any Mark or Stamp to be uſed by the ſaid Company of Goldſmiths in *London*, or by the Wardens or Aſſayers at *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich*, or *Newcaſtle upon Tyne*, or any of them in purſuance of this Act or any other Acts of Parliament now in Force; or ſhall mark or ſtamp, or cauſe or procure to be marked or ſtamped, with any ſuch counterfeit Mark or Stamp, any wrought Plate of Gold or Silver whatſoever, or any Wares of Braſs, or other baſe Metal silvered or gilt over, and reſembling Plate of Gold or Silver; or ſhall tranſpoſe or remove, or cauſe or procure to be tranſpoſed or removed, from one Piece of wrought Plate to another, or to any Veſſel of ſuch baſe Metal as aforeſaid, any of the Marks Stamps or Impreſſions made, or to be made, by or with any of the Marks or Stamps of the ſaid Company of Goldſmiths in *London*, or of the Wardens or Aſſayers at *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich* or *Newcaſtle upon Tyne*, or any of them, uſed or to be uſed for the Purpoſes aforeſaid, in purſuance of this or any other Act of Parliament now in Force; or ſhall ſell, exchange or expoſe to Sale any Manufacture of Gold or Silver, or export the ſame out of this Kingdom, with any ſuch ſuch forged or counterfeit Mark, Stamp or Impreſſion thereon, or any Mark, Stamp or Impreſſion ſo tranſpoſed or removed from another Piece of Plate as aforeſaid, knowing ſuch Mark, Stamp or Impreſſion to be forged, counterfeited or tranſpoſed or removed as aforeſaid; then ſuch Goldſmith, Silverſmith or other Perſon ſhall for every or any of the ſaid Offences forfeit and pay the Sum of one hundred Pounds, to be recovered and diſpoſed of as in this Act is mentioned; and for Default of Payment thereof, or any Part thereof, ſhall be committed by the Court in which Judgment ſhall be given thereon, to the Houſe of Correction for the County, City or Liberty where convicted, there to remain and be kept to hard Labour for any Time not exceeding the Space of two Years, or until Payment be made of the ſaid Forfeiture.

Clauſe to prevent the private working of Silver Plate.

6 Geo. 1. c. 11.

'IX. And whereas great Frauds and Abuſes are daily committed by the private working and manu- 'facturing of Silver Plate, without the Notice or Knowledge of the Commiſſioners or Officers appointed 'by his Majeſty for managing the Duty, notwithſtanding the Powers given for preventing the ſame by an 'Act made in the ſixth Year of the Reign of his late Majeſty King GEORGE, for laying a Duty on 'wrought Plate: Now for the better preventing ſuch Frauds and Abuſes, and the Diſcovery of ſuch pri- 'vate Workhouſes or Places for the future;' Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, every working Goldſmith and Silverſmith, and other Manufacturer of Gold or Silver whatſoever, who ſhall at any time or times after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, work or make, or cauſe to be wrought or made, any Gold or Silver Veſſel, Plate, or Manufacture of Gold or Silver whatſoever, by this Act required to be marked by the ſaid Company of Goldſmiths, or by the ſaid Wardens or Aſſayers at the Cities or Places aforeſaid reſpectively, ſhall from time to time ſend with every Parcel of ſuch Gold or Silver to the Aſſay Office of the ſaid Company, or to the ſaid Wardens or Aſſayers, a Note or Memorandum in Writing containing the Day of the Month and Year, the Chriſtian and Surnames of the Worker or Maker, and Place of his Abode, all the Species in ſuch Parcel of Plate, and the Number of each Species, with the total Weight of ſuch Parcel; which Note or Memorandum ſhall be entred in like Manner by ſome Officer or Servant of the ſaid Company, or by the ſaid Wardens or Aſſayers, or their Servants, in one or more of their Book or Books, and ſhall be afterwards filed; and the Officer or Servant of the ſaid Company, or ſuch Warden or Aſſayer as aforeſaid, who ſhall ſo enter and file ſuch Notes or Memorandums, ſhall monthly tranſmit or deliver on Oath into the Exciſe-office all the Notes or Memorandums by him or them received of or for Silver Plate aſſayed and marked at the reſpective Aſſay-offices, or true Copies thereof; and the Commiſſioners of Exciſe ſhall and may, and they are hereby fully authorized and impowered monthly or oftner if they ſhall think fit, to appoint any Perſon or Perſons to inſpect and examine the Book or Books in the Aſſay-offices, in order to check any Account or Accounts of wrought Plate chargeable with the ſaid Duty; and for every Default of ſuch Goldſmith, Silverſmith, or Manufacturer of Gold or Silver, and of ſuch Officer or Servant of the ſaid Company of Goldſmiths as aforeſaid, and for every Default of ſuch Warden or Aſſayer at any of the ſaid other Cities or Places, touching or concerning any of the before-mentioned Premiſſes, he, each, and every of them, ſhall forfeit and pay the Sum of five Pounds, to be recovered and diſpoſed of as herein after is mentioned; and for want of Payment the Offender ſhall be committed by the Court, in which Judgment ſhall be given thereon, to the Houſe of Correction for the County, City, or Liberty where convicted, there to remain and be kept to hard Labour for any Time not exceeding the Space of three Months, or until Payment be made of the ſaid Forfeiture.

'X. And whereas by a Clauſe contained in the ſaid Act of the ſixth Year of the Reign of his late 'Majeſty King GEORGE the Firſt, it is enacted, That any Perſon or Perſons exporting by way of Mer- 'chandize

'chandize for any Foreign Parts any wrought Plate or Manufactures of Silver charged by the ſaid Act 'with the ſaid Duty of ſix Pence *per* Ounce, which was made or marked after the firſt Day of 'June one thouſand ſeven hundred and twenty, and giving ſufficient Security before the Shipping 'thereof for Exportation, that ſuch Plate or Manufactures of Silver ſhall not be re-landed or brought 'again into *Great Britain*, and making Oath or Affirmation that the ſame was actually made or marked 'after the ſaid firſt Day of *June* one thouſand ſeven hundred and twenty; every ſuch Perſon ſhall be 'paid a Drawback or Allowance of ſix Pence for every Ounce of ſuch Plate or Manufactures of Silver 'ſo exported, by the Collector or Receiver, or by the Commiſſioners of the ſaid Duty on Plate in 'Manner by the ſaid Act directed: And whereas by virtue or under colour of the ſaid Clauſe, for giving 'the ſaid Drawback or Allowance, great Frauds and Abuſes have been committed in the ſaid Duty, by 'frequent Exportations of very old Silver Plate out of this Kingdom, not fit for any Uſe but to be 'melted down, and by drawing back the ſaid Duty of ſix Pence *per* Ounce thereupon:' Now for the preventing of ſuch Frauds and Abuſes for the future, be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, no Debenture ſhall be granted, nor any Drawback or Allowance whatſoever ſhall be paid, on the Exportation of ſuch Plate or Manufactures of Silver out of this Kingdom, in caſe the ſame ſhall have been made ſeven Years or more before the Day of the entering of the ſame for Exportation; any thing in the ſaid laſt-mentioned Act or any other Act of Parliament to the contrary hereof in any wiſe notwithſtanding.

No Drawback on the Exportation of Silver Plate above 7 Years old.

'XI. And whereas it may be neceſſary to uſe a greater Quantity of Soder in or about one Piece of 'wrought Plate more than another, ſo that the ſame cannot be aſcertained by any general Rule, and there 'being great Frauds daily committed by uſing too much Soder in or about, or by putting the ſame 'upon wrought Plate, and there cannot be any certain Rule preſcribed for the Forwardneſs in the 'Workmanſhip that every particular Piece of Plate ought to be of before it ſhall be marked;' Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, it ſhall and may be lawful to and for any Warden or Deputy Warden of the ſaid Company of Goldſmiths in *London*, or to and for any Warden or Aſſayer of *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich* and *Newcaſtle upon Tyne* (ſuch Warden, Deputy Warden, or Aſſayer, being or having been a working Goldſmith or Silverſmith) to adjudge, order, and determine what Soder is neceſſary in or about every Piece of Plate which ſhall be brought or ſent to the ſaid Aſſay-offices to be aſſayed or marked, and how forward in the Workmanſhip thereof the ſame ought to be, and whether all the Pieces are put or affixed together, or not, which are intended to be put or affixed together, on his or their ſeeing the ſame; and when ſuch Warden, Deputy Warden, Wardens, or Aſſayers, or any of them, ſhall adjudge any Piece or Parcel of Plate to be too much charged with Soder, or not forward enough in the Workmanſhip thereof, or the Pieces not put or affixed together, that (as he or they think) are intended to be put or affixed together, or that any ſuch Piece of Plate is uncapable of being marked as aforeſaid, he or they ſhall and may refuſe to permit the ſame to be aſſayed or marked for any of the Cauſes aforeſaid.

Wardens to determine the Quantity of Soder.

XII. Provided always, and it is hereby declared, That every Perſon who ſhall think him or herſelf any way aggrieved, prejudiced, or damaged by any Judgment, Order, or Determination of any ſuch Warden or Deputy Warden of the ſaid Company of Goldſmiths in *London*, purſuant to the Powers herein before given, or any of them, may appeal to the other Wardens of the ſaid Company for the time being, or any two of them, or to the Meeting of the Standing Committee of the ſaid Company, and if not ſatisfied with the Determination of the ſaid Wardens or Committee, may appeal from thence to the Court of Aſſiſtants of the ſaid Company, or may appeal in the firſt Inſtance to the ſaid Court of Aſſiſtants, by Writing under his or her Hand, deſiring their Order or Judgment thereupon, who upon ſuch Complaint, on hearing the Caſe, are hereby reſpectively authorized and required to determine the ſame; but the Order and Determination of the Court of Aſſiſtants of the ſaid Company ſhall be final and concluſive.

Appeal from them.

'XIII. And whereas the Wardens and Commonalty of the Myſtery of Goldſmiths of the City of '*London* have for many Years laſt paſt been at very great Trouble and Expences in aſſaying and marking 'wrought Plate, and the ſame hath of late Years very much increaſed, by their aſſaying and marking 'ſeveral Sorts of ſmall Wares of Gold and Silver, which were not heretofore uſually aſſayed and marked, 'and of which there are much greater Quantities now made than were heretofore made;' Therefore for the better enabling the ſaid Company to defray ſuch Expences for the future, Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, it ſhall and may be lawful to and for the ſaid Wardens and Commonalty, and their Succeſſors, or ſuch Perſon or Perſons as the Court of Aſſiſtants of the ſaid Company ſhall authorize and appoint, to ask, demand, take and receive of and from all and every ſuch Perſon and Perſons as ſhall from time to time bring or ſend to the Aſſay-office belonging to the ſaid Company, any Piece or Parcel of wrought Plate of Gold or Silver to be aſſayed, tried and marked, ſuch Prices, Sums of Money, or Rewards, as they ſhall from time to time think fit, ſo as ſuch Prices, Sums of Money or Rewards, do not exceed the ſeveral and reſpective Prices, Sums of Money, and Rewards following; that is to ſay, For aſſaying, trying and marking Gold Watch Caſes or Gold Watch Boxes, ten Pence apiece; for Gold Hooks for Watch Chains, ten Pence apiece; for Gold Buckles, five Pence apiece; for Gold Snuff Boxes, fifteen Pence apiece; for every other Piece or Parcel of wrought Gold, weighing thirty Ounces, or under, two Shillings and ſix Pence; for ſuch Piece or Parcel of wrought Gold weighing above thirty Ounces to fifty Ounces, three Shillings and nine Pence; and ſo in Proportion for greater Pieces or Parcels.

Prices for the aſſaying wrought Plate limited.

XIV. Provided

XIV. Provided nevertheleſs, That if any Parcel or ſingle Piece of wrought Gold ſhall be brought or ſent to the ſaid Office to be aſſayed, which according to the Rates or Prices above limited ſhall not amount to the Sum of fifteen Pence; that then there ſhall be paid for aſſaying and marking ſuch Parcel or ſingle Piece of wrought Gold, a Price or Reward not exceeding fifteen Pence; any thing herein contained to the contrary in any wiſe notwithſtanding.

XV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Wardens and Commonalty, and their Succeſſors, or for ſuch Perſon or Perſons as the Court of Aſſiſtants of the ſaid Company ſhall authorize and appoint, to aſk, demand, take and receive, of and from all and every Perſon and Perſons who ſhall from time to time, after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, bring or ſend to the ſaid Aſſay-office any Piece or Parcel of large Silver Plate weighing four Pounds Weight Troy, or leſs, for the aſſaying and marking every ſuch Piece or Parcel, a Sum of Money or Reward not exceeding five Pence; and for every Piece or Parcel of ſuch Plate weighing above four Pound Weight Troy, there ſhall be taken out and detained, a Diet not exceeding ten Grains *per* Pound Weight Troy: And the ſaid Wardens and Commonalty, and their Succeſſors, and ſuch Perſon or Perſons as the Court of Aſſiſtants of the ſaid Company ſhall authorize and appoint, ſhall and may, and they are hereby impowered to aſk, demand, take and receive for aſſaying, trying and marking the ſeveral ſmall Wares of ſilver following, of and from the Perſon and Perſons, who ſhall from time to time after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, bring the ſame to the ſaid Aſſay-office to be aſſayed and marked, ſuch Prices or Sums of Money, as they ſhall from time to time think fit, ſo as ſuch Prices or Sums of Money do not exceed the Prices or Sums of Money following; that is to ſay, For every Sword-hilt, five Pence; for every Snuff-box, three Pence three Farthings; for every Pair of Spurs, three Pence three Farthings; for every Watch-caſe or Watch-box, two Pence Halfpenny; for every Knife or Fork-haft, five Farthings; for every Pair of Buckles, one Half-penny; for every Pair of Tea-tongs, five Farthings; for every Dozen of Tea-ſpoons or Tea-ſtrainers, three Pence three Farthings; for Belt-buckles, Belt-locks, Runners and Pendants, two Pence Halfpenny apiece; for every Orange-ſtrainer or Nutmeg-grater, five Farthings; for every Dram-cup, three Farthings; for every Dozen of Seals, three Pence three Farthings; for every Salt-ſeller, five Farthings; for every Pair of Claſps, three Farthings; and for every Dozen of Buttons, three Pence three Farthings.

XVI. Provided nevertheleſs, That if any Parcel or ſingle Piece of Wrought Silver Plate ſhall be brought or ſent to the ſaid Office to be aſſayed, which according to the reſpective Rates or Prices herein before limited ſhall not amount to the Sum of five Pence; then there ſhall be paid for aſſaying and making ſuch Parcel or ſingle Piece of Silver Plate, a Sum of Money or Reward not exceeding five Pence; any Thing herein contained to the contrary in any wiſe notwithſtanding.

Penalty on refuſing to pay the Prices of aſſaying, &c.

XVII. Provided always, and it is hereby enacted and declared, That if any Perſon or Perſons ſhall refuſe or neglect to pay ſuch reſpective Prices, Sums of Money or Rewards, as may by this Act be demanded, and are hereby reſpectively required to be paid on account or for the Purpoſes aforeſaid; that then it ſhall be lawful for any Warden or Deputy-warden of the ſaid Company for the time being, to refuſe to aſſay, try or mark all or any of the Plate of ſuch Perſon or Perſons ſo neglecting to pay, until ſuch Prices, Sums of Money or Rewards as aforeſaid, ſhall be actually paid.

The ſame Prices to be paid at York, Exeter, &c.

XVIII. Provided alſo, and it is hereby declared, That it ſhall and may be lawful to and for the Aſſayers at *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich* and *Newcaſtle upon Tyne*, and every of them for the time being, to aſk, demand, take and receive, the like Rates or Prices reſpectively, for aſſaying and marking wrought Plate of Gold or Silver, as the Company of Goldſmiths in *London* are hereby impowered to receive and take, and ſhall and may refuſe to aſſay, try or mark Plate, for any Default of Payment.

Overplus (if any) how to be applied.

XIX. Provided likewiſe, and it is hereby enacted and declared, That in caſe the ſaid Prices, Sums of Money or Rewards, hereby given, granted or allowed, for the aſſaying and marking wrought Plate, ſhall raiſe more Money than ſhall be ſufficient to defray the neceſſary Expences of the ſaid reſpective Aſſay-offices, then the Overplus Money (if any) ſhall be applied, from time to time, in the proſecuting Offenders againſt this Act; and if ſuch Proſecutions ſhall not require the whole Overplus (if any) that then the ſaid Prices, Sums of Money or Rewards, ſhall afterwards be leſſened in Proportion by the ſaid reſpective Companies of Goldſmiths; and they are hereby required to take ſo much leſs for the aſſaying, trying and marking wrought Plate for the future, as will anſwer the Purpoſes aforeſaid only, without bringing any Profit to any of the ſaid reſpective Companies; any Thing herein contained to the contrary hereof in any wiſe notwithſtanding.

Aſſay-office to be kept open from 7 till 9 of the Morning, &c.

XX. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, the Aſſay-office of the ſaid Company of Goldſmiths in *London* ſhall be kept open for the taking in Plate, from ſeven of the Clock in the Morning till nine of the Clock of the ſame Morning, every working Day or Hall Day; and the Weigher ſhall take in the ſame, with the Notes or Memorandums thereof hereby directed to be ſent therewith, and he ſhall weigh and take an Account thereof before the ſame be aſſayed, and afterwards weigh the Plate back, and deliver the ſame to the Owner or his Order; and when and as often as the common Aſſayer or common Aſſayers of the ſaid Company, or ſuch common Aſſayer or common Aſſayers, or his and their Aſſiſtant or Aſſiſtants, or any of them (ſuch Aſſayers and Aſſiſtants being from time to time appointed by the Court of Aſſiſtants of the ſaid Company, and ſworn truly to execute their reſpective Offices) or any Aſſayer at *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich* or *Newcaſtle upon Tyne*, ſhall find or diſcover any Parcel of Plate to be of a courſer Allay than the

the ſaid reſpective Standards, and ſhall ſo report the ſame after three Aſſays made thereof; then and in every ſuch Caſe, it ſhall and may be lawful to and for any Warden or Deputy-warden of the ſaid Company of Goldſmiths in *London*, or any Warden of the Company at any of the Cities or Places aforeſaid, to cut, break and deface, or cauſe to be cut, broken and defaced, ſuch Parcel of Plate, at any Time after three Days next after the laſt Aſſay made thereof, and not ſooner, unleſs the Perſon who brought or ſent the ſame deſire it to be broken and delivered to him ſooner; and there ſhall nevertheleſs be paid for the aſſaying of the ſame ſuch Rates or Prices as are herein before limited for aſſaying and marking, as if ſuch Parcel of Plate had been really marked.

Penalty on not entring new Marks, &c.

XXI. And be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-eighth Day of *May* one thouſand ſeven hundred and thirty-nine, all and every Perſon and Perſons, who ſhall work or make, or cauſe to be wrought or made, any Gold or Silver Veſſel, Plate or Manufacture of Gold or Silver whatſoever, within that Part of *Great Britain* called *England*, ſhall firſt enter his, her and their new Marks, Names and Places of Abode, in the ſaid Aſſay-office of the ſaid Company of Goldſmiths in *London*, or in the Aſſay-office at *York*, *Exeter*, *Briſtol*, *Cheſter*, *Norwich* or *Newcaſtle upon Tyne*; which new Marks ſhall be of a Character or Alphabet different from their old Marks; and all his, her and their old Marks, if he, ſhe or they have any, ſhall be broken or defaced by or in the Preſence of the Aſſayer; on Pain that every Perſon and Perſons offending therein, ſhall for every or any of the ſaid Offences forfeit and pay the Sum of ten Pounds, and the further Sum of ten Pounds for uſing any other Mark, to be recovered and diſpoſed of as hereinafter is mentioned, and for Default of Payment ſhall be committed by the Court, in which Judgment ſhall be given thereon, to the Houſe of Correction for the County, City or Liberty where convicted, there to remain and be kept to hard Labour for any Time not exceeding the Space of ſix Months, or until Payment be made of the ſaid Forfeiture.

Forfeitures how to be recovered.

XXII. And for the better Recovery of the ſeveral Penalties and Forfeitures impoſed by this Act; Be it enacted by the Authority aforeſaid, That the ſaid Penalties and Forfeitures, and every of them, ſhall and may be recovered, with full Coſts of Suit, by Action, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which Actions or Suits the Defendants ſhall give or put in Special Bail; and wherein no Eſſoin, Protection or Wager of Law, nor more than one Imparlance ſhall be allowed; and one Moiety of the ſaid Penalties and Forfeitures, and every of them, ſhall go to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Perſon who ſhall ſue for the ſame.

Limitation of Actions.

XXIII. And be it enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt the ſaid Wardens and Commonalty, or againſt any of the Wardens of the ſaid reſpective Companies, at the Cities or Places aforeſaid, or any of their Officers, or any other Perſon or Perſons, for any Thing done in purſuance of this preſent Act, or in relation to the Premiſſes, that in every ſuch Caſe the Action or Suit ſhall be brought or commenced before the End of the next Term after the Fact committed, and not afterwards; and ſhall be laid and brought in the County, City, Town or Place, where the Aſſay-office is or ſhall be kept whoſe Officer or Officers ſhall be complained of, and not elſewhere; and the Defendant or Defendants in ſuch Action or Actions, Suit or Suits to be brought or commenced, may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this preſent Act: And if it ſhall appear ſo to be done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County, City or Place, than aforeſaid, that then and in ſuch Caſe the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs; the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

Publick Act.

XXIV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

Concerning gold and ſilver ſee further 15 *Geo.* 2. *c.* 20. 22 *Geo.* 2. *c.* 36. 29 *Geo.* 2. *c.* 14. 31 *Geo.* 2. *c.* 32. 32 *Geo.* 2. *c.* 24.

CAP. XXVII.

An Act for explaining and amending an Act made in the eighth Year of the Reign of King RICHARD the Second, intituled, *No Man of Law ſhall be Juſtice of Aſſize or Gaol Delivery in his own Country*; and another Act made in the thirty-third Year of the Reign of King HENRY the eighth, intituled, *An Act that none ſhall be Juſtice of Aſſize in his own Country*, &c.

Preamble, reciting the Acts 8 Ric. 2. c. 2. and 33 Hen. 8. c. 24.

'WHEREAS by an Act made in the eighth Year of the Reign of King RICHARD the Second, intituled, *No Man of Law ſhall be Juſtice of Aſſize or Gaol Delivery in his own Country*; it is enacted, That no Man of Law ſhall from thenceforth be Juſtice of Aſſize, or of the common Deliverance of Gaols, in his own Country: And whereas by an Act made in the thirty-third Year of King HENRY the Eighth, intituled, *An Act that none ſhall be Juſtice of Aſſize*

'*Aſſize in his own Country*, &c. it is amongſt other Things enacted, That no Juſtice nor other Man 'learned in the Law of this Realm ſhall uſe or exerciſe the Office of Juſtice of Aſſize within any 'County where the ſaid Juſtice was born or doth inhabit, upon Pain to forfeit for every Offence 'done contrary to the ſaid Act, one hundred Pounds: And whereas ſuch Acts have been conſtrued 'to extend, not only to Juſtices of Aſſize and Juſtices of Gaol Delivery, but alſo to Juſtices of '*Niſi prius*, and Juſtices of *Oyer and Terminer*; which Conſtruction hath been attended with very 'great Inconveniencies;' For Remedy thereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful from time to time and at all Times hereafter, to and for the Chief Juſtice and Juſtices of either Bench, and to and for the Chief Baron, and other Barons of the Court of *Exchequer*, and to and for any other Perſon or Perſons learned in the Law, who ſhall be appointed Juſtice or Juſtices of *Oyer and Terminer* or Gaol Delivery in any County or Counties within that Part of *Great Britain* called *England*, to uſe and exerciſe the Office or Offices of Juſtice or Juſtices of *Oyer and Terminer* or Gaol Delivery, in any ſuch County or Counties, notwithſtanding they or any of them ſhall have been born or do inhabit within any ſuch County or Counties, and that they ſhall not be liable for to doing to the ſaid Penalty or Forfeiture of one hundred Pounds, or to any other Forfeiture or Penalty whatſoever; any Thing in the ſaid recited Acts, or either of them, or any other Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Judges impowered to act as Judges of Gaol Delivery, &c. in their own Counties.

CAP. XXVIII.

An Act for the more effectual preventing of exceſſive and deceitful Gaming.

'WHEREAS in and by an Act of Parliament made and paſſed in the tenth and eleventh Years of the Reign of his late Majeſty King WILLIAM the Third, intituled, *An Act for ſuppreſſing of Lotteries*; after reciting, that for divers Years before making the ſaid Act ſeveral evil-diſpoſed Perſons had ſet up many unlawful Games called *Lotteries*, not only in the City of *London* and *Weſtminſter* and in the Suburbs thereof, but in moſt of the ancient Towns and Places in *England* and the Dominion of *Wales*; and had thereby moſt unjuſtly and fraudulently gotten to themſelves great Sums of Money from the Children and Servants of ſeveral Gentlemen, Traders and Merchants, and from other unwary Perſons, to the utter Ruin and Impoveriſhment of many Families, it is delared and enacted, That all ſuch Lotteries, and all other Lotteries, are common and publick Nuiſances: And whereas in order to ſuppreſs all ſuch Lotteries, it is in and by the ſaid ſaid Statute enacted and declared, That from and after the twenty-ninth Day of *December* which ſhall be in the Year of our Lord one thouſand ſix hundred and ninety-nine, no Perſon or Perſons whatſoever ſhall publickly or privately, exerciſe, keep open, ſhew, or expoſe to be played at, drawn or thrown at, or ſhall draw, play or throw at any ſuch Lottery, or other Lotteries, either by Dice, Lots, Cards, Balls, or any other Number or Figures, or any other way whatſoever, under ſuch Penalties as in the ſaid Act are mentioned and ſet forth; which ſaid Statute is inforced by an Act of Parliament made in the ninth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for reviving, continuing and appropriating certain Duties upon ſeveral Commodities to be exported and certain Duties upon Coals to be water-born and carried coaſtwiſe; and for granting further Duties upon Candles for thirty-two Years; to raiſe fifteen hundred thouſand Pounds by way of a Lottery, for the Service of the Year one thouſand ſeven hundred and eleven; and for ſuppreſſing ſuch unlawful Lotteries, and ſuch Inſurance-offices as are therein mentioned:* And whereas in and by one other Act of Parliament made and paſſed in the eighth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for continuing the Duties on Malt, Mum, Cyder and Perry, to raiſe Money by way of a Lottery, for the Service of the Year one thouſand ſeven hundred and twenty-two; and for transferring the Deficiencies of a late Malt Act to the Land Tax for the ſaid Year; and for giving Time for inſerting the Money given with Apprentices in their Indentures; and touching Iſſue Bills, Tickets or Orders; and for exchanging the Tickets in the Exchequer for Certificates; and for ſuppreſſing Lotteries denominated Sales, and other private Lotteries; and for enlarging the Time for the Accountant General of the Bank of England to return Duplicates of Annuities into the Exchequer*; it is enacted, That all and every Perſon or Perſons, who after the twenty-firſt Day of *December* in the Year of our Lord one thouſand ſeven hundred and twenty-one, ſhall erect, ſet up, continue or keep, or ſhall cauſe or procure to be erected, ſet up, continued or kept, any Office or Place, under the Denomination of Sales of Houſes, Lands, Advowſons, Preſentations to Livings, Plate, Jewels, Ships, Goods or other Things, for the Improvement of ſmall Sums of Money, or ſhall ſell, or expoſe to Sale any Houſes, Lands, Advowſons, Preſentations to Livings, Plate, Jewels, Ships, Goods, or other Things, by way of Lottery, or by Lots, Tickets, Numbers or Figures; or ſhall make, print, advertiſe or publiſh, or cauſe to be made, printed, advertiſed or publiſhed, Propoſals or Schemes for advancing ſmall Sums of Money by ſeveral Perſons, amounting in the whole to large Sums, to be divided among them by the Chances of the Prizes in ſome publick Lottery or Lotteries eſtabliſhed or allowed by Act of Parliament; or ſhall deliver out, or cauſe or procure to be delivered out, Tickets to the Perſons advancing ſuch Sums, to entitle them to a Share of the Money ſo advanced, according to ſuch Propoſals or Schemes; or ſhall make, print or publiſh, or cauſe to be made, printed or publiſhed, any Propoſal or Scheme of the like Kind or Nature under any Denomination, Name or Title whatſoever, and ſhall be thereof convicted upon the Oath or Oaths of one or more credible Wit-

Preamble, reciting the Acts 10 & 11 W. 3. c. 17.

'9 Annæ, c. 6.' § 56. 10 Ann. c. 26. § 109.

'8 Geo. 1. c. 2.' § 36.

9 Geo. 1. c. 19.

'neſs

'neſs or Witneſſes, by two or more Juſtices of the Peace of the County, Diviſion or Liberty where 'ſuch Offence ſhall be committed, or the Offender ſhall be found, which Oath ſuch Juſtices of the 'Peace are hereby impowered and required to adminiſter; the Perſon ſo convicted ſhall, for every 'ſuch Offence, over and above any former Penalties inflicted by any former Act or Acts of Parlia-'ment made againſt any private or unlawful Lotteries, forfeit the Sum of five hundred Pounds, one 'third Part thereof to his Majeſty, his Heirs and Succeſſors, and one other third Part thereof to 'the Informer, and the remaining third Part thereof to the Poor of the Pariſh where ſuch Offence 'ſhall be committed; the ſame to be levied by Diſtreſs and Sale of the Offender's Goods, by War-'rant under the Hands and Seals of ſuch Juſtices, before whom ſuch Offender ſhall be convicted 'as aforeſaid; and ſhall alſo for every ſuch Offence, by ſuch Juſtices be committed to the County 'Gaol, there to remain without Bail or Mainprize for the Space of one whole Year, and from thence 'till the Sum of five hundred Pounds ſo forfeited as aforeſaid, ſhall be fully paid and ſatisfied: 'Provided nevertheleſs, That any Perſon who ſhall think himſelf or herſelf aggrieved by the Judg-'ment or Determination of two or more ſuch Juſtices in any the Caſes aforeſaid, ſhall have Liberty 'to appeal to the next Quarter-Seſſions to be held for the County, City or Place where ſuch Judg-'ment or Determination ſhall be made or given; and that the Judgment to be given by the Ju-'ſtices of the ſaid next Quarter-Seſſions ſhall be final: And whereas it is found by Experience, 'that the ſaid good and wholeſome Laws have not effectually anſwered the good Ends, Intents and 'Purpoſes, in and by the ſaid Acts deſigned; but that, contrary to the true Intent and Meaning 'of the ſaid recited Acts, ſeveral deceitful Games and Subſcriptions are daily carried on under the 'Denomination of Sales of Houſes, Lands, Plate, Jewels, Goods and other Things; and that ſeve-'ral Printers have printed, publiſhed, or cauſed to be printed and publiſhed, Propoſals or Schemes 'for the Sale of ſuch Houſes, Lands, Plate, Jewels, Goods and other Things, to be determined 'by Raffles, by Mathematical Machines or Engines, and by other indirect Ways and Means, 'tending to evade the ſaid good and wholeſome Laws before mentioned: And whereas ſeveral Per-'ſons have for many Years paſt carried on and ſet up certain fraudulent Games and Lotteries, 'to be determined by the Chance of Cards and Dice, under the Denomination of the Games of 'the Ace of Hearts, Pharaoh, Baſſet and Hazard, and thereby defrauded ſeveral of his Majeſty's 'Subjects, ignorant of the great Diſadvantage Adventurers in the ſaid Games and Lotteries ſo deno-'minated the Games of the Ace of Hearts, Pharaoh, Baſſet or Hazard, are under, ſubject and liable 'to: And whereas ſeveral Doubts have ariſen, whether the ſaid Games of the Ace of Hearts, Pha-'raoh, Baſſet and Hazard, are within the Deſcriptions of the Lotteries prohibited by the ſaid reci-'ted Acts of Parliament: And whereas great Difficulties have ariſen upon the Methods of Convic-'tion of the Offenders againſt the ſaid Acts of Parliament;' For Remedy whereof, and for explain-ing and making more effectual the ſaid Acts of Parliament, may it pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall, after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-nine, erect, ſet up, continue or keep, any Office or Place, under the Denomination of a Sale or Sales of Houſes, Land, Advow-ſons, Preſentations to Livings, Plate, Jewels, Ships, Goods or other Things, by way of Lottery, or by Lots, Tickets, Numbers or Figures, Cards or Dice; or ſhall make, print, advertiſe or publiſh, or cauſe to be made, printed, advertiſed or publiſhed, Propoſals or Schemes for advancing ſmall Sums of Money by ſeveral Perſons, amounting in the whole to large Sums, to be divided among them by Chances of the Prizes in ſome publick Lottery or Lotteries eſtabliſhed or allowed by Act of Parliament, or ſhall deliver out, or cauſe or procure to be delivered out, Tickets to the Perſons advancing ſuch Sums, to intitle them to a Share of the Money ſo advanced, according to ſuch Pro-poſals or Schemes; or ſhall expoſe to Sale any Houſes, Lands, Advowſons, Preſentations to Livings, Plate, Jewels, Ships or other Goods, by any Game, Method or Device whatſoever, depending upon, or to be determined by any Lot or Drawing, whether it be out of a Box or Wheel, or by Cards or Dice, or by any Machine, Engine, or Device of Chance of any Kind whatſoever; ſuch Perſon or Perſons, and every or either of them, ſhall, upon being convicted thereof before any one Juſtice of the Peace for any County, Riding or Diviſion, or before the Mayor, or other Juſtice or Juſtices of the Peace for any City or Town Coporate, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes (which ſaid Oaths the ſaid Juſtices of the Peace, and Mayor, are hereby au-thorized, impowered and required to adminiſter) or upon the View of ſuch Juſtice or Juſtices, or the Mayor, Juſtice or Juſtices for any City or Town Coporate, or on the Confeſſion of the Party or Parties accuſed; ſhall forfeit and loſe the Sum of two hundred Pounds, to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of one or more Juſtice or Juſtices of the Peace of ſuch County, Riding, Diviſion, City or Town, where the Offence ſhall be committed; which ſaid Forfeitures, when recovered, after deducting the reaſonable Charges of ſuch Proſecution, ſhall go and be applied, one third thereof to the Informer, and the remaining two thirds to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, excepting the ſaid two thirds of ſuch Forfeitures which ſhall be incurred by, and recovered upon, any Perſon or Perſons within the City of *Bath*, which ſaid two thirds ſhall go and be applied to and for the Uſe and Benefit of the Poor reſiding within the Hoſpital or Infirmary lately erected for the Benefit of poor Perſons reſorting to the ſaid City for the Benefit of the Mineral Waters, after deducting the Charges of Conviction as aforeſaid.

200 l. Penalty on any Offence againſt this Act;

the ſame how to be levied and applied.

Games ſpecified to be within the Intent of the Act.

II. And it is hereby enacted and declared, That the ſaid Games of the Ace of Hearts, Pharaoh, Baſſet and Hazard are, and are hereby declared to be Games or Lotteries by Cards or Dice within the Intent and Meaning of the ſaid in part recited Acts; and that all and every Perſon or Perſons, who ſhall ſet up, maintain or keep the ſaid Games of the Ace of Hearts, Pharaoh, Baſſet and Hazard, ſhall be ſubject and liable to all and every the Penalties and Forfeitures in and by this Act inflicted upon any Perſon or Perſons, who ſhall erect, ſet up, continue or keep any of the ſaid Games or Lotteries in this preſent Act mentioned; and ſhall be proſecuted and convicted, and the Penalties and Forfeitures ſhall be ſued for and recovered, in like Manner as the ſaid Penalties and Forfeitures are by this Act directed to be ſued for and recovered.

50 l. Penalty on the Adventurers.

III. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who ſhall be Adventurers in any of the ſaid Games, Lottery or Lotteries, Sale or Sales; or ſhall play, ſet at, ſtake or punt at either of the ſaid Games of the Ace of Hearts, Pharaoh, Baſſet and Hazard, and ſhall be thereof convicted in ſuch Manner and Form as in and by this Act is preſcribed; every ſuch Perſon or Perſons ſhall forfeit and loſe the Sum of fifty Pounds, to be ſued for and recovered as aforeſaid.

Sales by Lotteries void;

IV. And it is hereby further enacted by the Authority aforeſaid, That all and every ſuch Sale or Sales of Houſes, Lands, Advowſons, Preſentations to Livings, Plate, Jewels, Ships, Goods or other Things, by any Game, Lottery or Lotteries, Machine, Engine, or other Device whatſoever, depending upon, or to be determined by Chance or Lot, ſhall and are hereby declared to be void to all Intents and Purpoſes whatſoever: And all ſuch Houſes, Lands, Advowſons, Preſentations to Livings, Plate, Jewels, Ships, Goods or other Things, ſet up and expoſed to Sale in Manner and Form aforeſaid, ſhall be forfeited to ſuch Perſon or Perſons who ſhall ſue for the ſame, by Action, Bill, Plaint or Information, in any of his Majeſty's Courts of Record, or at the Aſſizes for any County where the Offence ſhall be committed; in which Action, Bill, Plaint or Information, no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed.

and the Lands, &c. forfeited.

Perſons aggrieved to appeal to the Quarter-Seſſions.

V. Provided always, and it is hereby declared and enacted, That if any Perſon or Perſons ſhall think him, her or themſelves aggrieved by the Judgment or Determination of any Juſtice or Juſtices of the Peace or Mayor as aforeſaid, upon any Conviction of or for any of the Offences in this Act; ſuch Perſon or Perſons may appeal from the ſaid Judgment of the ſaid Juſtice or Juſtices or Mayor to the next general Quarter-Seſſions of the Peace for the ſaid County, Riding, Diviſion, City or Place where ſuch Perſon or Perſons was or were convicted; but the Perſon and Perſons ſo appealing ſhall, and he, ſhe and they are hereby directed to give reaſonable Notice to the Proſecutor or Proſecutors of ſuch Perſon or Perſons as ſhall ſo appeal, of ſuch his, her or their Intention of bringing and proſecuting ſuch Appeal, and ſhall enter into a Recognizane before ſome Juſtices of the Peace for the County, Riding, Diviſion, City or Place wherein the conviction or Judgment was made or given, with two ſufficient Sureties, on Condition to try ſuch Appeal at the next Quarter-Seſſions, which ſhall be held in and for the County, Riding, Diviſion, City or lace wherein ſuch Conviction or Judgment was made or given, next and immediately after the bringing ſuch Appeal; and every ſuch Appeal and Appeals ſhall, by the Court at the ſaid next general Quarter-Seſſions, to which ſuch Appeal and Appeals is or are made, be then examined, and the Matter then finally heard and determined, and not afterwards; and in caſe ſuch Judgment, Determination or Conviction as aforeſaid, ſhall be then and there affirmed, the Party appealing ſhall pay unto the Proſecutor or Proſecutors his, her or their treble Coſts; and ſuch Proſecutor and Proſecutors ſhall have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſes by Law.

Appellant to pay treble Coſts, if Judgment be affirmed.

Convictions not vacated for want of Form, &c.

VI. Provided always, and be it further enacted by the Authority aforeſaid, That no ſuch Conviction made, or Judgment given as aforeſaid, by this Act, ſhall be ſet aſide by the ſaid Court of Quarter-Seſſions for want of Form, in caſe the Facts alledged in the ſaid Conviction ſhall be proved to the Satisfaction of the ſaid Court; nor ſhall ſuch Conviction or Judgment be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*, until ſuch Order or other Proceedings ſhall have been firſt removed to, and Judgment and Determination given and made thereupon, by ſuch Court of Quarter-Seſſions as aforeſaid.

nor the Record thereof removeable, but upon 100 l. Security.

VII. Provided alſo, and be it further enacted by the Authority aforeſaid, That no Writ of *Certiorari* or other Proceſs ſhall iſſue or be iſſuable to remove the Record of any ſuch Conviction from the ſaid Court of Quarter-Seſſions, or to remove any Order or other Proceedings taken or made by the ſaid Court of Quarter-Seſſions upon, touching or concerning ſuch Conviction, into any of his Majeſty's Courts of Record at *Weſtminſter*, until the Party or Parties againſt whom ſuch Conviction ſhall be made, before the Allowance of ſuch Writ of *Certiorari* or other Proceſs, ſhall find two ſufficient Sureties to become bound to the Proſecutor in the Sum of one hundred Pounds, with Condition to proſecute the ſame with Effect within ſix Calendar Months, and to pay unto the Proſecutor or Proſecutors his, her or their treble Coſts and Charges, in caſe ſuch Order or Conviction ſhall be affirmed.

Offenders not able to pay the Penalties, to be imprisoned.

VIII. And it is hereby further enacted and declared, That if any Perſon or Perſons, who ſhall be convicted of erecting, ſetting up, maintaining or keeping any of the ſaid Lotteries, or the ſaid Games of the Ace of Hearts, Pharaoh, Baſſet or Hazard, or therein or in either of them ſhall adventure, and ſhall not have ſufficient Goods and Chattels whereon to levy the Penalties inflicted by this Act, or ſhall not immediately pay the ſaid Penalties, or give Security for the ſame; it ſhall and may be lawful for the ſaid Juſtice or Juſtices, before whom ſuch Perſon ſhall be convicted as aforeſaid, to commit ſuch Perſon or Perſons to the common Gaol of the County, Riding, Diviſion, City or Place where ſuch Offence ſhall be committed, there to continue and remain for any Time not exceeding ſix Months.

Penalty on Neglect of Juſtices or Mayor.

IX. And be it alſo enacted, That if any Juſtice of the Peace, or any other Juſtice herein before deſcribed, or Mayor of any Corporation, ſhall neglect or refuſe to do what is required of him and them by this Act; ſuch Juſtices and Mayors ſo neglecting or refuſing ſhall reſpectively forfeit and pay the Sum of

of ten Pounds for each Offence; one Moiety whereof to be paid to any Perſon or Perſons who ſhall ſue for the ſame, and the other Moiety thereof to the Poor of the Pariſh or Place where ſuch Offence ſhall be committed; and ſhall be recovered with full Coſts of Suit, by Action, Bill, Plaint or Information in any of his Majeſty's Courts of Record, or at the Aſſize for any County; in which Action, Bill, Plaint or Information, no Eſſoin, Protection or Wager of Law, nor more than one Imparlance ſhall be allowed; ſuch Proſecution being commenced within ſix Months next after ſuch Refuſal of ſuch Juſtices or Mayor.

This Act not to hinder any Games in Palaces where the King reſides; nor to affect the Right to any Lands, &c. held by Lot.

X. Provided always, and it is hereby enacted and declared, That nothing in this Act, or in any former Acts againſt Gaming contained ſhall extend to prevent or hinder any Perſon or Perſons from gaming or playing at any of the Games in this or in any of the ſaid former Acts mentioned within any of his Majeſty's Royal Palaces, where his Majeſty, his Heirs or Succeſſors ſhall then reſide.

XI. Provided always, and it is hereby further enacted and declared, That nothing herein contained ſhall extend, or be any ways conſtrued, deemed or taken to extend, or in any Sort to affect or prejudice any Eſtate or Intereſt in, out of, or to any Manors, Honours, Royalties, Lands, Tenements, Advowſons, Preſentations, Rents, Services and Hereditaments whatſoever, which ſhall or may at any Time or Times hereafter be according to the Laws now in being legally allotted to, or held by or by Means of any Allotment or Partition by Lots; but that all Perſons who now are, or that ſhall hereafter become, really and truly ſeized as Part-owners, Joint-tenants, and Tenants in Common of any Manors, Honours, Royalties, Lands, Tenements, Advowſons, Preſentations, Rents, Services and Hereditaments, ſhall, and he, ſhe and they, and his, her and their Heirs and Aſſigns is, and are hereby made and continued capable to accept and take ſuch Eſtates and Intereſt, and Parts therein, in ſuch and the like Manner, and to ſuch and the like Uſes, as he, ſhe or they might, would or could have done by, or by virtue, or in Conſequence of any Lot, Scroll, Chance or Allotment whatſoever, had this preſent Act never been made; any thing herein contained to the contrary thereof notwithſtanding.

Limitation of Actions.

XII. And be it further enacted by the Authority aforeſaid, That if any Suit or Action ſhall be commenced or proſecuted againſt any Perſon or Perſons for any thing done in purſuance of this Act, every ſuch Suit or Action ſhall be commenced within three Calendar Months next after the Fact was committed, and not afterwards; and ſhall be laid or brought in the County, City or Place where the Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant and Defendants therein ſhall and may

General Iſſue.

plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at the Trial to be had thereupon, and that the ſame was done in purſuance of or by the Authority of this Act; and if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her or their Action or Actions, Suit

Treble Coſts.

or Suits, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs; the Defendant or Defendants ſhall and may recover treble Coſts, and have like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts in any other Caſes by Law.

Concerning unlawful Gaming ſee farther 13 *Geo.* 2. *c.* 19. 18 *Geo.* 2. *c.* 34. 29 *Geo.* 2. *c.* 7. 30 *Geo.* 2. *c.* 24.

CAP. XXIX.

An Act for the more eaſy aſſeſſing, collecting and levying of County Rates.

Preamble, reciting the Acts 22 Hen. 8. c. 5. 1 Annæ, ſtat. 1. c. 18.

'WHEREAS by an Act paſſed in the twenty-ſecond Year of the Reign of King HENRY the Eighth, for repairing and amending Bridges and Highways: And whereas by another Act paſſed in the firſt Year of the Reign of her late Majeſty Queen ANNE, to explain and alter the ſaid Act, it is, for the more eaſy taxing and collecting the Money for the Repair of ſuch Bridges and Highways thereunto adjoining (amongſt other Things) enacted, That the Juſtices of the Peace within the ſeveral Limits of their Commiſſions ſhall at their General or Quarter-Seſſions of the Peace have full Power and Authority, upon due Preſentment to them made that any Bridge within their reſpective Commiſſions or Authorities is out of Repair, and which by them hath uſually, or ought to have been repaired and maintained, to make Aſſeſſments upon every Town, Pariſh or Place within their reſpective Commiſſions for that Purpoſe, in Proportions upon each reſpective Town and Pariſh as they uſually have been aſſeſſed towards the Repair of Bridges; which Aſſeſſments are to be levied and

11 & 12 W. 3. c. 19.

collected in the Manner preſcribed by the ſaid Act: And whereas by an Act paſſed in the eleventh and twelfth Years of the Reign of his late Majeſty King WILLIAM the Third, to enable Juſtices of the Peace to build and repair Gaols in their reſpective Counties, it is (amongſt other Things) enacted, That it ſhall and may be lawful for the Juſtices of the Peace, or the greater Number of them, within the Limits of their Commiſſions, upon Preſentment of the grand Jury or grand Juries, at the Aſſize, great Seſſions and general Gaol Delivery, held for the ſame County, of the Inſufficiency or Inconveniency of their Gaol or Priſon, to conclude and agree upon ſuch Sum or Sums of Money, as upon Examination of able and ſufficient Workmen ſhall be thought neceſſary for the building, finiſhing and repairing a publick Gaol or Gaols, belonging to the Shire or County whereof they are Juſtices of the Peace; and by Warrant under their Hands and Seals, or under the Hands and Seals of the greater Number of them, by equal Proportions to diſtribute and charge the Sum or Sums of Money to be levied for the Uſes aforeſaid upon the ſeveral Hundreds, Lathes, Wapentakes, Rape, Ward or other Diviſion of the ſaid County, in the Manner preſcribed by the ſaid Act; which ſaid Act was revived and continued by an Act paſſed in the tenth Year of the Reign of her late Majeſty Queen ANNE for ſeven Years, and to the End of the then next Seſſion of Parliament, and made perpetual by an Act of the ſixth Year of the Reign of his late Majeſty King GEORGE the Firſt:

'And

'And whereas by an Act paſſed in the ſeventh Year of the Reign of King JAMES the Firſt, for the due Execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds and ſturdy Beggars, and other lewd and idle Perſons, it is (amongſt other Things) enacted, That there ſhall be erected, built or otherwiſe provided, within every County of this Realm of *England* and *Wales*, where there is not one Houſe of Correction already built, provided or continued, one or more fit and convenient Houſe or Houſes of Correction, by the Juſtices of the Peace, or the more Part of them, at their reſpective Quarter-Seſſions; and that the Maſter or Governors of the ſaid Houſes of Correction ſhall have ſuch Sums of Money yearly as ſhall be thought meet by the ſaid Juſtices; the ſame to be paid quarterly beforehand, by the Treaſurers appointed by an Act made in the three and fortieth Year of the late Queen ELIZABETH, intituled, *An Act for the Relief of the Poor*; which ſaid Act was to continue for ſeven Years, and till the End of the next Seſſion of Parliament, and was further continued by an Act paſſed in the third Year of the Reign of King CHARLES the Firſt, intituled, *An Act for the Continuance and Repeal of divers Statutes*, unto the End of the firſt Seſſion of the next Parliament; and by an Act paſſed in the ſixteenth Year of the ſame Reign continued in Force, until repealed by ſome other Act of Parliament: And whereas by an Act paſſed in the forty-third Year of the Reign of Queen ELIZABETH, intituled, *An Act for the Relief of the Poor*, it is (amongſt other Things) enacted, That the Juſtices of the Peace of every County or Place Corporate, or the more Part of them, in their General Seſſions to be holden next after the Feaſt of *Eaſter*, and ſo yearly, as often as they ſhall think meet, ſhall rate every Pariſh to ſuch a weekly Sum of Money as they ſhall think convenient, ſo as no Pariſh be rated above the Sum of ſix Pence, nor under the Sum of an Halfpenny, weekly to be paid, and ſo as the total Sum of each Taxation of the Pariſhes in every County amount not to above the Rate of two Pence for every Pariſh within the ſaid County; and it is thereby likewiſe enacted, That the Juſtices of the Peace at their General Quarter-Seſſions to be holden at the Time of ſuch Taxation ſhall ſet down what competent Sums of Money ſhall be ſent quarterly out of every County or Place Corporate, for the Relief of the poor Priſoners of the *King's Bench* and *Marſhalſea*; and alſo of ſuch Hoſpitals and Alms-Houſes as ſhall be in the ſaid County, and what Sums of Money ſhall be ſent to every one of the ſaid Hoſpitals and Alms-houſes; ſo as there be ſent out of every County yearly twenty Shillings at the leaſt to each of the ſaid Priſons of the *King's Bench* and *Marſhalſea*; which Sums are rateably to be aſſeſſed upon every Pariſh, and to be levied and collected as in and by the ſaid Act is directed: And whereas by an Act paſſed in the fourteenth Year of the Reign of Queen ELIZABETH, intituled, *An Act how Vagabonds ſhall be puniſhed, and the Poor relieved*; it is enacted, That the Juſtices of the Peace of every County, or the more Part of them, in their General Quarter-Seſſions, ſhall rate every Pariſh at ſuch reaſonable Sums of Money, for the Relief of Priſoners, as they ſhall think convenient, ſo as no Pariſh be rated above ſix Pence or eight Pence weekly; and the Churchwardens of every Pariſh ſhall levy the ſame every *Sunday*, and once in every Quarter pay the ſaid Sums to the high Conſtables or other head Officers; and the ſaid high Conſtables and head Officers ſhall pay the Money received of the ſaid Churchwardens to ſuch Perſons as ſhall be appointed by the ſaid Juſtices in Seſſions, to be by them diſtributed weekly for the Relief of Priſoners; ſo much of which ſaid Act as relates to the taxing, levying, receiving and employing of Gaol Money, was revived and continued to the End of the then next Seſſion of Parliament, by an Act paſſed in the firſt Year of the Reign of King JAMES the Firſt, intituled, *An Act for continuing and reviving of divers Statutes, and for repealing of ſome others*; and was further continued by an Act paſſed in the twenty-firſt Year of the Reign of the ſaid King JAMES, intituled, *An Act for continuing and reviving of divers Statutes, and repeal of divers others*; and was further continued to the End of the next Seſſion of Parliament, by an Act paſſed in the third Year of the Reign of King CHARLES the Firſt, intituled, *An Act for the Repeal and Continuance of divers Statutes*; and by an Act paſſed in the ſixteenth Year of the ſame Reign, was continued in Force, until repealed by ſome other Act of Parliament: And whereas by an Act paſſed in the nineteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for Relief of poor Priſoners, and ſetting them on Work*, it is (amongſt other Things) enacted, That the Juſtices of the Peace at their General Seſſions, or the major Part of them, if they think fit, may provide a Stock of Materials for ſetting poor Priſoners on Work, in ſuch Manner and by ſuch Ways as other County Charges are levied and raiſed, and provide and pay fit Perſons to overſee ſuch Work, and make ſuch Orders concerning the Premiſſes, as they from time to time ſhall think fit, provided that no Pariſh be rated above ſix Pence by the Week towards the Premiſſes: And whereas an Act paſſed in the twelfth Year of the Reign of her late Majeſty Queen ANNE, for reducing the Laws relating to Rogues, Sturdy Beggars and Vagrants, into one Act of Parliament, and for the more effectual puniſhing ſuch Rogues, Vagabonds, Sturdy Beggars and Vagrants, and ſending them whither they ought to be ſent; it is (amongſt other Things) enacted, That the Juſtices of the Peace at their Quarter-Seſſions may from time to time, when need ſhall be, by ſuch Ways and Means as Monies for County Gaols or Bridges may be raiſed, cauſe ſuch Sums of Money to be raiſed within their reſpective Precincts and Juriſdictions, for the paſſing and conveying or maintaining of Rogues and Vagabonds, as ſhall be neceſſary for thoſe Purpoſes; which ſaid ſeveral Rates, when collected, are to be paid, by virtue of the ſaid ſeveral Acts, into the Hands of Treaſurers or Receivers to be appointed by the Juſtices at their reſpective General or Quarter-Seſſions of the Peace, and to be accounted for, as in and by the ſaid ſeveral reſpective Acts are recited: And whereas it is apparent that the Manner and Methods preſcribed by the ſaid ſeveral Acts for collecting ſome of the ſaid Rates are impracticable, the Sums charged on each Pariſh in the reſpective Diviſions being ſo ſmall, that they do not by an equal Pound Rate amount to more than a fractional Part of a Farthing in the Pound on the ſeveral Perſons thereby ratable; and if poſſible to have been rated, the Expence of aſſeſſing and col-

7 Jac. 1. c. 4.

43 Eliz. c. 2.

14 Eliz. c. 5.

19 Car. 2. c. 4.

12 Annæ, ſtat. 2. c. 23.

'lecting the ſame would have amounted to more than the Sum rated: And whereas many and great 'Doubts, Difficulties and Inconveniencies have ariſen in making and collecting other of the ſaid Rates;' therefore that the good Ends and Purpoſes of the ſaid ſeveral Statutes may be anſwered, and the ſeveral Sums of Money thereby intended to be raiſed may effectually be collected, with as much Eaſe and Certainty, and as little Expence as can be to the Parties obliged by the ſaid Laws to pay the ſame; Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *September* one thouſand ſeven hundred and thirty-nine, the Juſtices of the Peace in that Part of *Great Britain* called *England*, within the reſpective Limits of their Commiſſions, at their General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, ſhall have full Power and Authority, from time to time, to make one general Rate or Aſſeſſment for ſuch Sum or Sums of Money as they in their Diſcretions ſhall think ſufficient to anſwer all and every the Ends and Purpoſes of the before-recited Acts, inſtead and in lieu of the ſeveral ſeparate and diſtinct Rates directed thereby to be made, levied and collected; which Rate ſhall be aſſeſſed upon every Town, Pariſh or Place within the reſpective Limits of their Commiſſions, in ſuch Proportions as any of the Rates heretofore made in purſuance of the ſaid ſeveral Acts have been uſually aſſeſſed; and the ſeveral and reſpective Sums ſo aſſeſſed upon each and every Town, Pariſh or Place within the reſpective Limits of their Commiſſions, ſhall be collected by the high Conſtables of the reſpective Hundreds and Diviſions, in which any Town, Pariſh or Place doth lie, in ſuch Manner, and at ſuch Times, as is herein after directed.

After 1 Sept. 1739, Juſtices to make from time to time one general Aſſeſſment, inſtead of the ſeveral Rates appointed by ſeveral Acts;

The Power of the Juſtices is extended by 13 *Geo.* 2. *c.* 18. §. 7.

II. And, that the reſpective Sum or Sums ſo to be aſſeſſed and collected may be well and truly paid to the reſpective high Conſtables, Be it further enacted by the Authority aforeſaid, That the Churchwardens and Overſeers of the Poor for the time being of each and every Pariſh and Place within the reſpective Counties, Cities and Liberties, in which they reſpectively lie, ſhall and they are hereby required, out of the Money collected or to be collected for the Relief of the Poor of ſuch Pariſh or Place, to pay to the high Conſtables of the reſpective Hundreds or Diviſions of the ſaid Counties, Cities and Liberties, the reſpective Sum or Sums of Money ſo rated and aſſeſſed upon ſuch Pariſh or Place, within the Space of thirty Days after Demand thereof made in Writing, to be given to the ſaid Churchwardens or Overſeers of the Poor, or any of them, or left at their or either of their Dwelling-houſe or Houſes, or affixed on any of the Church-Doors of ſuch Pariſh or Place to which ſuch Officer ſhall belong, by the ſaid high Conſtable or high Conſtables of the reſpective Hundreds or Diviſions; which Demand the reſpective high Conſtable or high Conſtables is and are hereby required to make, at ſuch Times as the ſaid Juſtices of the Peace, or the greater Part of them, ſhall by their Order in Seſſions direct; and the Receipt or Receipts of ſuch high Conſtable or high Conſtables ſhall be a full and ſufficient Diſcharge to ſuch Churchwardens and Overſeers of the Poor, or other Perſon paying the ſame, and ſhall be allowed in their Accounts as ſuch by the Juſtices of the Peace before whom ſuch Accounts ſhall be paſſed: And in caſe ſuch Churchwardens and Overſeers of the Poor or any of them, ſhall neglect or refuſe to pay any the Sum or Sums of Money hereby aſſeſſed, after Demand made as aforeſaid; ſuch high Conſtable or high Conſtables ſhall and they are hereby impowered to levy the ſame by Diſtreſs and Sale of the Goods and Chattles of ſuch Churchwardens and Overſeers or either of them ſo refuſing or neglecting to pay the ſame as aforeſaid, by Warrant under the Hands and Seals of two or more Juſtices of the Peace of the County, Riding, Diviſion, City, Town Corporate, Liberty or Place, reſiding in or near ſuch Pariſh or Place; rendering the Overplus, if any there ſhall be, after deducting the Money aſſeſſed, and the Charges of the Diſtreſs and Sale, to the Owner or Owners thereof.

to be paid out of the Poors Rate of every Pariſh to the high Conſtable,

or to be levied on them by Diſtreſs.

III. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That in caſe no Rate is or ſhall be made for the Relief of the Poor in any Pariſh, Townſhip or Place; the Juſtices of the Peace in their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, ſhall and may by their Order direct the Sum of Money aſſeſſed on ſuch Pariſh, Townſhip or Place, for the Purpoſes of this Act, to be rated and levied on any ſuch Pariſh, Townſhip or Place, by any Petty Conſtables or other Peace Officer of or belonging to the ſame, in ſuch Manner as Money for the Relief of the Poor is by Law to be rated or levied; which Sum ſo rated and levied ſhall be paid by ſuch Petty Conſtable or other Peace Officer to the reſpective high Conſtable for the Hundred, Diviſion or Liberty, wherein ſuch Pariſh, Townſhip or Place ſhall lie; and ſhall be demanded of, paid by, or levied on ſuch Petty Conſtable or other Peace Officer, in the ſame Manner as any Rates are herein before directed to be demanded of, paid by, and levied on the Churchwardens and Overſeers of the Poor, or any of them; and if ſuch Petty Conſtable or other Peace Officer ſhall pay ſuch Sum, before the ſame ſhall be ſo by him rated and levied as aforeſaid, he may afterwards rate and levy the ſame, or ſhall and may be allowed and reimburſed the ſaid Sum of Money out of any Conſtables or other Rate made or to be made on any ſuch Pariſh, Townſhip or Place, which the ſaid Juſtices of the Peace or the greater Part of them in their Seſſions ſhall order and direct.

Where there is no Poors Rate, the Petty Conſtable of the Place to levy and pay the County Rate.

'IV. And whereas it will be very inconvenient to many Towns, Pariſhes and Places, in the ſeveral 'Counties of *York*, *Derby*, *Durham*, *Lancaſter*, *Cheſter*, *Weſtmorland*, *Cumberland*, and *Northumberland*, 'that the Rates by this Act directed to be paid by and levied on the Churchwardens and Overſeers of the 'Poor for the Purpoſes aforeſaid, ſhould be paid out of any Rate to be made for the Relief of the Poor 'in ſuch Towns, Pariſhes and Places;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices of the Peace for the reſpective Ridings, Diviſions or Counties of *York*, *Derby*, *Durham*, *Lancaſter*, *Cheſter*, *Weſtmorland*, *Cumberland* and *Northumberland*, at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, if they ſhall think convenient, to order the Sum of Money directed to be aſſeſſed on any ſuch Town, Pariſh

Counties excepted from paying the Rate of this Act out of the Poors Rate.

riſh or Place, for all or any of the Purpoſes of this Act, to be paid by and levied on the Petty Conſtable of or for any ſuch Town, Pariſh or Place within the ſaid Counties reſpectively, in ſuch Manner as the ſame is herein directed to be paid and levied, in Caſes where no Rate is made for the Relief of the Poor; any thing herein contained, or any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Proviſo, in favour of Places heretofore not paying County Rates.

V. Provided always, and be it enacted by the Authority aforeſaid, That this Act, or any thing herein contained, ſhall not extend or be conſtrued to extend to make any Perſons, Liberties, Diviſions or Places liable to pay to any Rate to be made in purſuance of this Act, to which ſuch Perſon, Liberty, Diviſion or Place did not, or was not liable to contribute before the paſſing hereof; but that it ſhall and may be lawful to and for the Juſtices of the Peace at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, to order and aſcertain what Proportion of any Rate to be made by virtue of this Act ſhall be aſſeſſed on and paid by the ſeveral Perſons, Liberties, Diviſions and Places, who have uſually contributed, or are liable to pay only to one or more of, and not to all the Rates hereby intended to be raiſed, and thrown into one general Rate or Aſſeſſment.

High Conſtables to pay the Monies to the Treaſurers appointed by the Quarter-Seſſions;

VI. And be it further enacted by the Authority aforeſaid, That the reſpective high Conſtables ſhall, and they are hereby required, at or before the next General or Quarter-Seſſions reſpectively after they or any of them ſhall have received ſuch Sum or Sums of Money, to pay the ſame into the Hands of ſuch Perſon or Perſons (being reſident in any ſuch County, Riding, Diviſion, City, Liberty or Place where ſuch Rates ſhall be reſpectively made) whom the ſaid Juſtices ſhall at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, appoint to be the Treaſurer or Treaſurers (which Treaſurer or Treaſurers they are hereby authorized and impowered to nominate and appoint) ſuch Treaſurer or Treaſurers firſt giving ſufficient Security in ſuch Sums as ſhall be approved of by the ſaid Juſtices at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, to be accountable for the ſeveral and reſpective Sums of Money which ſhall be reſpectively paid to them in purſuance of this Act, and to pay ſuch Sum or Sums of Money as ſhall be ordered to be paid by the Juſtices in their General or Quarter-Seſſions, and for the due and faithful Execution of the Truſts repoſed in him or them; and all and every ſuch Sum or Sums of Money as ſhall be paid into his or their Hands by virtue of and in purſuance of this Act, ſhall be deemed and taken to be the publick Stock; and the ſaid Treaſurer or Treaſurers ſhall and are hereby required to pay ſo much of the Money in their Hands, to ſuch Perſon and Perſons as the ſaid Juſtices at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, ſhall by their Orders from time to time direct and appoint, for the Uſes and Purpoſes of the ſaid recited Acts, and for any other Uſes and Purpoſes to which the publick Stock of any County, City, Riding, Diviſion or Liberty, is or ſhall be applicable by Law.

and they to whomſoever the Juſtices ſhall direct.

Treaſurers to keep Books of Entries, and to account upon Oath.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid reſpective Treaſurer or Treaſurers ſhall and are hereby required to keep Books of Entries of the ſeveral Sums reſpectively received and paid by him or them in purſuance of this Act; and is and are alſo hereby required to deliver in true and exact Accounts upon Oath if required (which Oath the ſaid Juſtices at their reſpective General or Quarter-Seſſions are hereby impowered to adminiſter) of all and every the Sum and Sums of Money reſpectively received and paid by him or them, diſtinguiſhing the particular Uſes to which ſuch Sum or Sums of Money have been applied, to the Juſtices at every General or Quarter-Seſſions reſpectively to be holden within the Limits of their Commiſſions; and ſhall lay before the Juſtices at ſuch Seſſions the proper Vouchers for the ſame.

High Conſtables Charge.

VIII. And be it further enacted by the Authority aforeſaid, That the reſpective high Conſtables ſhall and they are hereby required to demand and levy ſuch Rates and Aſſeſſments in Manner before directed, and ſhall account for the ſame before the ſaid Juſtices at their reſpective General or Quarter-Seſſions, if thereunto required, in the like Manner as the ſaid Treaſurer or Treaſurers is and are hereby directed to account; and in caſe ſuch high Conſtables, or any of them, ſhall neglect or refuſe ſo to demand, levy or account, then it ſhall and may be lawful to and for the ſaid Juſtices, at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, to commit ſuch high Conſtable or high Conſtables to the common Gaol of the County, Riding, Diviſion, City, Town Corporate, Liberty or Place, there to remain without Bail or Mainprize, until he or they ſhall have cauſed ſuch Rates or Aſſeſſments to be demanded and levied, and ſhall have rendered a true Account or Accounts in the Manner hereby directed; and in caſe it ſhall appear by ſuch Account or Accounts, that any Sum or Sums of Money is or are remaining in his or their Hands, which he or they ſhall have received of the reſpective Churchwardens and Overſeers or other Perſons which ought to have been paid to the reſpective Treaſurer or Treaſurers at the Time or Times limited by this Act, or of the reſpective Treaſurer or Treaſurers, in order to be applied to the Purpoſes aforeſaid; and if he or they ſhall neglect or refuſe to pay the ſame over into the Hands of the reſpective Treaſurer or Treaſurers, or otherwiſe, if thereunto required by Order of the ſaid Juſtices at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled; then it ſhall and may be lawful for the ſaid Juſtices at ſuch their General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, to commit ſuch high Conſtable or high Conſtables to the Common Gaol of the County, Riding, Diviſion, City, Town Corporate, Licerty or Place, there to remain without Bail or Mainprize, until he or they ſhall have made full Payment of the Sum or Sums of Money that ſhall appear to be due on ſuch Account or Accounts; and all the Accounts and Vouchers of the ſaid Treaſurers and high Conſtables ſhall, after having been paſſed by the ſaid Juſtices at their reſpective General or Quarter-Seſſions, be depoſited with the Clerk of the Peace for the time being, of each County reſpectively, or the Town-Clerk, High Bailiff, or Chief Officer of any City, Town Corporate or Liberty, who is and are hereby required to keep them among the Records of ſuch County, City, Town Corporate or Liberty, to be

Penalty on Default.

Vouchers to be kept among the Records of the County, &c.

inſpected

inſpected from time to time by any of the ſaid Juſtices, within the Limits of their Commiſſions, as Occaſion ſhall require, without Fee or Reward.

What ſhall be their reſpective Diſcharge.

IX. And be it further enacted by the Authority aforeſaid, That the Receipts of ſuch reſpective Treaſurer or Treaſurers ſhall be ſufficient Diſcharges to all High Conſtables; and the Diſcharges of the ſaid Juſtices of the Peace, or the greater Part of them, by their Orders made at their reſpective General or Quarter-Seſſions to ſuch Treaſurer or Treaſurers, ſhall be deemed and allowed as good and ſufficient Releaſes, Acquittances, or Diſcharges, in any Court of Law or Equity to all Intents and Purpoſes whatſoever.

The Condition on which new Rates are to be made.

X. And be it further enacted by the Authority aforeſaid, That no new Rate ſhall be made, until it ſhall appear to the ſaid Juſtices at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, by the Accounts of their reſpective Treaſurer or Treaſurers or otherwiſe, that three Fourths of the Money collected by virtue of the preceding Rate have been expended for the Uſes and Purpoſes aforeſaid.

Treaſurer to be continued or removed at the Will of the Quarter-Seſſions.

XI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Juſtices of the Peace at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, to continue from time to time ſuch Treaſurer or Treaſurers in his or their Office or Offices, ſo long as they ſhall ſee convenient, and to remove him or them at their Pleaſure, and appoint any other Perſon or Perſons in his or their Place; and to allow to him or them and every of them inſiſting on the ſame, ſuch reaſonable Sum or Sums of Money for his or their Care and Pains in the Execution of ſuch Truſt, not exceeding twenty Pounds by the Year, as they in their Diſcretions ſhall think fit; which they are hereby impowered to direct the Payment of, out of the Monies ariſing by the reſpective Rates hereby appointed to be made.

Pariſhes over-rated, to appeal to the ſaid Seſſions.

XII. And be it further enacted by the Authority aforeſaid, That in caſe the Church-wardens and Overſeers of any Pariſh or Place ſhall at any Time have Reaſon to believe the ſaid Pariſh or Place is over-rated, ſuch Churchwardens and Overſeers may appeal to the reſpective Juſtices of the Peace at their next General or Quarter-Seſſions, againſt ſuch Part of the Rate only as may affect the Pariſhes or Places in which they ſerve ſuch Offices; which Juſtices, or the greater Part of them then and there aſſembled, are hereby authorized and impowered to hear and finally determine the ſame: Provided nevertheleſs, That upon ſuch Appeal ſuch Rate ſhall not be quaſhed or deſtroyed in regard to any other Pariſhes or Places aſſeſſed thereby.

No Repairs of Bridges, &c. but upon Preſentments of the Grand Jury.

XIII. And be it further enacted by the Authority aforeſaid, That no Part of the Money to be raiſed and collected in purſuance of this Act ſhall be applied to the Repair of any Bridges, Gaols, Priſons, or Houſes of Correction, until Preſentments be made by the reſpective Grand Juries, at the Aſſize, Great Seſſions, General Gaol Delivery, or General or Quarter-Seſſions of the Peace held for any County, Riding, Diviſion, City, Town Corporate or Liberty, of the Inſufficiency, Inconveniency, or Want of Reparation of their Bridges, Gaols, Priſons or Houſes of Correction.

Juſtices to contract with Perſons for publick Repairs;

XIV. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *June* one thouſand ſeven hundred and thirty-nine, when any publick Bridges, Ramparts, Banks or Cops, or other Works, are to be repaired at the Expence of any County, City, Riding, Hundred, Diviſion, Liberty or Town Corporate; it ſhall and may be lawful to and for the Juſtices of the Peace at their General or Quarter-Seſſions reſpectively, or the greater Part of them then and there aſſembled, if they think proper and convenient, after Preſentment to be made as aforeſaid of the Want of Reparation of ſuch Bridges, Ramparts, Banks or Cops, to contract and agree with any Perſon or Perſons for rebuilding, repairing and amending of ſuch Bridges, Ramparts, Banks or Cops, as ſhall be within their reſpective Counties, Cities, Ridings, Hundreds, Diviſions, Liberties or Towns Corporate, and all other Works which are to be repaired and done by Aſſeſſment on the reſpective Counties, Cities, Ridings, Hundreds, Diviſion, Liberties or Towns Corporate, for any Term or Terms of Years, not exceeding ſeven Years, at a certain annual Sum, Payment or Allowance for the ſame; ſuch Contractor or Contractors giving ſufficient Security for the due Performance thereof, to the reſpective Clerk of the Peace for the time being, or the Town Clerk, High Bailiff, or Chief Officer of any City, Town Corporate or Liberty; and that ſuch Juſtices at their reſpective General or Quarter-Seſſions ſhall give publick Notice of their Intention of contracting with any Perſon or Perſons for rebuilding, repairing, and amending the Bridges, Ramparts, Banks or Cops, and other Works aforeſaid; and that ſuch Contracts ſhall be made at the moſt reaſonable Price or Prices which ſhall be propoſed by ſuch Contractors reſpectively; and that all Contracts when agreed to, and all Orders relating thereto, ſhall be entered in a Book, to be kept by the reſpective Clerk of the Peace for the time being, or the Town Clerk, High Bailiff or Chief Officer of any City, Town Corporate or Liberty for that Purpoſe; who is and are hereby required to keep them amongſt the Records of ſuch County, City, Town Corporate or Liberty, to be from time to time inſpected at all ſeaſonable Times by any of the ſaid Juſtices within the Limits of their Commiſſions; and by any Perſon or Perſons employed or to be employed by any Pariſh, Townſhip or Place, contributing to the Purpoſes of this Act, without Fee or Reward.

upon publick Notice;

Juſtices to make but one Rate for Middleſex.

XV. And it is hereby further enacted, That there ſhall be but one Rate made and aſſeſſed by the Juſtices of the Peace of the County of *Middleſex*, in the ſaid County, City and Liberty of *Weſtminſter*, for the ſeveral Purpoſes aforeſaid, and for the Repair of the Gaol commonly called *New Priſon*, in the ſaid County of *Middleſex*.

Proviſo as to the Houſe of Correction at Weſtminſter.

XVI. Provided nevertheleſs, That the Juſtices of the Peace for the City and Liberty of *Weſtminſter*, at their General or Quarter-Seſſions to be holden for the ſame City or Liberty, or the greater Part of them then and there aſſembled, ſhall have full Power to appoint the Governor or Maſter of the Houſe of Correction within the ſaid City or Liberty; who ſhall have ſuch Sum of Money yearly as hath been

accuſtomed for and towards the Support and Maintenance of the Priſoners in his Cuſtody, who ſhall be ſick, or unable to work (not exceeding the preſent Allowance of Fifty Pounds by the Year) and direct the Repairs and Management thereof as they heretofore have done; and the Treaſurer or Treaſurers of the Money ariſing by the Rates in the ſaid County of *Middleſex*, and City and Liberty of *Weſtminſter*, hereby appointed to be collected, ſhall and is and are hereby required to obey all Orders, which ſhall from time to time be made by the ſaid Juſtices of the ſaid City and Liberty, or the greater Part of them then and there aſſembled, at their General or Quarter-Seſſions, for the Payment of any Sum or Sums of Money for the Allowance allotted to ſuch Governor, or Maſter of the Houſe of Correction, and the Repairs thereof; which Orders ſhall be good and ſufficient Diſcharges to ſuch Treaſurer or Treaſurers; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Juſtices impowered to oblige Collectors to account,

XVII. And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, ſhall be and are hereby impowered to oblige, by their Order or Orders, the reſpective High Conſtables and Petty Conſtables, or any other Perſon or Perſons who are or have been impowered to levy, collect or receive any Sum or Sums of Money by virtue of and for the Purpoſes aforeſaid, and who have any Sum or Sums of Money in their Hands, to account with them at their General or Quarter-Seſſions, in ſuch Manner as High Conſtables are directed to account by virtue of this Act; and in caſe ſuch High Conſtables or Petty Conſtables, or other Perſon or Perſons, ſhall refuſe to account, or to pay over the Money that ſhall remain in their or any of their Hands, when thereunto required by Order of the ſaid Juſtices or the greater Part of them in their reſpective General or Quarter-Seſſions aſſembled; in either of the ſaid Caſes the ſaid Juſtices ſhall have the like Remedy againſt them or any of them, as they have againſt the High Conſtables by virtue of this Act, for not accounting for or paying over the Money remaining in their Hands: And it ſhall and may be lawful to and for the ſaid Juſtices at their reſpective General or Quarter-Seſſions, or the greater Part of them then and there aſſembled, and they are hereby impowered, to direct and order the Payment of the reſpective Sums of Money which ſhall appear to be remaining due, and not applied or diſpoſed of, into the Hands of the reſpective Treaſurer or Treaſurers to be appointed by this Act; which ſhall be deemed to be Part of the Stock of the ſaid Counties, Cities, Ridings, Diviſions, Liberties or Places reſpectively; and to enquire what Sums of Money are due and owing for the Purpoſes aforeſaid; and then to order the Payment of ſuch Sums as ſhall appear to them upon ſuch Enquiry to be juſtly due and owing.

and to order the Monies unapplied to be paid to the Treaſurer.

No Action againſt Perſons collecting on Rates diſcharged by *Certiorari*, &c.

but the Perſons over rated to be relieved.

XVIII. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons who has or have been or ſhall be employed in the collecting or receiving any Money in purſuance of the ſaid recited Acts, or this preſent Act, on any Rate or Rates which has or have been or ſhall be quaſhed or diſcharged on any *Certiorari* brought or to be brought in any of his Majeſty's Courts of Record at *Weſtminſter*, or otherwiſe, for any Money collected or received, or to be collected or received on any ſuch Rate or Rates, before ſuch Writ of *Certiorari* was or ſhall be brought and allowed; and that Juſtice may be done to ſuch Perſons who ſhall or may pay towards any Rate which ſhall be quaſhed or diſcharged, the ſeveral Sums of Money which ſhall appear to have been paid by them on ſuch Rate, either in whole, or in part, more than they ought to have paid, ſhall be repaid, or allowed to them in the next Rate or Rates which ſhall be made in purſuance of this Act, as if the ſame had been paid on ſuch new Rate or Rates; any thing in any former Act, or any Law, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Such Collectors obliged to Payment.

XIX. Provided nevertheleſs, and it is hereby further enacted, That all and every ſuch Perſon and Perſons ſo employed or to be employed ſhall account for and pay over the Money by them reſpectively received, in the ſame Manner, and under the like Penalties for any Neglect or Refuſal therein, as are to be inflicted by virtue of this Act on any Perſon or Perſons neglecting or refuſing to account for, or pay over any Money remaining in his or their Hands, which he or they have received in purſuance hereof; any thing in any of the ſaid recited Acts contained to the contrary thereof in any wiſe notwithſtanding.

Juſtices of Middleſex to have the ſame Power at their General as at their Quarter-Seſſions.

XX. And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace for the ſaid County of *Middleſex* at their General Seſſions of the Peace to be holden for the ſaid County ſhall have the ſame Powers and Authorities to put this Act in Execution, as are hereby given them at their General Quarter-Seſſions; any thing in this, or any former Act, or any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Writ of *Certiorari* on what Terms iſſuable.

XXI. And be it further enacted by the Authority aforeſaid, That no Writ of *Certiorari*, to remove any Rates made in Purſuance of this Act, or to remove any Orders or other Proceedings taken or made by the ſaid reſpective General or Quarter-Seſſions touching ſuch Rates, ſhall be taken out or granted, but upon a Motion to be made ſome time in the firſt Week of the next Term after the Time for appealing from ſuch Rates or Orders is expired, and upon making it appear to the Court by Affidavit or otherwiſe, that the Merits of the Queſtion upon ſuch Appeal or Orders will by ſuch Removal come properly in the Judgment of the ſaid Court; and that no ſuch Writ of *Certiorari* ſhall be alowed until ſufficient Security be given to the reſpective Treaſurer or Treaſurers appointed by virtue of this Act, in the Sum of one hundred Pounds, to proſecute ſuch Writ of *Certiorari* with Effect, and to pay the Coſts to be aſcertained by the Court to which ſuch Rates, Orders or Proceedings ſhall be removed, in caſe ſuch Rates or Orders ſhall be confirmed; nor ſhall any ſuch Rates, Orders or Proceedings be quaſhed or vacated for want of Form only; and all Charges attending ſuch Removal ſhall be defrayed out of that or any ſubſequent Rate.

XXII. And

Part of the Acts 14 & 43 Eliz. and 9 Car. 2. repealed.

XXII. And be it futher enacted by the Authority aforefaid, That fo much of the before recited Act paffed in the fourteenth Year of the Reign of Queen ELIZABETH, as relates to the Method of taxing Parifhes for the Relief of Prifoners; and fo much of the faid Act of the forty-third Year of the fame Reign, as relates to the Method of raifing Money for the *King's Bench* and *Marfhalfea* Prifons, Hofpital and Alms-houfes; and fo much of the faid Act of the nineteenth Year of the Reign of King CHARLES the Second, as relates to the Method of rating Parifhes for providing Materials for the fetting poor Prifoners on work, fhall be repealed, and be abfolutely null and void.

Manner of the Payment of the King's Bench and Marfhalfea Money. 11 Geo. 2. c. 20.

XXIII. Provided nevertheleſs, That fuch Sums as have been annually paid to the *King's Bench* and *Marfhalfea* Prifons, fhall be paid out of the Monies arifing by virtue of this Act, at fuch Times, and in fuch Manner, as is prefcribed in and by an Act paffed in the eleventh Year of the Reign of his prefent Majefty, intituled, *An Act for the more effectual fecuring the Payments of certain Sums of Money, directed by an Act made in the forty-third Year of the Reign of Queen* ELIZABETH, *intituled*, An Act for the Relief of the Poor, to be paid by the refpective Treafurers of every County of *England* and *Wales*, for the Relief of the poor Prifoners of the *King's Bench* and *Marfhalfea* Prifons; and fuch Money as fhall be judged neceffary by the Juftices of the Peace in Seffions to be applied in purfuance of the faid recited Act of the fourteenth Year of the Reign of Queen ELIZABETH, for the Relief of Prifoners, and of the faid Act of the nineteenth Year of the Reign of King CHARLES the Second, for providing Materials for the fetting poor Prifoners on work, fhall be paid out of the Monies arifing by this Act.

Limitation of Actions.

XXIV. And be it further enacted by the Authority aforefaid, That if any Action or Suit fhall be commenced againſt any Perſon or Perſons for any thing that fhall be done in purſuance or by the Authority of this preſent Act, in every ſuch Caſe the Action or Suit ſhall be commenced within three Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the reſpective County in which the Cauſe of Action or Suit ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit to be brought ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to be done, or that ſuch Action or Actions ſhall be brought after the Time before limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County or Place; that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her or their Actions or Suit, after the Defendant or Defendants hath or have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Treble Coſts.

CAP. XXX.

An Act for granting a Liberty to carry Sugars, of the Growth, Produce or Manufacture of any of his Majeſty's Sugar Colonies in *America*, from the ſaid Colonies directly to Foreign Parts, in Ships built in *Great Britain*, and navigated according to Law.

12 Car. 2. c. 18. 15 Car. 2. c. 7. 25 Car. 2. c. 7.

'WHEREAS by an Act made in the Twelfth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for encouraging and increaſing of Shipping and Navigation*, and another 'Act made in the fifteenth Year of the ſaid King, intituled, *An Act for the Encouragement of Trade*, and 'another Act made in the five and twentieth Year of the Reign of the ſaid King, intituled, *An Act for 'the Encouragement of the* Greenland *and* Eaſtland *Trade, and for the better ſecuring the Plantation Trade*; 'which Acts have been by ſubſequent Acts ſince continued, and are now in Force, all Sugars of the 'Growth or Production of the *Engliſh* Plantations in *America*, *Aſia* or *Africa*, are obliged to be import-'ed into *England*, *Wales* or *Berwick upon Tweed*, or to ſome other of the *Britiſh* Plantations in *America*, 'under ſuch Securities and Penalties as other enumerated Goods and Commodities of the Growth, 'Production or Manufacture of the ſaid Plantations, are ſubjected to by the ſaid Acts, ſome or one of 'them: And whereas his Majeſty's Sugar Colonies in *America* are of great Importance to the Trade, 'Navigation and Strength of this Kingdom: And whereas the Planters of the ſaid Sugar Colonies are 'unable to improve or carry on the Sugar Trade on an equal Footing with Foreign Sugar Colonies, 'without ſome Advantages and Relief be given them from *Great Britain:* And whereas it is reaſonable 'to expect, that not only the Produce of the ſaid Commodity in the ſaid Colonies, but alſo the Expor-'tation thereof, would be greatly increaſed, for the mutual Benefit of this Kingdom and the ſaid Colo-'nies, if (notwithſtanding the Laws relating to Navigation and Trade to and from the Plantations) Li-'berty or Licence were granted for Ships built in and ſailing from *Great Britain*, and chiefly owned 'by the Subjects of his Majeſty reſiding in *Great Britain*, to load Sugars in the ſaid Colonies, and to 'carry the ſame directly to any Foreign Ports in *Europe*, firſt touching at ſome Port or Ports in *Great 'Britain* (except where ſuch Ship goes to the Southward of *Cape Finiſterre*) whereby the ſaid Sugars 'will arrive at ſuch Ports ſooner, with leſs Charge, and in better Condition for the Conſumption there-'of:' For this End, and to encourage his Majeſty's Subjects in the *Britiſh* Sugar Colonies in *America* to improve and extend their Settlements there, and to prevent any Prejudice or Damage to this Nation, which might happen thereby from any unlawful Commerce between the Plantations and any Foreign Countries, and to ſecure the Navigation, Shipping, Intercourſe and Dependence on *Great Britain*; May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal,

poral, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid three Acts paſſed in the twelfth, fifteenth, and five and twentieth Years of the Reign of the late King CHARLES the Second, ſo far as the ſame extend to Sugar of the Growth and Produce of his Majeſty's Plantations in *America*, being one of the Commodities enumerated in the ſaid Acts, ſhall be and are hereby ratified and confirmed, as to all Perſons, Ships, Veſſels or Places, in all reſpects whatſoever; except only as to ſuch Sugars as by this Act ſhall be permitted or allowed to be exported from his Majeſty's ſaid Sugar Colonies in *America*, by ſuch Perſons, and in ſuch Ships and Veſſels, and to ſuch Foreign Countries and Places, and under ſuch Entries, Securities, Reſtrictions, Regulations, Limitations, Penalties and Forfeitures, as are herein after particularly deſcribed, appointed, limited and enacted for that Purpoſe.

The ſaid Acts ratified, with Exception.

II. And be it enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine, it ſhall and may be lawful, notwithſtanding any of the Acts aforeſaid, or any other Act of Parliament, for any of his Majeſty's Subjects, in any Ship or Veſſel built in *Great Britain*, and navigated according to Law, and belonging to any of his Majeſty's Subjects, of which the major Part ſhall be reſiding in *Great Britain*, and the Reſidue ſhall be reſiding either in *Great Britain* or in ſome of his Majeſty's Sugar Colonies in *America*, and not elſewhere, that ſhall clear outwards in any Port of *Great Britain* for any of the ſaid Colonies, to ſhip or load in the ſaid Colonies, or any of them, any Sugars of the Growth, Produce and Manufacture of the ſaid Colonies, or any of them, and to carry the ſame from thence to any Foreign Part of *Europe*; provided a Licence be firſt taken out for that Purpoſe under the Hands of the Commiſſioners of his Majeſty's Cuſtoms at *London* or *Edinburgh*, or any three or more of them reſpectively, ſubject to the Regulations, and on the Conditions hereafter mentioned, that is to ſay, That Notice be firſt given in Writing by the Maſter or other Perſon having the Command, or taking the Charge of, or by one or more Owner or Owners of ſuch Ship or Veſſel to the Cuſtomer, or Collector, and Comptroller of ſuch Port in *Great Britain*, where ſuch Ship or Veſſel ſhall happen to be, of the Intention of ſuch Maſter or other Perſon, or any Owner, that ſuch Ship or Veſſel ſhall proceed to the ſaid Sugar Colonies, or ſome of them, in order to lade Sugars to be carried to ſome other Part of *Europe* than *Great Britain*; and that ſuch Maſter, or other Perſon taking Charge of ſuch Veſſel as aforeſaid, or Owner, ſhall enter into Bond, to the Uſe of his Majeſty, his Heirs and Succeſſors, with one or more ſufficient Securities, in the Sum of one thouſand Pounds, if the Ship be of leſs Burthen than one hundred Tons; and in the Sum of two thouſand Pounds, if ſhe be of that or greater Burthen; with Condition, that in caſe a Licence be granted, giving Liberty to ſuch Ship or Veſſel to lade and carry Sugars from his Majeſty's Sugar Colonies to Foreign Parts, that ſuch Ship or Veſſel ſhall proceed from *Great Britain* to the ſaid Sugar Colonies, and ſhall deliver the ſaid Licence to the Collector, Comptroller and Naval Officer there, in caſe he intends to make uſe of the Liberty granted by ſuch Licence, which he ſhall declare in Writing to the Collector, Comptroller and Naval Officer, before he takes any Goods on board, and that in ſuch Caſe, no Tabacco, Molaſſes, Ginger, Cotton, Wooll, Indigo, Fuſtick, or other Dying-wood, Tar, Pitch, Turpentine, Hemp, Maſts, Yards, Bowſprits, Copper Ore, Beaver Skins, or other Furrs, of the Growth, Production or Manufacture of any *Britiſh* Plantation in *America* ſhall be taken on board any ſuch Ship or Veſſel, unleſs it be for the neceſſary Proviſions in her Voyage; and that ſuch Ship or Veſſel, before ſhe proceeds to any Foreign Port or Place, ſhall touch at ſome Port in *Great Britain*; and that the Maſter or Perſon having the Command of ſuch Ship ſhall deliver to the Cuſtomer or Collector and Comptroller of ſuch Port, a true and exact Manifeſt atteſted upon Oath, or if a *Quaker* by Affirmation, of the whole Lading, mentioning the Marks, Numbers, Package and Contents of all the Goods on board; and ſhall alſo bring back and produce to them the Licence granted for ſuch Ship or Veſſel to carry ſuch Sugars to Foreign Parts, with a Certificate indorſed on ſuch Licence, or affixed thereto, containing an Account of the Marks, Numbers, Package, Contents and Sorts of all the Sugars laden on board ſuch Ship or Veſſel in the Manner directed by this Act, as is herein after mentioned; and that when ſuch Ship or Veſſel hath diſcharged her Lading ſo taken on board in ſome foreign Part (the Danger of the Seas and Enemies excepted) ſhe ſhall proceed for, and return to, *Great Britain*, within eight Months after ſhe ſhall have delivered her Lading in any foreign Part, and before ſhe returns to any of his Majeſty's Plantations in *America*; and that in caſe ſuch Ship or Veſſel ſhall take on Board any Goods or Merchandizes before her Return to *Great Britain*, all ſuch Goods and Merchandizes that ſhall remain on board the ſaid Ship on her Arrival in *Great Britain*, ſhall be entered and landed on the Return of ſuch Ship or Veſſel to *Great Britain*, in like Manner as all other Ships and Veſſels importing Goods into this Kingdom are obliged to do by the Laws of the Cuſtoms; or otherwiſe ſuch Bond ſhall be forfeited.

Conditions on which Sugars may be carried from the American Colonies directly to Foreign Parts. Extended to all Britiſh Ships, by 15 Geo. 2. c. 31. ſec. 5.

III. And it is further enacted by the Authority aforeſaid, That upon ſuch Bond being entered into, and other Requiſites before-mentioned being duly complied with, a Licence ſhall be granted accordingly, giving Liberty for that Voyage only, to load and carry Sugars of the Growth and Production of his Majeſty's Sugar Colonies to any foreign Part, in the Manner, and according to the Purport and Intention of this Act: Provided nevertheleſs, That no Ship or Veſſel ſhall have Licence to carry Sugar to foreign Parts by virtue of this Act, unleſs it ſhall firſt appear by Oath, or in caſe of a *Quaker* by Affirmation, of the Maſter or Perſon taking Charge of ſuch Ship or Veſſel, that the Property thereof is in his Majeſty's Subjects, of which the major Part are reſiding in *Great Britain*, and the Reſidue reſiding either in *Great Britain*, or in ſome of his Majeſty's Sugar Colonies in *America*, and not elſewhere; ſuch Oath or Affirmation to be in the Form, and according to the Directions herein after mentioned; that is to ſay;

Oath to be taken that the Ship belongs to Britiſh Subjects, before Licence given.

The Oath.

A. B. { maketh Oath / or / ſolemnly declares and affirms } that the { Ship / or / Veſſel } called the [*name*] whereof he this { Deponent / or / Affirmant } is Maſter, and hath the Charge and Command for this preſent Voyage to [*Place bound to*] being [*deſcribe the Built*] { Ship / or / Veſſel } of the Burthen of [*Number*] Tons was built at [*Place*] in the Year [*Time when*] and that the ſaid { Ship / or / Veſſel } is wholly owned by the { Perſon / or / Perſons } whoſe { Name / or / Names } and uſual { Place / or / Places } of Abode { is / or / are } under-mentioned and ſubſcribed by this Deponent or Affirmant, that ſuch { Owner / or / Owners } { is / or / are } His Majeſty's *Britiſh* { Subject / or / Subjects } and that no Foreigner directly or indirectly hath any Share, Part, or Intereſt in the ſaid { Ship / or / Veſſel } to the beſt of this { Deponent's / or / Affirmant's } Knowledge or Belief; and that he this { Deponent / or / Affirmant } and Three Fourths of the Mariners navigating the ſaid { Ship / or / Veſſel } are His Majeſty's *Britiſh* Subjects.

Penalty on taking in foreign Goods.

IV. And be it further enacted, That in caſe any Ship or Veſſel, licenſed by virtue of this Act ſhall take on Board in any of the Sugar Iſlands, or in her Voyage from thence, any Sugars, or other Goods, being the Property of any other Perſon than ſome of his Majeſty's Subjects, and ſuch as ſhall be ſhipped and laden on their proper Riſque and Account, to be carried to foreign Parts; then all ſuch Sugars or other Goods ſo laden on ſuch Ship ſhall be forfeited and loſt.

Conditions previous to the lading Sugars, &c. at the ſaid Colonies.

V. And be it further enacted, That before any Sugar be loaden or put on Board any Ship or Veſſel at the ſaid Colonies, or any of them, by virtue of the ſaid Licence, to be carried to any foreign Port in *Europe*, the Maſter, or other Perſon having or taking Charge of ſuch Ship or Veſſel, ſhall deliver to the Collector of the Port where ſuch Ship is to take in her Lading, the ſaid Licence ſigned by the Commiſſioners of the Cuſtoms, and a Certificate of ſuch Bond having been given in *Great Britain* as aforeſaid; and ſhall declare in Writing to the Collector, whether he intends to load any Sugar purſuant to ſuch Licence, which ſhall be done before any Goods are laden on Board ſuch Ship or Veſſel, otherwiſe ſuch Licence ſhall be invalid and of no Force and Virtue; but if it ſhall be declared as aforeſaid, that Sugars are intended to be laden and carried to foreign Parts, purſuant to ſuch Licence, then in order to aſcertain the Quantity, Quality, Sort or Denomination of the Sugars to be exported in every ſuch Ship from the ſaid Colonies, or any of them, purſuant to ſuch Licence, and the Liberty granted by this Act, and to prevent the Exportation from the ſaid Colonies of any Goods before enumerated, the Merchant or other Perſon intending to export any Sugars or other Goods not enumerated in ſuch Ship or Veſſel, ſhall, before the ſame, or any Part thereof, are ſhipt or put on Board, make an Entry or Entries of ſuch Sugars, or other Goods not enumerated, in Writing, with the Collector and Comptroller of his Majeſty's Cuſtoms, and the Naval Officer, expreſſing the Name of the Ship and the Maſter, on which ſuch Sugars or other Goods not enumerated, are to be laden, and where ſhe lies; and alſo the Places, Keys or Wharfs where they are to be laden, or firſt Water-borne in order to be laden; which ſhall be ſuch only where an Officer or Officers are or ſhall be appointed to attend the lading and ſhipping thereof, or at ſuch Places as ſhall be mentioned in a Sufferance or Warrant to be taken out from the Collector and Comptroller for that Purpoſe; and ſhall thereon take out from the ſaid Collector and Comptroller a Cocquet or Warrant accordingly, whereon ſhall be indorſed by the Exporter the Marks, Numbers, Contents, Sorts, or proper Denomination of ſuch Sugars, and ſhall deliver the Cocquet or Warrant ſo endorſed to the Searcher or other Officer appointed for the examining and ſhipping thereof, and ſhall ſhip or lade ſuch Sugars in the Preſence of ſuch Officer or Officers, or at ſuch Places as ſhall be mentioned in the ſaid Sufferance or Warrant, that the proper Officer or Officers may attend the ſhipping thereof; and

Penalty on Fraud in the Shipping.

ſuch Officer or Officers are hereby impowered to examine the ſame before they are put on Board; and if upon examining the ſaid Sugars, or any Goods or Package, which ſhall be ſhipt, or brought to be ſhipt as ſuch, by Virtue of ſuch Cocquet or Warrant, either before or after the ſhipping thereof, the Number of Casks ſhall appear to be greater than is endorſed thereon, or if there ſhall be found any other Sugar but ſuch as ſhall be ſo endorſed on ſuch Cocquet or Warrant taken out and delivered as aforeſaid, or any of the Goods before enumerated, which by Law are to be carried from thence only to *Great Britain*, or ſome of his Majeſty's other Plantations in *America*; or if it ſhall be diſcovered that any enumerated Goods, other than Sugar, have been laden or put on Board any Ship or Veſſel, having Liberty to trade by virtue of this Act, or ſhall be brought to be ſhipped on Board ſuch Ship or Veſſel, or ſhall be put into any Hoy, Lighter, Bottom, Boat, or other Veſſel, in order to be put on Board ſuch Ship or Veſſel, before ſuch Entry, or taking out ſuch Cocquet or

or Warrant, endorſing and delivering of the ſame, and not being ſhipped in the Manner aforeſaid, but ſhall be put on Board, or attempted to be put on Board, contrary to the Directions of this Act; all ſuch Sugar and other Goods ſo ſhipped, or brought to be ſhipped, in any of the Caſes aforeſaid, ſhall be forfeited and loſt, as alſo the Hoy, Lighter, Bottom, Boat, or other Veſſel or Carriage whatſoever employed in ſhipping, or attempting to ſhip any enumerated Goods, other than Sugars, together with the Ship or Veſſel on which ſuch other enumerated Goods ſhall be laden; and the Owner of ſuch Sugar or other Goods ſhall alſo forfeit double the Value thereof, to be recovered in the Court of Vice Admiralty, held in any of his Majeſty's Plantations in *America*, or in any other Court of Record, in any of his Majeſty's Plantations in *America*, at the Election of the Informer or Proſecutor; one third Part to be to the Uſe of his Majeſty, his Heirs and Succeſſors, one third Part to the Governor of the ſaid Colony, and the other one third to the Informer or Proſecutor; and before ſuch Ship or Veſſel ſhall depart from the ſaid Colonies with the Sugar laden as aforeſaid, the Maſter or other Perſon having or taking Charge thereof ſhall receive the ſaid Licence from the Collector and Comptroller and Naval Officer, with a Certificate endorſed thereon, or affixed thereto, under their Seals of Office, containing an Account of the Marks, Numbers, Contents and Sorts of each Caſk of ſuch Sugar ſo ſhipt on Board; which Endorſement or Certificate ſhall be ſigned by the ſaid Collector and Comptroller and Naval Officer; and the Collector and other Officers aforeſaid ſhall make two Copies of ſuch Licence, Endorſements or Certificates; for all which Entries, Cocquets, Endorſements and Certificates, or Copies, no more ſhall be taken by the ſaid Officers than the legal and accuſtomed Fees; and the Maſter or other Perſon having or taking Charge of ſuch Ship, ſhall, before he receives the ſaid Licence, atteſt the ſaid Copies under his Hand, which are to be left with the Collector and Comptroller and Naval Officer; and the ſaid Collector and Comptroller are hereby required, as ſoon as conveniently they can, to tranſmit one of the ſaid Copies of the Endorſements or Certificates to the Commiſſioners of the Cuſtoms in *Great Britain* reſpectively, by whom the Licence was granted when the ſaid Ship or Veſſel ſet ſail from *Great Britain*; and the ſaid Maſter, or other Perſon, having or taking Charge of ſuch Ship, ſhall proceed from the ſaid Sugar Colonies directly to *Great Britain*, without putting into any other Port or Place, unleſs forced by Streſs of Weather, Proof whereof ſhall in ſuch Caſe be made on Oath to the Satisfaction of the Commiſſioners of the Cuſtoms in *Great Britain* reſpectively; and on the Return of ſuch Ship or Veſſel to *Great Britain*, the ſaid Maſter or other Perſon ſhall produce and deliver the ſaid Licence to the ſaid Commiſſioners of his Majeſty's Cuſtoms reſpectively, or to the Collector and Comptroller of the Port at which ſhe ſhall arrive, immediately on ſuch her Arrival, with the Indorſement made thereon, or Certificate annexed thereto, by the Collector and Comptroller, of the Marks, Numbers, Contents, Sorts or Denomination of ſuch Sugars loaden on Board in the ſaid Colonies, or any of them, as herein before directed; and ſhall alſo deliver a true and exact Manifeſt, expreſſing the Marks and Numbers, with the Tale and Sorts of Caſks of all his Lading, atteſted upon Oath, or, if a *Quaker*, by Affirmation, before the Collector and Comptroller of ſuch Port where he ſhall arrive, who are hereby impowered to adminiſter the ſame; and ſhall alſo make an Entry or Entries of the Quantities and Sorts of all the Sugars which were laden on Board the ſaid Ship at any of the ſaid Colonies as aforeſaid, and then remaining on Board and bound to foreign Parts; which Entry or Entries the Cuſtomer or Collector and Comptroller of ſuch Port are to paſs without demanding or receiving any Cuſtom or Duties for ſuch Sugar; mentioning in their Accounts, that ſuch Entries were paſſed by virtue of this Act; and ſhall alſo declare on Oath, or if a *Quaker* on his Affirmation, to what foreign Port or Ports he is bound with ſuch Lading; then ſuch Maſter, or other Perſon, having Charge of ſuch Ship or Veſſel, ſhall be at Liberty to proceed with all the Goods on Board mentioned in ſuch Manifeſt, being none of the Goods before enumerated, to any foreign Port or Place whatſoever, without being obliged to land or pay Duty for the ſame as aforeſaid, taking with him the ſaid Licence, and a Certificate thereon or annexed thereto, under the Seals of Office from the ſaid Cuſtomer or Collector and Comptroller, teſtifying that the ſaid Ship or Veſſel, and the Maſter or other Perſon having Charge thereof, had touched at ſuch Port, and had in all reſpects complied with the Directions of this Act: But in caſe any ſuch Veſſel ſhall proceed to any foreign Part without having firſt touched at ſome Port in *Great Britain*, and having complied with the ſeveral Directions of this Act, and having the ſame certified as aforeſaid; or in caſe any Goods of the Growth, Produce or Manufacture of any of the *American* Colonies or Plantations, enumerated as aforeſaid, beſides Sugars, ſhall be found on Board, or carried by any ſuch Ship or Veſſel to any foreign Parts; then the Liberty granted by ſuch Licence ſhall ceaſe, and become void and of none Effect; and ſuch Ship or Veſſel, and alſo the Maſter or other Perſon, having or taking Charge of ſuch Ship or Veſſel, and all others concerned, ſhall be liable and ſubject to all and every the ſame Penalties and Forfeitures as they would have been ſubject and liable to in caſe this Act had not been made.

Maſter to have a Licence and Certificate before the Veſſel departs;

to be delivered on her Return to Great Britain to the Commiſſioners or Collector of the Port.

Oath to be taken,

and Entry to be made.

Penalty on going to foreign Parts without touching at ſome Port in Great Britain.

VI. And in order to diſcover whether any Goods before mentioned and herein before enumerated, beſides Sugars, have, contrary to this Act, been taken or laden on Board any Ship or Veſſel as ſhall lade Sugars by virtue of ſuch Licence, and ſhall touch at ſome Port of *Great Britain*, in order to proceed to foreign Parts; Be it further enacted by the Authority aforeſaid, That if the Commiſſioners of his Majeſty's Cuſtoms in *Great Britain* reſpectively, or the Cuſtomer or Collector and Comptroller of the Port where ſuch Ship or Veſſel ſhall touch, ſhall, upon Information on Oath, have ſufficient Cauſe to ſuſpect that ſome enumerated Goods, other than Sugars, are on Board ſuch Ship or Veſſel, and ſhall thereupon judge it neceſſary to take out or unlade the Goods from any ſuch Ship or Veſſel, or any Part thereof; in ſuch Caſe it ſhall and may be lawful for any Officer or Officers of his Majeſty's Cuſtoms, or any Perſon or Perſons employed by them, to enter and remain on Board ſuch Ship or Veſſel, and to unlade the ſame, or any Part thereof, as they ſhall judge neceſſary, to enable them to examine

Officers of the Cuſtoms impowered to examine ſuſpected Ships.

any Part of ſuch Ship or Veſſel, and all the Goods on Board, and to detain her ſo long as ſhall be neceſſary for that Purpoſe; and alſo to open and examine any Cabbins, Lockers, falſe Bulk-head or any Concealments, or other Places in the Sides of ſuch Ship or Veſſel, or any other Part thereof, or to open and examine any Cheſt, Trunk, Box, Caſk, Caſe or Package whatſoever, to diſcover whether any more or other Goods are on Board, other than ſuch as are mentioned in the Manifeſt delivered by the Maſter, and to ſeize and bring on Shore all Goods or Merchandizes not mentioned therein; and all ſuch Goods ſhall be forfeited and loſt, and ſhall and may be proſecuted and divided in the Manner hereafter mentioned: Provided, That in caſe no Goods be found on Board ſuch Ship or Veſſel, but what are mentioned in the Manifeſt delivered by the Maſter, that then the Officer or Officers who ſhall land or take any Goods out of ſuch Ship or Veſſel, or open any Part of ſuch Ship or Veſſel, or unpack any Goods, ſhall reload and repack the ſame, and repair ſuch Damage as ſhall be done by landing, unloading or unpacking thereof, without being liable to any other Coſts or Damages for Demurrage, or on any other Account whatſoever; but if any other Goods are found on Board, beſides ſuch as are mentioned in the Maſter's Manifeſt (except the neceſſary Proviſions of the Ship for the Voyage) then the Maſter, or other Perſon having Charge thereof, ſhall be at the Charge of reloading and repacking all the Goods unladen or opened, and of repairing all other Damages whatſoever occaſioned thereby, or in opening or examining the Sides of the Ship or otherwiſe, in the Execution of this Act; and the Officer or Officers concerned ſhall not be at any Expence, or incur or be liable to any Coſts or Damages whatſoever.

If there be no Fraud, Officers to reload and repair Damages.

VII. And be it further enacted and declared by the Authority aforeſaid, That if any Ship or Veſſel ſhall have on Board any Sugar, for which Licence ſhall have been granted as aforeſaid, or any other Goods that are not enumerated in the Acts before-mentioned; and the Owner or Owners thereof, his or their Factor or Agent, ſhall, on the Arrival of ſuch Ship or Veſſel in any Port of *Great Britain*, be deſirous to enter and pay his Majeſty's Duty, and land the ſaid Goods, or any Part thereof; he or they ſhall have Liberty ſo to do; the Maſter of the Ship firſt making a Report of his whole Lading, with the proper Officers of the Cuſtoms, in like Manner as he was required by Law to do before the making of this Act.

Sugars, &c. may be landed in Great Britain, on paying the Duties.

VIII. Provided nevertheleſs, and be it further enacted and declared by the Authority aforeſaid, That if the ſaid Maſter or other Perſon having or taking Charge of ſuch Ship or Veſſel, for which a Licence ſhall have been granted as aforeſaid, ſhall on his Arrival in any of his Majeſty's ſaid Sugar Colonies have delivered to the Collector, Comptroller and Naval Officer, the ſaid Licence, with a Certificate of Bond being given in *Great Britain* as aforeſaid, and ſhall, before he lades any Goods, declare in Writing, upon Oath, or if a *Quaker*, on his Affirmation, before them or any two of them (which Oath or Affirmation, they are hereby impowered to adminiſter, and to endorſe the ſame on the Back of ſuch Licence, where it ſhall be atteſted by them) that the Sugars he intends to load purſuant to ſuch Licence, are to be carried to ſome Port or Ports, Place or Places, to the Southward of *Cape Finiſterre*; then the ſaid Maſter or other Perſon may, in caſe he has in all Reſpects complied with the ſeveral Directions in this Act, proceed thither directly with ſuch Ship or Veſſel and her Lading accordingly, taking with him ſuch Licence, and Oath or Affirmation endorſed thereon as aforeſaid, together with an Account of the Marks, Numbers, Package, Contents and Sorts of Sugars laden by virtue of ſuch Licence, likewiſe endorſed thereon, or contained in a Certificate annexed thereto, in the Manner before directed, and may there land the ſame, without firſt touching at any Port in *Great Britain*; any thing in this Act to the contrary notwithſtanding: But in ſuch Caſe the Maſter, or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall within eight Months after landing the ſaid Sugars at ſuch Port or Place, Ports or Places, and before ſuch Ship or Veſſel ſhall go again to any of his Majeſty's Plantations in *America*, return to ſome Port of *Great Britain*, and on his Arrival there deliver his ſaid Licence to the Commiſſioners of the Cuſtoms reſpectively, or the Cuſtomer or Collector and Comptroller of ſuch Port, with ſuch Oath or Affirmation endorſed thereon, and an Account of the Lading endorſed likewiſe thereon, or contained in a Certificate annexed thereto as aforeſaid, together with a Certificate from the Conſul, or two known *Britiſh* Merchants of good Credit reſiding at the Ports or Places where ſuch Sugars were landed, teſtifying the Landing thereof as aforeſaid; and the Maſter, or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall likewiſe make Oath, or, if a *Quaker*, make a ſolemn Affirmation, before the Cuſtomer or Collector and Comptroller, to the Truth of ſuch Certificate; and that none of the Goods before enumerated, except Sugar, were taken on Board at any of the ſaid Colonies, or landed at the Port or Place mentioned in the ſaid Certificate; and the Maſter, or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall likewiſe make an Entry or Entries with ſuch Cuſtomer or Collector and Comptroller of the Quantity and Sorts of all the Sugars laden on Board the ſaid Ship or Veſſel at any of the ſaid Colonies as aforeſaid, and landed at any Port or Place to the Southward of *Cape Finiſterre*; which Entry or Entries the Cuſtomer or Collector and Comptroller are to paſs, without demanding or receiving any Cuſtom or Duties for the ſame, mentioning in their Accounts, that ſuch Entries were paſſed by virtue of this Act; and in caſe the Maſter, or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall neglect or refuſe to make an Entry or Entries of ſuch Sugars ſo landed as aforeſaid, with the Cuſtomer or Collector and Comptroller of the Port where he ſhall arrive, on his returning to *Great Britain*, he ſhall forfeit and loſe one hundred Pounds, whereof one Moiety ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as will ſue for and recover the ſame.

Sugars with a Licence may be carried to the Southward of Cape Finiſterre, without touching at Great Britain;

but to return thither within 8 Months after landing with the Licence and Certificate.

Oath and Entry to be made.

IX. And be it further enacted by the Authority aforeſaid, That upon the Return to *Great Britain* of any Ship or Veſſel which ſhall, purſuant to the Liberty given by this Act, carry Sugars from his Majeſty's Sugar Colonies to any foreign Parts, the Maſter, or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall in either Caſe before mentioned bring back and deliver to the Commiſſioners of the

On performing the Requiſites, Bond to be diſcharged; or otherwiſe forfeited.

Cuſtoms reſpectively, or to the Cuſtomer or Collector and Comptroller of the Port in *Great Britain*, where ſuch Ship or Veſſel ſhall arrive, the ſaid Licence, together with a Certificate ſigned and ſealed by the Conſul, or two known *Britiſh* Merchants of good Credit at the Port or Place where ſuch Sugar was landed, certifying the Landing thereof, with the Number of Caſks of Sugar ſo landed, and the Mark, Number and Contents of each Caſk, with the Name of the Ship and Maſter; and that they verily believe that no Tobacco or other Goods before enumerated (except Sugar) have been there landed out of ſuch Ship or Veſſel; and upon ſuch Licence being returned, with the Oath or Affirmation of the Maſter, and an Account of the Lading endorſed thereon or annexed thereto as aforeſaid, and alſo upon ſuch Certificate of the Conſul, or two known *Britiſh* Merchants of good Credit, being produced, and Oath or Affirmation made as aforeſaid, and the ſeveral other Matters and Things required by this Act being duly complied with, the Bond given before granting ſuch Licence ſhall be diſcharged and delivered up; any thing in the ſaid Bond or in this Act contained to the contrary thereof in any wiſe notwithſtanding; otherwiſe ſuch Bond ſhall be forfeited, and ſhall and may be proſecuted in the Manner directed by this Act.

Ships unlading ſuch Sugars, and taking in other Goods, ſubject to Entries, &c.

X. And be it further enacted by the Authority aforeſaid, That in caſe any ſuch Ship or Veſſel ſhall, after the unloading ſuch Sugars or any Part thereof, take on Board any Goods or Merchandize before her Return to *Great Britain*, all ſuch of the ſaid Goods and Merchandize as ſhall remain on Board at her Arrival in *Great Britain*, ſhall be entered and landed on the Return of ſuch Ship or Veſſel to *Great Britain*, and before her Departure from thence; and ſhall be ſubject to ſuch Entries, Rules, Regulations, Prohibitions, Penalties and Forfeitures as the like Goods and Merchandize imported in any other Ship or Veſſel are or would be ſubject and liable unto by this or any Law or Laws of the Cuſtoms.

This Act not to excuſe Ships from being regiſtred.

XI. And be it further enacted by the Authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to excuſe any Ship or Veſſel trading to, in or from the ſaid Sugar Colonies, being regiſtred purſuant to the Act made in the ſeventh and eighth Year of his late Majeſty King WILLIAM the Third, on Proof of the Property made by one or more of the Owners, in the Manner and under the Penalties and Forfeitures inflicted by the ſaid Act.

Seamen to be paid but half their Wages before their return Home.

XII. And for Prevention of Seamen or Mariners deſerting ſuch Ships or Veſſels, or expending their Wages abroad, which may be of great Detriment to Trade and Navigation, and is often occaſioned by the Owner or Owners of Ships or Veſſels paying Wages to the Seamen or Mariners when abroad; Be it further enacted by the Authority aforeſaid, That no Maſter or Owner of any Ship or Veſſel carrying Sugars as aforeſaid ſhall pay or advance, or cauſe to be paid or advanced to any Seaman or Mariner, during the Time he ſhall be in Parts beyond the Seas, any Money or Effects upon Account of Wages, exceeding one Moiety of the whole Wages which ſhall be due from the Time of his Departure from *Great Britain*, until ſuch Ship or Veſſel ſhall return to *Great Britain*; and if any ſuch Maſter or Owner of ſuch Ship or Veſſel ſhall pay or advance, or cauſe to be paid or advanced any Wages to any Seaman or Mariner above the ſaid Moiety, ſuch Maſter or Owner ſhall forfeit and pay double the Money he ſhall ſo pay or advance, or cauſe to be paid or advanced, to be recovered in the high Court of Admiralty by any Perſon who ſhall firſt diſcover and inform of the ſame.

Forfeitures how to be recovered.

XIII. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures incurred by this Act (except where it is otherwiſe hereby provided) ſhall and may be proſecuted in any of his Majeſty's Courts of Record at *Weſtminſter*, or the Court of Exchequer in *Scotland*, one Moiety whereof to be for the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who will ſue for, proſecute and recover the ſame; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor any more than one Imparlance.

Perſons ſued may plead the General Iſſue.

XIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued or proſecuted for any thing done or to be done in purſuance of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Plaintiffs, Proſecutor or Proſecutors, ſhall become nonſuit, or forbear Proſecution, or diſcontinue his, her or their Action, or if a Verdict paſs againſt him, her or them, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have the like Remedy for the ſame, as in Caſe where Coſts are by Law given to Defendants. Treble Coſts.

Penalty of granting falſe Certificates and Forgeries.

XV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall grant any falſe Certificate, or counterfeit, eraſe or alter any Licence, Oath or Certificate, made or given purſuant to this Act, or ſhall knowingly or wittingly publiſh or make uſe thereof; ſuch Perſon or Perſons ſhall forfeit five hundred Pounds, to be recovered and diſpoſed of in the Manner directed by this Act; and ſuch Licence, Oath or Certificate ſo falſified, counterfeited, eraſed or altered ſhall be invalid, and of no Effect.

Proviſo. 17 Geo. 2. c. 40.

XVI. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to give or grant any Liberty to carry any Sugars from any of the ſaid Sugar Colonies to *Ireland*.

Continuance.

XVII. And be it further enacted, That this Act ſhall continue and be in Force five Years, to be reckoned from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine, and from thence to the End of the then next Seſſion of Parliament, and no longer.

* Further continued by 24 Geo. 2. c. 57. §. 7. *And further by*, 31 Geo. 2. c. 35. to 29 Sept. 1765. *Concerning Plantations ſee further* 15 Geo. 2. c. 31 & 33. 24 Geo. 2. c. 51 & 55. 29 Geo. 2. c. 5 & 35. 30 Geo. 2. c. 9.

CAP.

CAP. XXXI.

An Act for eſtabliſhing and well-governing an Hoſpital or Infirmary in the City of *Bath*. PR.

'WHEREAS the Medicinal and Mineral Waters of the City of *Bath*, in the County of *Somerſet*, 'have been found by long Experience to give great Relief to Perſons labouring under, or being 'afflicted with divers Diſeaſes, Illneſſes or Diſorders incident to human Bodies; but it very often hap-'pens, that poor Perſons ſo afflicted live at a great Diſtance from the ſaid City of *Bath*, and cannot 'bear the Expence of going thither, and attending to uſe the ſaid Waters, by reaſon whereof great 'Numbers of ſuch poor Perſons have been prevented from uſing and trying ſuch Waters for their Be-'nefit and Relief: And whereas his moſt Excellent Majeſty hath out of his Royal Bounty, and divers 'other charitable and well-diſpoſed Perſons, have contributed and raiſed by free Gift the Sum of four 'thouſand Pounds and upwards, in order to erect an Hoſpital or Infirmary in the ſaid City of *Bath*, 'for the Relief and Support of ſuch indigent and poor Perſons reſident in and belonging to *Great Britain* 'and *Ireland*, as are not able without ſuch Charity to have any Benefit from the ſaid Waters, and 'have actually begun to build ſuch Hoſpital or Infirmary, and are now carrying on the ſame, not 'doubting but that it will by the preſent and future Subſcriptions and other Charities be compleated 'and continued for the Benefit of Futurity: And whereas the ſaid Charity deſerveth to be promoted 'and encouraged, and will greatly tend to the Honour and Good of the Publick; but as the good and 'generous Intentions of his ſaid moſt Excellent Majeſty, and the ſaid charitable and well-diſpoſed Per-'ſons, cannot be ſo well and fully effected without an Act of Parliament, for the promoting, eſtabliſh-'ing and making good and effectual the ſaid pious and charitable Intentions;' May it pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"Governors appointed; who are declared a Body Corporate and Politick, *&c.* The Building veſted "in the ſaid Corporation. Nine to be a *Quorum*. Methods of admitting Patients. Perſons minuted "to ſucceed in Turn. To be ſupplied with Money excluſive of any Benefit to be received from the "Hoſpital. Perſons loitering about the City after they are diſcharged to be treated as Vagabonds. "Perſons admitted into the Hoſpital not to obtain a Settlement. Patients to have the Uſe of the old "hot Bath and the old Pump, *&c.* The Money and Hoſpital to be managed by a Preſident, 3 Trea-"ſurers and 32 Aſſiſtants. To be choſen annually. Their Proceedings ſubject to the Inſpection of "the Corporation. Money ariſing by Sale of Lands, *&c.* to be laid out in the Purchaſe of others, for "the Uſe of the Corporation. Members or Governors dying, *&c.* others to be elected in their Stead. "Governors impowered to make By-laws. Preſident to vote as a Member at general Courts; and to "have a caſting Voice; and may appoint another Member to act in his Abſence. Phyſicians, *&c.* to "be choſen in a general Aſſembly. Corporation to conſiſt of 50 Members at leaſt. Actions to be laid "in *Com' Somerſet*, &c.

CAP. XXXII.

An Act for aſcertaining, preſerving, and improving the Navigation of the River *Lee*, from the Town of *Hertford* to the Town of *Ware* in the County of *Hertford*; and for preſerving and improving the ſaid River from the ſaid Town of *Ware* to the new Cut or River made by the Mayor, Commonalty, and Citizens of *London*; and for enabling the Governor and Company of the *New River* the better to ſupply the Cities of *London* and *Weſtminſter*, and the Liberties and Suburbs thereof, with good and wholeſome Water.

23 *Eliz. c.* 18.

'WHEREAS there hath been and ſtill is an ancient and accuſtomed Navigation on that Part 'of the River *Lee*, which runs from the Borough and Town of *Hertford* in the County of '*Hertford*, to *Ware Bridge* in the Town of *Ware* in the ſame County; which Navigation hath for-'merly, at different Times, been carried on through different Branches of the ſaid River; but the ſame 'for many Years paſt hath been and now is carried from the ſaid Borough and Town of *Hertford* 'through a Channel running to *Ware Mills*, unto and through a Ciſtern or Lock near the ſaid Mills, 'and from thence to *Ware Bridge* in the ſaid Town of *Ware*, and from thence to the River of *Thames*: 'And whereas the Governor and Company of the *New River* brought from *Chadwel* and *Amwell* to '*London*, have, for many Years paſt, had and received into the ſaid *New River*, a conſiderable Quan-'tity of Water which iſſued out of the ſaid River *Lee*, at the Mouth or Opening of *Manifold Ditch*, 'which lies between the ſaid Town of *Hertford* and the ſaid Town of *Ware*: And whereas ſeveral 'Diſputes have ariſen between the Corporation of the ſaid Borough and Town of *Hertford*, and the 'Inhabitants of the ſaid Town of *Ware*, and the ſaid Governor and Company, touching the Water 'iſſuing out of the ſaid River *Lee* into the ſaid *New River*, and touching the Courſe of the ſaid Navi-'gation: And for ending thereof, and for preventing the like for the future, and for improving the 'Navigation of the ſaid River *Lee*, the Corporation of the ſaid Borough and Town of *Hertford*, and 'the Inhabitants of the ſaid Town of *Ware*, and alſo the ſaid Governor and Company, who have pur-'chaſed *Ware Mills* aforeſaid, have agreed that the Navigation between *Hertford* and *Ware Bridge* may 'be fixed and aſcertained in the preſent Channel, and that the Quantity of Water which is to be taken 'from the River *Lee*, into the ſaid *New River*, may be aſcertained in the Manner, and upon the

'Terms

'Terms and Conſiderations herein after mentioned, which will redound to a general Good; but cannot 'be eſtabliſhed or rendered effectual without the Aid of an Act of Parliament:' Wherefore the Mayor, Aldermen, and Commonalty of the ſaid Borough and Town of *Hertford*, and the Inhabitants of the ſaid Town of *Ware*, and alſo the ſaid Governor and Company moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-nine, the Navigation of the ſaid River *Lee* ſhall be, and the ſame is hereby eſtabliſhed, and for ever hereafter ſhall be fixed and continued in the ſame Channel or Courſe wherein the ſaid River now runs, and is uſed for Navigation, from the ſaid Town of *Hertford* to *Ware-mills* as far as the Lock or Ciſtern near the ſaid Mills, and through the ſaid Lock or Ciſtern to *Ware-bridge*, and from thence in and along the ancient River *Lee* unto the beginning of the Cut or River made by the Mayor, Commonalty, and Citizens of *London*, in purſuance of the Act paſſed in the thirteenth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the bringing of the River of* Lee *to the North Side of the City of* London, and from thence in and along the ſaid new Cut or River unto the ſaid River of *Thames*, in the ſame Manner as the Navigation hath been uſually carried on and performed.

Navigation of the River Lee aſcertained.

II. And be it further enacted by the Authority aforeſaid, That a ſufficient Supply of Water from the Mill-dam of the ſaid *Ware-mills* ſhall be given by the Owners or Occupiers of the ſaid Mills, for the Paſſage of all Barges, Boats, and Craft through the ſaid Lock or Ciſtern, and for carrying them from thence to *Ware-bridge*, and back again from *Ware-bridge* to and through the ſaid Lock or Ciſtern, the Owners or Occupiers of every Barge, Boat, or Craft paſſing through the ſame towards *Ware*, firſt paying to the Owners or Occupiers of the ſaid Mills the Sum of one Shilling for each Barge, Boat, or Craft, for ſuch Paſſage through the ſaid Lock or Ciſtern, and for ſuch Supply of Water, and without paying any thing on their Return through the ſaid Lock or Ciſtern.

Occupiers of Ware-mills to give a Supply of Water for the Paſſage of Barges, &c. through the Lock.

III. And be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company ſhall from time to time, and at all times hereafter, at their own proper Coſts and Charges, maintain and keep in good and ſufficient Repair the ſaid Lock or Ciſtern near the ſaid *Ware-mills*, for the Conveniency of all Barges, Boats and Craft that ſhall from time to time have Occaſion to paſs or repaſs through the ſame; ſo as that, for want of any ſuch Repairs (otherwiſe than at the Time or Times of the abſolute Neceſſity of making good the ſame) they may not at any Time or Times be hindered or ſtopped in their Paſſage through the ſame Lock or Ciſtern.

New River Company to keep the Lock in repair.

IV. And be it further enacted by the Authority aforeſaid, That the Truſtees herein after named, or to be appointed in purſuance of this Act, or any ten or more of them, ſhall and may, out of the Monies herein after appointed to be laid out for improving the Navigation of the River *Lee*, between the Town of *Hertford* and *Ware-bridge*, ſet up, erect or build a Turnpike, Weir, Jettey or ſome other Device croſs the ſaid River *Lee*, between the ſaid Mills and *Water-lane*, near the Wall of the Priory Orchard in *Ware* aforeſaid, in ſuch convenient Place and Manner as by the ſaid Truſtees, or any ten or more of them, ſhall be thought moſt beneficial for the Navigation of that Part of the ſaid River *Lee*, and be leaſt detrimental to the ſaid Mills; and alſo from time to time, and at all times hereafter, ſcour, cleanſe and deepen the ſame River *Lee*, between the ſaid Mills and *Ware-bridge*; and ſhall have Power to paſs and repaſs with Carts and Carriages in, through, and over the Grounds adjoining, for the Purpoſes aforeſaid, making ſuch reaſonable Satisfaction to all Owners or Occupiers of Lands and Grounds which may be damaged or injured thereby, as the Juſtices of the Peace for the ſaid County, at any General Quarter-Seſſions, ſhall adjudge, in caſe the ſaid Truſtees and the other Parties concerned cannot agree; but the ſaid Governor and Company ſhall have the Direction and Government of ſuch Turnpike, Weir, Jettey or Device after erected, and ſhall, from time to time, maintain and keep the ſame in good and ſufficient Repair, and permit all Barges, Boats and Craft to paſs through the ſame without any Toll or other Acknowledgment for ſuch Paſſage.

Truſtees to ſet up a Turnpike croſs the River Lee,

and to cleanſe and deepen the River.

The Company to have the Direction of the Turnpike after erected.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Governor and Company of the *New River*, at all Times for ever hereafter, to have, receive and take from and out of the ſaid River *Lee* into the ſaid *New River*, and to hold, uſe and enjoy a Quantity or Body of Water conſtantly to iſſue from the ſaid River *Lee*, at or near the Mouth or Opening of *Manifold Ditch* aforeſaid, through the Balance Engine there lately erected by the ſaid Governor and Company, and to paſs and run along and through the ſaid *Manifold Ditch*, to the ancient Turnpike or Sluice of the ſaid Governor and Company, now ſtanding croſs the ſame Ditch, near a ſmall Piece of Land called *Chalk Iſland*, and from the ſaid ancient Turnpike or Sluice in and along a Cut or Trench made from thence into the ſaid *New River*, through the preſent Timber Gage or Trough, there lately placed by the ſaid Company; which Gage or Trough is of the clear Dimenſions within the ſame, of ſix Feet in Wedth or Breadth, two Feet in Depth, and fourteen Feet in Length, and is to be continued of the ſame and no greater Dimenſions for ever hereafter in Brick, Wood or Stone as the ſaid Governor and Company ſhall think moſt proper and uſeful, between the Brick Arch ſtanding near the ſaid Turnpike and the ſaid *New River*, and not be placed perpendicularly higher or lower than the preſent Gage now is, to the Intent that the ſaid Governor and Company ſhall for ever hereafter be ſupplied with a conſtant Quantity or Body of Water of the Dimenſions aforeſaid, and no more, to run and paſs from the ſaid River *Lee* into the ſaid *New River* in a natural Courſe, and without any Pen at the ſaid Gage or Trough; and that it ſhall not be lawful to or for the ſaid Governor and Company, at any Time or Times hereafter, to take any more or other or greater Quantity of Water than as aforeſaid, out of and from the ſaid River *Lee* or *Manifold Ditch* aforeſaid, between the Towns of *Hertford* and *Ware*,

Draught of Water from the River Lee into the New River aſcertained.

Ware, by or through any other Paſſage, Ditch or Cut, or in any other Manner than as in this Act is mentioned.

Means to prevent too great a Quantity to be drawn off.

VI. And, to prevent any greater Quantity of Water than as aforeſaid, at any Time or Times, paſſing from the ſaid River *Lee*, through the ſaid Gage or Trough, into the ſaid *New River*; Be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company ſhall, at their own Coſts and Charges, for ever hereafter, maintain the Turnpike or Tumbling-bay now fixed and ſtanding croſs *Manifold Ditch*, juſt below the Mouth of the ſaid new Cut leading from thence to the *New River*, and all other Tumbling-bays or Turnpikes by the ſaid Governor and Company hereafter to be erected, of the ſame Height and Breadth, and no higher or narrower than the preſent Turnpike now is (which is fourteen Feet wide) and ſo low as to keep or reduce the Head of Water flowing down the ſaid Ditch to be upon a Level with, and not higher than the Top or uppermoſt Part of the ſaid Gage or Trough, in the ſaid Cut, and the two adjacent capped Stones placed as Standards, the one near the ſaid Brick Arch, and the other near *Chadwell Spring*, now are; ſo that all ſuperfluous Water, more than can with a natural Current paſs through the ſaid Gage or Trough, may run over the ſaid Tumbling-bay or Bays, and fall again through the preſent Channel below the ſaid ancient Turnpike into the ſaid River *Lee*.

The Company to maintain the Water-courſe,

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company ſhall and may from time to time, and at all times hereafter, as Need or Occaſion ſhall require, maintain and keep open the Mouth of the ſaid *Manifold Ditch*, on the Side of the ſaid River *Lee*, and remove all Soil lying before or about the ſame, and cleanſe, ſcour and maintain the Water-courſe through the ſaid Ditch, for conveying the ſaid Water to the ſaid *New River*; they making Satisfaction to the Owners or Occupiers of the Lands adjoining thereunto, for all Damages which ſhall be done thereby, in Manner as herein after is mentioned; and ſhall and may for ever hereafter maintain and ſupport the ſaid Balance Engine or Device erected near the ſaid Mouth or Opening of the ſaid Ditch next the ſaid River *Lee*, that a neceſſary and ſufficient Quantity of Water (neither more or leſs, as near as may be) may from time to time run through the ſaid *Manifold Ditch*, to ſupply and fill the ſaid Gage or Trough; and ſhall for ever hereafter continue the ſaid Balance Engine or Device in the Manner, and at or near the Place where it now is.

and the Balance Engine;

and may erect a Covering over it, and a Houſe adjoining to it.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Governor and Company to erect, build and continue, or cauſe to be erected, built and continued, over or upon the Balance Engine or Device for the time being, ſtanding at or near the Mouth of the ſaid *Manifold Ditch*, any Building or Covering requiſite for the Preſervation of the ſame or otherwiſe; and alſo to erect, build and continue, or cauſe to be erected, built and continued, near or adjoining to ſuch Balance Engine or Device, a Dwelling-houſe or Habitation for one or more Servant or Servants, Officer or Officers of the ſaid Governor and Company, who ſhall from time to time be employed to take care of ſuch Balance Engine or Device, and Buildings thereunto belonging; the ſaid Governor and Company making Satisfaction to the Owners or Occupiers of the Soil in ſuch Place or Places whereon ſuch Dwelling-houſe or Buildings ſhall be erected and built, in manner as is herein after alſo mentioned.

The Company to enjoy ſuch Engine, Building, &c. for ever,

and to have free Paſſage to and from thence,

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Governor and Company, to have, hold and enjoy for ever ſuch Balance Engine or Device, and alſo the ſaid Dwelling-houſe and Buildings, and the ſaid Gage or Trough, Turnpikes, Sluices and Tumbling-bays already erected, or any other Gage or Trough, Turnpikes, Sluices or Tumbling-bays, by virtue of this Act to be erected and built, and from time to time to repair and amend the ſame; and they, or any of them, ſhall at all convenient Times have free Entry and Paſſage with their Men, Horſes, Carts or other Carriages, by, over or through any Ground or Land, in Places, and at Times meet or convenient, to and from ſuch Balance Engine or Device, Dwelling-houſe or Habitation, and Buildings, Gage or Trough, Turnpikes, Sluices or Tumbling-bays, or to do or perform any Thing neceſſary or requiſite for the making, building, erecting, repairing, maintaining, preſerving or amending the ſame, or any Part thereof, they the ſaid Governor and Company making Satisfaction for all ſuch Damages as ſhall be done thereby; the ſame, and all other Satisfaction and Recompence to be made by the ſaid Company, for any thing to be done by the Authority of this Act, to be aſcertained by the Truſtees nominated and appointed, or to be nominated and appointed by or in purſuance of this Act, or any ten or more of them, in caſe the Parties cannot agree.

making Satisfaction for Damages.

Truſtees may inſpect the Balance Engine, to ſee it it be kept in Repair.

X. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any ten or more of them, with any Servants or Surveyors with them, from time to time, and at all Times hereafter, at all ſeaſonable Times in the Day-time, to ſee and inſpect the aforeſaid Balance Engine or Device, Gage or Trough, Turnpike or Tumbling-bay, and the ſeveral Conditinos and Repairs thereof, to the End that no more Water ſhall or may be taken out of the ſaid River *Lee*, or *Manifold Ditch*, through the aforeſaid Gage or Trunk, than ought to paſs or run through the ſame by virtue of this Act, or than ſhall be ſufficient conſtantly to ſupply and fill the ſaid Gage or Trough; and if upon any ſuch Inſpection, any Defects or Wants of Repair ſhall at any Time or Times appea, whereby a greater Quantity of Water than as aforeſaid ſhall or may paſs through the ſaid Balance Engine or Device, or the ſaid Gauge or Trough, then the ſaid Governor and Company, within ſix Months after Notice ſhall be given in Writing to them, or to any of their Servants employed to look after the ſame, of ſuch Defects or Wants of Repairs, ſhall from time to time well and ſufficiently make good ſuch Defects, and repair the ſame purſuant to the Intent and Meaning of this Act; and, in Default thereof, the ſaid Truſtees, or any ten of them, ſhall and may do, or cauſe the ſame to be done, and be paid by the ſaid Company the reaſonable Charges thereof; but the principal Works are to remain, and be fixed and framed in the ſame Form and Manner as the ſame now are or ought to be purſuant to this Act.

XI. And

XI. And be it further enacted by the Authority aforeſaid, That the ſaid Courſe of Water or Ditch, called *Manifold Ditch*, and the Water running through the ſame to the ſaid *New River*, ſhall for ever hereafter be deemed and taken to be a Part of the ſaid *New River*; and the Property thereof ſhall be, and is hereby veſted and ſettled in the ſaid Governor and Company for ever, except and always reſerving to the ſaid Mayor, Aldermen, and Commonalty of the ſaid Borough and Town of *Hertford*, and to all Lords of Manors and others, their ſeveral accuſtomed Rights to fiſh therein, and to all Owners and Occupiers of Land adjoining to, or lying near the ſaid Ditch, and to all Perſons having Right of Common in the common Meadows lying near or adjoining thereunto, their reſpective Rights of paſſing as uſual through or over the ſame Ditch at the uſual Ford, and to water their Horſes and Cattle therein as uſual, doing no Damage to the ſaid Governor and Company's Works. Property of Manifold Ditch veſted in the Company, ſaving to all Perſons their reſpective Rights.

XII. And be it further enacted by the Authority aforeſaid, That no new Mill, Lock or Weir ſhall hereafter be erected on the ſaid River *Lee*, or any Branch thereof, between the Mouth of *Manifold Ditch* and *Ware-mills*, or on the ſaid *Manifold Ditch*.

XIII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall at any time or times caſt or put into the ſaid Water-courſe or Ditch, called *Manifold Ditch*, or the ſaid Cut between the ſame, and the ſaid *New River*, or into the ſaid *New River*, or any of the Water-courſes, Canals, Ponds, Reſervatories or Pipes already made or laid, or hereafter to be made or laid, for the Conveyance or Paſſage of the Water from the ſame, or any Part or Parts of the ſaid City of *London*, or Suburbs thereof, or to any Part or Parts of the ſaid City of *Weſtminſter*, or Liberties thereof, any Filth, Rubbiſh, Soil, dead Dogs, dead Cats, dead Carcaſes, Carrion or other unwholſome Thing; or waſh or cleanſe therein any Wool, Hemp, Flax or other noiſome Thing; nor hinder, let, ſtop, draw off, turn or divert the ſaid Water, or the Current or Paſſage thereof, by any Device, Art, Contrivance or Means whatſoever, without the Licence or Conſent of the ſaid Governor and Company; nor do any Damage, Nuiſance or Annoyance to the ſaid Lock or Ciſtern, Weir or Jettey, Gage or Trough, Turnpikes or Tumbling-bays, or other Buildings or Erections aforeſaid, or to the ſaid Water-courſe or Ditch, or to the ſaid Cut between the ſame and the *New River*, or to the ſaid *New River*, or any the Water-courſes, Canals, Ponds, Reſervatories, Pipes, Banks or Bridges of or belonging to the ſame. Prohibition to do any Damage to the New River, or the Works thereon.

XIV. And be it further enacted by the Authority aforeſaid, That the Proprietors and Occupiers of the ſaid Mills, called *Ware-mills*, ſhall for ever hereafter permit and ſuffer the uſual Quantity of Water to be let out from the Head of Water at *Ware-mills*, from the ſaid River *Lee*, at proper and convenient Times and Seaſons as heretofore, to run through the ſaid Town of *Ware*, for the cleanſing and preſerving the Streets and Highways leading through the ſaid Town; the uſual and former Exemptions of Pariſh and other Duties, Rates and Offices, and the former Payments and Allowances for the ſame, being from time to time continued and made to and for the Proprietors and Occupiers of the ſaid Mills, and the Premiſſes by them held and enjoyed. Water to be ſupplied from Ware-mills for cleanſing the Town of Ware.

XV. And for the better eſtabliſhing the Remedies, which as well the ſaid Governor and Company may have againſt any Perſon or Perſons, or which any Perſon or Perſons may have againſt them; Be it declared and enacted by the Authority aforeſaid, That the ſaid Governor and Company ſhall, by the Name of the Governor and Company of the *New River*, brought from *Chadwell* and *Amwell* to *London* (which Name is originally given them by their Charter) ſue and implead, be ſued and impleaded, anſwer and be anſwered in all Courts of Record and elſewhere; and ſhall and may recover full Satisfaction for any Damage accruing by any Matter or Thing which ſhall be done contrary to this Act, in or by an Action of Treſpaſs, or on the Caſe; and, in caſe they recover in ſuch Action, ſhall be paid their full Coſts of Suit, and have the like Remedies for the ſame as in other Caſes of Coſts. New River Company impowered to proſecute, &c.

XVI. And be it further enacted by the Authority aforeſaid, That the Lord Mayor, Aldermen, and Recorder of the City of *London* for the time being, the Knights of the Shire for the County of *Middleſex* for the time being, the Members of Parliament for the City of *Weſtminſter* for the time being, *Walter Plumer*, *Richard Plumer*, Eſquires; Sir *Robert Groſvenor*, Sir *Nathaniel Curzon*, Sir *William Heathcote*, Baronets; *John Smart*, Eſquire, *Rivers Dickinſon*, Gentleman, Sir *Jeremy Vanacker Sambrooke*, Baronet, *Joſeph Gaſcoigne Nightingale*, *Harry Gough*, *Ralph Harwood*, *Daniel Brattle*, *Hugh Smithſon*, *John Francis Tyſſen*, *Samuel Tyſſen*, *Samuel Trench*, Eſquires; *Zacheus Haydon*, Gentleman, *William Pulteney*, *John Hambleton*, *George Bourne*, Eſquires; the Right Honourable *Henry* Lord *Colraine* in the Kingdom of *Ireland*, the Knights of the Shire for the County of *Eſſex* for the time being, the Members of Parliament for the Borough of *Colcheſter* for the time being, Sir *Edward Smyth*, Sir *Cæſar Child*, Baronets; *Charles Wake Jones*, *John Abdy*, *Edward Conyers*, *Andrew Searle*, Junior, *Richard Lockwood*, *Peyton Altham*, *Richard Staines*, *Thomas Archer*, *John Comyns*, *Peter Floyer*, *William Harvey*, Senior, *William Glaſcock*, *Robert Snell*, *John Badger Weller*, *Richard Morgan*, Eſquires; *Richard Collard*, *William Pigbourne*, *John Kempe*, *John Rocheſter*, Gentlemen; the Knights of the Shire for the County of *Hertford* for the time being, the Members of Parliament for the Borough of *Hertford* for the time being, Sir *Thomas Clarke*, Knight; *Nathaniel Brailſey*, *John Byde*, *Thomas Plumer Byde*, *William Cowper*, *Charles Cæſar*, *Peter Calvert*, *Felix Calvert* of *Pelham*, Eſquires; Sir *Thomas Clarges*, Baronet; *Henry Dunſter*, *William Field*, *George Harriſon*, *Thomas Hall*, the honourable *Charles Leigh*, *Charles Monſon*, *William Plumer*, *Richard Reynolds*, *William Shaw*, *William Stanley*, *Richard Warren*, *Thomas Winnington*, Eſquires; the Mayor of *Hertford* for the time being, *Thomas Martin*, *Robert Plomer*, Eſquires; and *George Hathaway*, Gentleman, ſhall be and are hereby nominated Truſtees for the putting in Execution the Powers and Truſts in them repoſed, by virtue or in purſuance of this Act, for the Purpoſes herein expreſſed; and that the ſaid Truſtees, or any ten or more of them, ſhall firſt meet and aſſemble together at the Houſe known by the Sign of *the Old Crown* at *Ware*, on *Monday* the ſixth Day of *Auguſt* one thouſand ſeven hundred and thirty-nine; and alſo yearly, and every Year thereafter, on the firſt *Monday* in Truſtees nominated. Truſtees when and where to meet.

in *Auguſt*, at the Place aforeſaid, or at any other Place within the City of *London*, or Counties of *Hertford*, *Eſſex* or *Middleſex*, as they the ſaid Truſtees, or any ten of them, ſhall think proper or convenient; and at ſuch their Meetings ſhall and may from time to time adjourn themſelves, and meet at any Place or Places within the City or Counties aforeſaid, as they, or any ten or more of them, ſhall think moſt proper or convenient for putting in Execution the Powers and Truſts in them repoſed by virtue or in purſuance of this Act; and if there ſhall not be ten Truſtees preſent at any ſuch Meeting or Meetings ſo to be appointed, then, and in any ſuch Caſe, ſuch Meeting ſhall be continued, and ſtand and be adjourned over to that Day four Weeks, and to the ſame Place as ſuch Meeting was laſt appointed to be held; and the Clerk or proper Officer of the ſaid Truſtees, which they, or any ten or more of them, are hereby impowered to appoint and remove as they think fit, ſhall give at leaſt fourteen Days Notice in the *London Gazette*, or ſuch other Notice as the ſaid Truſtees, or any ten or more of them, ſhall from time to time order or direct, of the Day and Place on which ſuch adjourned Meeting ſhall be held; and that the ſaid Truſtees at their firſt Meeting, and at all ſubſequent Meetings, ſhall defray their own Charges and Expences.

If there be not ten at any Meeting, the ſame to be adjourned till that Day 4 Weeks.

Sums to be paid by the New River Company to ſuch Perſons as the Truſtees ſhall appoint.

XVII. And be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the *New River* ſhall pay, or cauſe to be paid, unto ſuch Perſon and Perſons as the ſaid Truſtees, or any ten or more of them, at their firſt general Meeting, or at any other of their general Meetings, ſhall from time to time by Writing under their Hands appoint, the ſeveral Sums of Money in the Manner and at the Times herein after mentioned; that is to ſay, the ſeveral Sums of two thouſand five hundred Pounds, and ſeven hundred and fifty Pounds, of lawful Money of *Great Britain*, on the nine and twentieth Day of *September* one thouſand ſeven hundred and thirty-nine; and yearly and every Year for ever, from the ſaid nine and twentieth Day of *September* one thouſand ſeven hundred and thirty-nine, the ſeveral yearly Sums of three hundred Pounds, and fifty Pounds of like lawful Money, by two equal half-yearly Payments; that is to ſay, on the five and twentieth Day of *March*, and the nine and twentieth Day of *September*; the firſt Payment thereof to begin and be made on the five and twentieth Day of *March* one thouſand ſeven hundred and forty; ſuch Payments to be made at the Office, Place or Houſe where the ſaid Company do or ſhall uſually meet for the Diſpatch of their Buſineſs within the Cities of *London* or *Weſtminſter*, or the Suburbs or Liberties thereof, upon Demand to be made by the Perſon or Perſons ſo to be appointed to receive the ſame as aforeſaid, of or from the Treaſurer, Clerk or Agent of the ſaid Company for the time being; and in Default of ſuch Payment by the Space of one and twenty Days after ſuch Demand, and after a Duplicate of ſuch Appointment ſhall be left with the ſaid Treaſurer, Clerk or Agent of the ſaid Company, the ſame ſhall and may be recovered againſt the ſaid Governor and Company, with full Coſts of Suit, by Action to be brought againſt the ſaid Governor and Company, in the Names of five or more of the ſaid Truſtees, in any of his Majeſty's Courts of Record at *Weſtminſter*, to be laid in any Place within the City of *London* or County of *Middleſex*; wherein the Plaintiffs may declare, that the ſaid Governor and Company, being indebted to the ſaid Plaintiffs in the Sum or Sums then in Arrear (ſpecifying the ſame, and the Time when it became payable by virtue of this Act, mentioning the Title thereof) have not paid the ſame, although demanded according to the ſaid Act; and in which Action or Actions no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

The ſame, on Non-payment, recoverable by Diſtreſs.

Application thereof.

XVIII. And be it further enacted by the Authority aforeſaid, That the Sum of one thouſand Pounds, Part of the ſaid two thouſand five hundred Pounds, ſhall be paid to *George Hathaway*, *John Docwra*, *Anthony Fage*, *Humphry Ives*, *Thomas Fletcher*, *Ambroſe Proctor* and *Wayte Hampſon*, the Survivors or Survivor of them, Inhabitants of the ſaid Pariſh of *Ware*; out of which they ſhall in the firſt Place pay and diſcharge all ſuch Sum and Sums of Money as have been borrowed and actually laid out in carrying on and executing a late Commiſſion of Sewers, for preſerving the Navigation of the River *Lee*, from *Ware* to the River of *Thames*, or for ſcouring, cleanſing or deepening the ſame, which ſtill remains due and unpaid, and alſo all ſuch further Sum and Sums of Money, Coſts, Charges and Expences as the ſaid Inhabitants of *Ware*, or any of them, have at any Time been at, or have expended or laid out, in, about, or any ways relating to the obtaining this preſent Act; and ſhall and may apply the Reſidue of the ſaid Sum of one thouſand Pounds, in ſuch manner as the ſaid *George Hathaway*, *John Docwra*, *Anthony Fage*, *Humphry Ives*, *Thomas Fletcher*, *Ambroſe Proctor* and *Wayte Hampſon*, or the major Part of them, or of the Survivors of them, ſhall think moſt beneficial towards carrying on the Navigation from the ſaid Town of *Ware*; and that the Reſidue of the ſaid Sum of two thouſand five hundred Pounds, and alſo the ſaid three hundred Pounds a Year, ſhall from time to time be paid and applied for the better Preſervation and Improvement of the ſaid Navigation of the ſaid River *Lee* from *Ware-bridge* to the beginning of the ſaid new Cut, and for purchaſing, building or hiring Locks or Weirs upon the ſaid River, in ſuch Manner as the ſaid Truſtees, or any ten or more of them, ſhall direct; and alſo for defraying all ſuch Charges and Expences as ſhall be neceſſary for executing the Powers in this Act contained; and the ſaid Monies ſhall be iſſued and paid by the Perſon and Perſons ſo to be appointed to receive the ſame, according to ſuch Orders as the Truſtees, or any ten or more of them, at any of their general Meetings ſhall make for that Purpoſe; and that out of the ſaid Sum of ſeven hundred and fifty Pounds, ſhall in the firſt Place be paid all ſuch Sum and Sums of Money, Coſts, Charges and Expences as the ſaid Mayor, Aldermen and Inhabitants of the ſaid Town of *Hertford*, or any of them, have at any Time been at, or have expended or laid out in the ſcouring and cleanſing the River *Lee*, between the ſaid Town of *Hertford* and *Ware-bridge*, or in erecting or repairing the Turnpikes thereon, not exceeding in the whole the Sum of three hundred and two Pounds twelve Shillings; and alſo all ſuch further Sum and Sums as they, or any of them, have laid out, expended or been at, in, about, or any ways relating to the obtaining this preſent Act, as the ſaid

Truſtees,

Truſtees, or any ten or more of them, ſhall at any general Meeting think fit and direct to be paid; and that the Reſidue of the ſaid Sum of ſeven hundred and fifty Pounds, and the ſaid Sum of fifty Pounds a Year, ſhall from time to time be paid and applied for the Preſervation and Improvement of the Navigation of the ſaid River *Lee*, between the ſaid Town of *Hertford* and *Ware-bridge*, and alſo for defraying all ſuch Charges and Expences as ſhall be neceſſary for executing the Powers in this Act contained, in ſuch Manner as the ſaid Truſtees, or any ten or more of them, ſhall direct or appoint; which ſaid Truſtees are hereby authorized and impowered to do and execute all ſuch Acts, Powers and Truſts for the Preſervation and Improvement of the Navigation of the River *Lee*, from *Ware-bridge* to the beginning of the ſaid new Cut, to all Intents and Purpoſes, in as full, large and ample Manner as they the ſaid Truſtees are herein before impowered to do and execute for the Preſervation and Improvement of the Navigation of the ſaid River *Lee*, between the ſaid Town of *Hertford* and *Ware-bridge* aforeſaid.

Vacancies of Truſtees how to be filled up.

XIX. And be it further enacted by the Authority aforeſaid, That for the continuing of a ſufficient Number of fit and able Perſons to be Truſtees for ever for the Purpoſes in this Act expreſſed, it ſhall and may be lawful to and for the ſaid Truſtees herein before named, and the Truſtees to be hereafter named, or any ten or more of them, upon the Death of any of the ſaid Truſtees, or their Removal or Refuſal to act in the ſaid Truſt, at any publick Meeting or Meetings, whereof twenty-one Days Notice ſhall at leaſt be given in the *London Gazette*, or ſuch other Notice as the ſaid Truſtees, or any ten or more, ſhall from time to time order and direct, by any Writing or Writings under their Hands, from time to time, and at all Times hereafter, to elect, nominate and appoint in the Room of ſuch Truſtee or Truſtees ſo deceaſed, removed, or refuſing to act, ſo many more fit and able Perſon or Perſons, who at the Time of ſuch Election, Nomination or Appointment, ſhall have Lands, Tenements or other Hereditaments in Fee-ſimple, Fee-tail or for Term of Life, of the clear yearly Value of one hundred Pounds or upwards, and who ſhall live and reſide in the ſame County where ſuch Truſtee or Truſtees ſo dying, removed or refuſing to act, did at the Time of his and their being elected, nominated or appointed, live and reſide, to be joined with them in the Execution of all and every the Powers and Truſts in the ſaid Truſtees repoſed by virtue and in purſuance of this Act; and all and every Perſon and Perſons, from time to time, ſo as aforeſaid to be elected, nominated or choſen to join in the putting in Execution this Act, ſhall and may, and they are hereby impowered to act and do to all Intents and Purpoſes in as full, large and ample Manner as they the ſaid Truſtees herein before appointed are by this Act impowered to act and do.

Truſtees impowered to ſue out Commiſſions of Sewers.

XX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees appointed or to be appointed for putting this preſent Act in Execution, or any ten or more of them, at any of their general Meetings, to apply for and ſue out any Commiſſion or Commiſſions of Sewers, for the better ſcouring, cleanſing and preſerving the ſaid River *Lee*, from the ſaid Town of *Hertford* to *Ware-bridge*, and from thence to the ſaid new Cut or River made by the ſaid Mayor, Commonalty and Citizens of *London*, and to apply any Sum or Sums of Money, which ſhall from time to time be in the Hands or Power of the ſaid Truſtees appointed or to be appointed by this Act, for the defraying the Expences of taking out and executing ſuch Commiſſion or Commiſſions of Sewers, in ſuch Manner as ſhall be thought neceſſary.

Penalty on Veſſels carrying Nets, &c. for deſtroying Fiſh.

XXI. And be it further enacted by the Authority aforeſaid, That if any Owner or Owners, or Steerſman of any Boat, Barge or Veſſel navigating in and upon the ſaid River, ſhall permit or ſuffer any Fiſhing-net, Gun, Engine or other Inſtrument for taking and deſtroying of Fiſh or Game, to be carried in ſuch Boat, Barge or Veſſel, being thereof convicted by the Oath of one or more credible Witneſs or Witneſſes, before two or more of the ſaid Truſtees (which Oath they are hereby authorized to adminiſter) ſhall forfeit for every ſuch Offence the Sum of five Pounds, to be levied by Warrant of the ſaid Truſtees, or any two or more of them, by Diſtreſs and Sale of the ſaid Offender's Goods, rendering the Overplus (the Charge of ſuch Warrant, Diſtreſs and Sale being thereout firſt deducted) to ſuch Offender; one Moiety of the ſaid Forfeiture to be paid to the Informer, and the other Moiety to the Poor of the Pariſh where ſuch Offender ſhall be convicted.

Saving to all Perſons their reſpective Rights.

XXII. Saving and reſerving at all Times hereafter unto the Mayor, Commonalty and Citizens of *London*, all their Rights and Privileges, which by any Law, Uſage or Cuſtom, they have at any time heretofore held, had or enjoyed, or now hold, have or enjoy, in or upon the ſaid River *Lee*, or any Part thereof; and alſo ſaving and reſerving, at all Times hereafter, unto all Perſons whatſoever, their ſeveral juſt Rights and Privileges, which by Law they have at any time heretofore had, held or enjoyed, or now hold, have or enjoy, in or upon the ſaid River *Lee*, or any Part thereof, or in, upon or relating to the ſaid *New River*, or any Part thereof; or any Lands, Grounds or Hereditaments through which the Stream of the ſaid *New River* or any Part thereof runs, or in, upon or through which any Water-courſes, Canals, Ponds, Reſervatories, Mains or Pipes are or have been made or laid; ſaving alſo and reſerving unto all Perſons whatſoever, Owners of any Lands and other Hereditaments through which the ſaid *New River* runs, all their Rights and Privileges, which by an Act of Parliament paſſed in the third Year of the Reign of his Majeſty King JAMES the Firſt, intituled, *An Act for the bringing in a freſh Stream of running Water into the North Part of the City of* London, are ſaved and reſerved; and alſo ſaving and reſerving to the ſeveral Owners of any Lands or other Hereditaments, through which any of the ſaid Company's Mains or Pipes are or ſhall be laid, ſuch yearly Rents, Satisfaction or Recompence as the ſaid Company is or ſhall by Agreement be liable to pay and diſcharge; any thing in this preſent Act contained to the contrary thereof in any wiſe notwithſtanding.

Publick Act.

XXIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act; and Notice ſhall be taken thereof as ſuch in all Courts of Juſtice and elſewhere,

Limitation of Actions.

where, without ſpecially pleading of the ſame; and if any Action, Suit or Information ſhall be brought or commenced by or againſt any Perſon or Perſons, or by or againſt the ſaid Governor and Company of the *New River*, for any thing done purſuant to this Act, every ſuch Action, Suit or Information ſhall be brought and commenced within twelve Kalendar Months next after the Facts committed, and not afterwards, and ſhall be laid or brought in the County or City where the Matter in Diſpute ſhall ariſe and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead

General Iſſue.

the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action, Suit or Information ſhall be brought or commenced after the Time before limited for bringing or commencing the ſame, or ſhall be laid or brought in any other County, City or Place than where the Matter in Diſpute ſhall lie, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become non-ſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs, or Judgment upon Demurrer be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants

Full Coſts.

ſhall have full Coſts, and ſuch Remedy for the ſame, as any Defendant or Defendants hath or have, or may or can have for Coſts in any other Caſes by Law.

CAP. XXXIII.

An Act to enlarge the Powers of the Commiſſioners for building a Bridge croſs the River *Thames*, from the *Woolſtaple* or thereabouts, in the Pariſh of *Saint Margaret* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*; and to enable them by a Lottery to raiſe Money for the ſeveral Purpoſes therein mentioned; and to enlarge the Time for exchanging Tickets unclaimed in the laſt Lottery for the ſaid Bridge; and to make Proviſion for Tickets in the ſaid Lottery loſt, burnt or otherwiſe deſtroyed. P R.

9 *Geo.* 2. *c.* 29.
10 *Geo.* 2. *c.* 16.
11 *Geo.* 2. *c.* 25.

'WHEREAS the Commiſſioners for building a Bridge croſs the River *Thames*, from the *Woolſtaple* or thereabouts, in the Pariſh of *Saint Margaret* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*, are by virtue of ſeveral Acts of Parliament made in the ninth, tenth and eleventh Years of the Reign of his preſent Majeſty, ſome or one of them reſpectively authorized and impowered to agree with the Owners and Occupiers of Ground, and of ſuch Houſes as they, or any nine or more of them, ſhall judge fit to be removed, rebuilt or pulled down, and to purchaſe the ſame for the better or more effectual widening and rendring more commodious the ſeveral Ways, Streets and Paſſages on each Side the River *Thames*, to and from the ſaid Bridge; as alſo, to lett, ſell or diſpoſe of ſuch Piece or Pieces of Ground as they may be poſſeſſed of, over and above what may be neceſſary for the opening and widening of Ways, Streets and Paſſages as aforeſaid, either together or in Parcels, as they ſhall find moſt advantageous and convenient to ſuch Perſon or Perſons as ſhall be willing to contract, agree for or purchaſe the ſame; and to deſign, aſſign and lay out in what Manner the new Houſes to be built ſhall be erected and built, and of what Breadth and Extent the ſaid Streets and Paſſages ſhall be; and alſo to ſell and diſpoſe of the Materials of ſuch Houſe or Houſes as the ſaid Commiſſioners ſhall purchaſe and cauſe to be pulled down as aforeſaid: And whereas ſeveral Doubts have ariſen, and may ariſe, relating to the Conſtruction, Force and Effect of the Powers veſted in the Commiſſioners, whereby the executing the Purpoſe and Deſign of the ſaid Acts of Parliament in the beſt and moſt advantageous Manner may be prevented or greatly obſtructed: And whereas the ſeveral Ways, Streets and Paſſages near the ſaid intended Bridge are very narrow and incommodious for the paſſing and repaſſing of Coaches, Carts and other Carriages, to the Hindrance and Obſtruction of Trade and Commerce in that Neighbourhood, and moſt of the Houſes therein and thereto adjacent are very old, and in a ruinous and decaying Condition: And whereas ſeveral convenient Ways and Streets might be made on each Side the River *Thames*, to and from the intended Bridge, as alſo to and from the Courts of Juſtice, and both Houſes of Parliament, to the great Eaſe and Advantage of Paſſengers and the Publick in general, in caſe the ſaid Houſes and Eſtates were under the Diſpoſition and Management of the ſaid Commiſſioners, and the Powers already veſted in them were further explained and enlarged:' Wherefore, for preventing all Doubts and Difficulties concerning the Premiſſes, and for promoting and encouraging a Deſign ſo uſeful and beneficial to the Publick; may it pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

" Commiſſioners impowered to make convenient Paſſages to and from the Bridge, and to agree with " the Owners of Houſes and Lands for that Purpoſe. Limits aſſigned them. Any Perſons refuſing to " treat, a Jury to be impanelled. Commiſſioners Judgment thereupon to be final. Their and the " Juries Proceedings to be kept among the Records of *Middleſex* and *Surrey* reſpectively. On Payment " of the Sums awarded, Commiſſioners impowered to pull down Houſes, *&c.* On any Diſpute be- " tween the Parties intereſted in the Premiſſes, *&c.* Commiſſioners to pay the Money into the Bank, " or place it out in the Funds; and thereupon diſpoſe of the Premiſſes according to the Act. The " Sums paid to Truſtees for Infants, *&c.* to be laid out in the Purchaſe of Lands, *&c.* in Fee-ſimple. " Truſtees to convey the Lands, *&c.* to the Commiſſioners in Fee-ſimple. Commiſſioners to meet " and adjourn. Any nine of them may meet before the ſtated Day. Commiſſioners impowered to " diſpoſe of Grounds more than neceſſary for the Purpoſes of the Act. 325,000*l.* to be advanced by 5*l.* " Lottery Tickets. 15*l.* for every 100*l.* amounting in the whole to 48,750*l.* to be deducted, to be

" applied to the Building the Bridge. Penalty on selling Chances of Tickets for less than the whole Time " of Drawing. 500 *l.* Penalty on selling Interest in Tickets not in the Persons Possession. Commission- " ers impowered to place out the Monies on publick Security. The former Directors continued, to ex- " change Tickets of the past Lottery unclaimed. The Bank to pay to the Commissioners Treasurer the " Sums due on the Tickets unexchanged.

See farther
13 *Geo.* 2. *c.* 16.
14 *Geo.* 2. *c.* 40.
15 *Geo.* 2. *c.* 26.
17 *Geo.* 2. *c.* 32.
18 *Geo.* 2. *c.* 20.
29 *Geo.* 2. *c.* 38.
30 *Geo.* 2. *c.* 34.

CAP. XXXIV.

An Act for enlarging the Term and Powers granted by an Act passed in the twelfth Year of the Reign of his late Majesty King GEORGE the First, for repairing the Road from *Spittlegate-hill* near *Grantham* in the County of *Lincoln*, to *Little Drayton* in the County of *Nottingham*. P R.

The Tolls are further continued for 21 Years.

CAP. XXXV.

An Act for enlarging the Term and Powers granted by an Act passed in the Eighth Year of the Reign of his late Majesty King GEORGE the First, for amending the Highways leading from *Brampton-bridge* to *Welford-bridge* in the County of *Northampton*; and also the great Post Road, from *Morter-pit-hill*, in the said County, through *Brixworth*, *Lamport*, *Maidwell*, *Kelmarsh* and *Oxenden-magna*, to *Chain-bridge*, leading into *Market-harborough* in the County of *Leicester*. P R.

The Tolls are further continued for 21 Years. [Continued by 23 Geo. c. 8.]

CAP. XXXVI.

An Act for prohibiting the Importation of Books reprinted Abroad, and first composed or written, and printed in *Great Britain*; and for repealing so much of an Act made in the eighth Year of the Reign of her late Majesty Queen ANNE, as impowers the limiting the Prices of Books.

Preamble.
Concerning Books refer to 1 *R.* 3. *c.* 9.
25 *H.* 8. *c.* 15.
3 & 4 *Ed.* 6. *c.* 10.
17 *Car.* 2. *c.* 4.
8 *Ann. c.* 19.
9 *Geo.* 1. *c.* 19.

'WHEREAS the Duties payable upon Paper imported into this Kingdom, to be made use of in Printing, greatly exceed the Duties payable upon the Importation of printed Books, whereby Foreigners and others are encouraged to bring in great Numbers of Books originally printed and published in this Kingdom and reprinted Abroad, to the Diminution of his Majesty's Revenue, and the Discouragement of the Trade and Manufacture of this Kingdom;' For the preventing thereof for the future, may it please your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and thirty-nine, it shall not be lawful for any Person or Persons whatsoever, to import or bring into this Kingdom for Sale, any Book or Books first composed or written, and printed and published in this Kingdom, and reprinted in any other Place or Country whatsoever; and if any Person or Persons shall import or bring into this Kingdom for Sale, any printed Book or Books, so first composed or written, and printed in this Kingdom, and reprinted in any other Place or Country as aforesaid; or knowing the same to be so reprinted or imported, contrary to the true Intent and Meaning of this Act, shall sell, publish or expose to Sale any such Book or Books; then every such Person or Persons so doing or offending, shall forfeit the said Book or Books, and all and every Sheet or Sheets thereof; and the same shall be forthwith damasked, and made Waste Paper; and further, that every such Offender or Offenders shall forfeit the Sum of five Pounds, and double the Value of every Book which he or they shall so import or bring into this Kingdom, or shall knowingly sell, publish or expose to Sale, or cause to be sold, published or exposed to Sale, contrary to the true Intent and Meaning of this Act; the one Moiety thereof to the King's most Excellent Majesty, his Heirs and Successors, and the other Moiety to any Person or Persons that shall sue for the same; to be recovered with Costs of Suit in any of his Majesty's Courts of Record at *Westminster* by Action of Debt, Bill, Plaint or Information; in which no Wager of Law, Essoin or Protection, or more than one Imparlance shall be allowed; and if the Offence be committed in *Scotland*, to be recovered before the Court of Session there, by summary Action: Provided that this Act shall not extend to any Book that has not been printed or reprinted in this Kingdom within twenty Years before the same shall be imported.

Penalty on importing or selling Books first written and printed in this Kingdom, and reprinted Abroad.

Exceptions.

II. Provided always, That nothing in this Act contained shall extend to prevent or hinder the Importation of any Book first composed or written, and printed in this Kingdom, which shall or may be reprinted Abroad, and inserted among other Books or Tracts, and to be sold therewith, in any Collection, where the greatest Part of such Collection shall have been first composed or written, and printed Abroad; any Thing in this Act contained to the contrary notwithstanding.

III. And be it further enacted by the Authority aforesaid, That so much of an Act made in the eighth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned*, whereby it is provided and enacted, That if any Bookseller or Booksellers, Printer or Printers shall, after the said five and twentieth Day of *March* one thousand seven hundred

Clause in the Act 8 Annæ, c. 19. repealed.

hundred and ten, ſet a Price upon, or ſell, or expoſe to Sale any Book or Books, at ſuch a Price or Rate as ſhall be conceived by any Perſon or Perſons to be high and unreaſonable; it ſhall and may be lawful for any Perſon or Perſons to make Complaint thereof to the Lord Archbiſhop of *Canterbury* for the time being, the Lord Chancellor, or Lord Keeper of the Great Seal of *Great Britain* for the time being, the Lord Biſhop of *London* for the time being, the Lord Chief Juſtice of the Court of *Queen's Bench*, the Lord Chief Juſtice of the Court of *Common Pleas*, the Lord Chief Baron of the Court of *Exchequer* for the time being, the Vice Chancellors of the two Univerſities for the time being, in that Part of *Great Britain* called *England*, the Lord Preſident of the Seſſions for the time being, the Lord Juſtice General for the time being, the Lord Chief Baron of the Exchequer for the time being, the Rector of the College of *Edinburgh* for the time being in that Part Part of *Great Britain* called *Scotland*, who, or any one of them, ſhall, and have hereby full Power and Authority from time to time, to ſend for, ſummon, or call before him or them, ſuch Bookſeller or Bookſellers, Printer or Printers, and to examine and enquire of the Reaſon of the Dearneſs and Inchancement of the Price or Value of ſuch Book or Books by him or them ſo ſold, or expoſed to Sale; and if upon ſuch Enquiry and Examination, it ſhall be found that the Price of ſuch Book or Books is enhanced, or any wiſe too high or unreaſonable, then, and in ſuch Caſe, the ſaid Archbiſhop of *Canterbury*, Lord Chancellor, or Lord Keeper, Biſhop of *London*, two Chief Juſtices, Chief Baron, Vice Chancellors of the Univerſities in that Part of *Great Britain* called *England*, and the ſaid Lord Preſident of the Seſſions, Lord Juſtice General, Lord Chief Baron, and Rector of the College of *Edinburgh* in that Part of *Great Britain* called *Scotland*, or any one or more of them, ſo enquiring and examining, have hereby full Power and Authority to reform and redreſs the ſame, and to limit and ſettle the Price of every ſuch printed Book and Books, from time to time, according to the beſt of their Judgments, and as to them ſhall ſeem juſt and reaſonable; and in caſe of Alteration of the Rate or Price from what was ſet or demanded by ſuch Bookſeller or Bookſellers, Printer or Printers, to award and order ſuch Bookſeller and Bookſellers, Printer and Printers, to pay all the Coſts and Charges that the Perſon or Perſons ſo complaining ſhall be put unto by reaſon of ſuch Complaint, and of the cauſing ſuch Rate or Price to be ſo limited and ſettled; all which ſhall be done by the ſaid Archbiſhop of *Canterbury*, Lord Chancellor, or Lord Keeper, Biſhop of *London*, two Chief Juſtices, Chief Baron, Vice Chancellors of the two Univerſities in that Part of *Great Britain* called *England*, and the ſaid Lord Preſident of the Seſſions, Lord Juſtice General, Lord Chief Baron, and Rector of the College of *Edinburgh* in that Part of *Great Britain* called *Scotland*, or any one of them, by Writing under their Hands and Seals, and thereof publick Notice ſhall be forthwith given by the ſaid Bookſeller or Bookſellers, Printer or Printers, by an Advertiſement in the *Gazette*; and if any Bookſeller or Bookſellers, Printer or Printers, ſhall, after ſuch Settlement made of the ſaid Rate and Price, ſell, or expoſe to Sale, any Book or Books at a higher or greater Price than what ſhall have been ſo limited and ſettled as aforeſaid; then, and in every ſuch Caſe, ſuch Bookſeller and Bookſellers, Printer and Printers, ſhall forfeit the Sum of five Pounds for every ſuch Book ſo by him, her or them ſold or expoſed to Sale, one Moiety thereof to the Queen's moſt Excellent Majeſty, her Heirs and Succeſſors, and the other Moiety to any Perſon or Perſons that ſhall ſue for the ſame, to be recovered with Coſts of Suit, in any of her Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, in which no Wager of Law, Eſſoin, Privilege or Protection, or more than one Imparlance ſhall be allowed; and every Part of the ſaid Clauſe, ſhall be, and the ſame is hereby repealed.

Commencement and Continuance of this Act.

IV. And be it further enacted, That this Act (except ſo much thereof as repeals the before mentioned Clauſe in the ſaid Act of the eighth Year of the Reign of the late Queen ANNE, relating to the Prices of Books) ſhall continue and be in Force from the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine, for and during the Space of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, and no longer.

'Farther continued by 27 Geo. 2. c. 18.' *and by* 33 *Geo.* 2. c. 16.

Anno decimo tertio GEORGII II.

'AT the Parliament begun and holden at *Weſtminſter*, the fourteenth Day of *January*, *Anno Dom.* one thouſand ſeven hundred and thirty-four, in the eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, &c. And from thence continued by ſeveral Prorogations to the fifteenth Day of *November* 1739, [a] being the ſixth Seſſion of this preſent Parliament.

[a] *Continuat. uſque ad et in* Martis, xxxum *diem* Septembris *Anno Regni, &c.* xivo in Recordo.

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty. EXP.

CAP.

CAP. II.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and forty. EXP. 4 s. in the Pound.

CAP. III.

An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships, and other Trading Ships, and Privateers.

Preamble. *For former Laws concerning Seamen, refer to* 2 *R.* 2. *c.* 4. 5 *Eliz. c.* 5. 7 & 8 *W.* 3. *c.* 21. 8 & 9 *W.* 3. *c.* 23. 9 & 10 *W.* 3. *c.* 41. 2 *Ann. c.* 6. 4 & 5 *Ann. c.* 19. 10 *Ann. c.* 17. 1 *Geo.* 1. *ſt.* 2. *c.* 25. 8 *Geo.* 1. *c.* 24. 1 *Geo.* 2. *ſt.* 2. *c.* 9 & 14. 2 *Geo.* 2. *c.* 7 & 36. 6 *Geo.* 2. *c.* 25. 8 *Geo.* 2. *c.* 29. 11 *Geo.* 2. *c.* 30.

FOR the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant Ships, and other Trading Vessels, and Privateers, and for the better carrying on the present or any future War, and the Trade of *Great Britain* during the Continuance thereof; May it please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That during the Continuance of this present War, and no longer (except in respect to such Merchant Ships, and other Trading Ships or Vessels, and Privateers, which shall be on their Voyage before the Determination of the War, who shall be, and are hereby allowed the Liberty and Benefit of returning Home navigated in the Manner as herein after is provided) it shall and may be lawful for any Merchant Ship, or other Trading Ship or Vessel, or Privateer, to be navigated by Foreign Seamen or Mariners, not being Natives of *Great Britain*, or any of the Colonies or Plantations thereto belonging, or his Majesty's natural or naturalized Subjects, so as the Number of such Foreign Seamen or Mariners do not exceed three fourths of the Mariners at any one Time employed to navigate such Merchant Ship, or other Trading Ship or Vessel, or Privateer; and that one fourth at least of the Mariners or Seamen so employed be at all Times Natives or his Majesty's naturalized Subjects of *Great Britain* (sudden Death, and a Hazard and Casualties of War, and the Seas, saved and excepted)'; one Act of Parliament made in the twelfth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, or any other Statute or Law to the contrary notwithstanding.

Merchant Ships, &c. may be navigated by 3 4ths Foreigners, during the War.

II. And for the better encouraging of foreign Mariners and Seamen to come and serve on Board Ships belonging to this Kingdom of *Great Britain*, Be it further enacted by the Authority aforesaid, That every such Foreign Mariner or Seaman who shall, from and after the first Day of *January* one thousand seven hundred and thirty-nine, have faithfully served during the Time of War on Board any of his Majesty's Ships of War, or any Merchant or other Trading Ship or Ships, Vessel or Vessels, or Privateers (which at the Time of such Service shall belong to any of his Majesty's Subjects of *Great Britain*) for the Space of two Years, shall to all Intents and Purposes be deemed and taken to be a natural born Subject of his Majesty's Kingdom of *Great Britain*, and have and enjoy all the Privileges, Powers, Rights and Capacities, which such foreign Mariner or Seaman could, should or ought to have had and enjoyed, in case he had been a natural born Subject of his Majesty, and actually a Native within the Kingdom of *Great Britain*.

Foreign Seamen serving on Board Men of War, or Merchant Ships, 2 Years during the War, to be deemed natural born Subjects.

III. Provided nevertheless, and it is hereby further enacted and declared, That no Person who shall be naturalized by virtue of this Act, shall thereby be enabled to be of the Privy Council, or a Member of either House of Parliament, or to take any Office or Place of Trust, either civil or military, or to have any Grant of Lands, Tenements or Hereditaments from the Crown, to himself, or any other Person or Persons in Trust for him; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Proviso.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs and Successors, at all Times when it shall be found necessary to declare War against any foreign Power, to publish a Royal Proclamation, if he or they shall judge it requisite, to permit all Merchant Ships, and other Trading Vessels, and Privateers, to be manned with foreign Mariners and Seamen during such War, in the Manner as by this Act is provided; and that upon the publishing of such Proclamation, this Act and every Thing therein contained shall be deemed to be in full Force and Virtue, and have Continuance for and during the Time of any such War, and no longer, except in respect to such Merchant Ships, and other Trading Ships or Vessels, and Privateers, which shall be on their Voyage before the Determination of such War, who shall be and are hereby allowed the Liberty and Benefit of returning Home navigated in the Manner as herein before is provided.

The same may be practised in any future War.

Concerning Seamen see further Chapter 17. *And likewise* 14 *Geo.* 2. *c.* 38. 31 *Geo.* 2. *c.* 10.

17 *Geo.* 2. *c.* 34. 18 *Geo.* 2. *c.* 31. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 32. 24 *Geo.* 2. *c.* 47.

CAP. IV.

An Act for the more effectual securing and encouraging the Trade of his Majesty's *British* Subjects to *America*, and for the Encouragement of Seamen to enter into his Majesty's Service.

Preamble. *Refer to the preceding Chapter. And see* 25 *Geo.* 2. *c.* 24.

'WHEREAS the Trade of his Majesty's Subjects in *America* hath for many Years been greatly annoyed by the *Spaniards*, their undoubted Right to navigate in those Seas, without any Molestation, hath been unjustly interrupted, on Pretences altogether groundless and unwarrantable, di-

'vers Ships and Veſſels belonging to *Britiſh* Subjects have been ſeized and confiſcated, the Sailors have 'been injuriouſly impriſoned, and barbarouſly treated, and the *Britiſh* Colours have been inſulted in 'the moſt ignominious Manner: And whereas his Majeſty hath been obliged to declare War againſt the 'King of *Spain*, his Vaſſals and Subjects, to revenge the Injuries, and obtain ample Satisfaction for the 'Wrongs done to his Subjects:' Now for the better carrying on the ſaid War with Vigour, and for the Encouragement of the Officers and Seamen of his Majeſty's Ships of War, and the Officers and Seamen of all other *Britiſh* Ships and Veſſels having Commiſſions or Letters of Marque, and for inducing all *Britiſh* Seamen, who may be in any foreign Service, to return into this Kingdom, and become ſerviceable to his Majeſty, and for the more effectual ſecuring and extending the Trade of his Majeſty's Subjects to *America*, and elſewhere, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Flag-Officers, Commanders and other Officers, Seamen, Marines and Soldiers, on Board every Ship and Veſſel of War in his Majeſty's Pay ſhall have the ſole Intereſt and Property of and in all and every Ship, Veſſel, Goods and Merchandize, which they ſhall take after the fourth Day of *January* in the Year of our Lord one thouſand ſeven hundred and thirty-nine, in *Europe*; and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty, in any other Part of the World (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty in *Great Britain*, or in his Plantations in *America*, or elſewhere) to be divided in ſuch Proportions, and after ſuch Manner, as his Majeſty, his Heirs and Succeſſors ſhall think fit to order and direct, by Proclamation to be iſſued for that Purpoſe.

Officers, Seamen, Marines and Soldiers, to have the ſole Property of all Prizes they take in Europe after 4 Jan. 1739. And in any other Part of the World, after 4 June 1740.

II. And be it further enacted by the Authority aforeſaid, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the time being, or any three or more of them, or any Perſon or Perſons in any Part of *America*, or elſewhere, by him or them impowered or appointed, ſhall, from and after the fourth Day of *January* one thouſand ſeven hundred and thirty-nine, at the Requeſt of any *Britiſh* Owner or Owners of any Ship or Veſſel, giving ſuch Bail and Security as have been uſually taken upon granting Commiſſions, or Letters of Marque (except only for the Payment of the Tenths of the Value of Prizes which ſhall be taken, to the Lord High Admiral, or Commiſſioners for executing the Office of Lord High Admiral for the time being) cauſe to be iſſued forth in the uſual Manner, one or more Commiſſion or Commiſſions, to any Perſon or Perſons whom ſuch Owner or Owners ſhall nominate to be Commander, or in caſe of Death ſucceſſively Commanders, of ſuch Ship or Veſſel, for the attacking, ſurprizing, ſeizing and taking, by and with ſuch Ship or Veſſel, or the Crew thereof, any Place or Fortreſs upon the Land, or any Ship or Veſſel, Goods, Ammunition, Arms, Stores of War or Merchandizes, belonging to or poſſeſſed by any of his Majeſty's Enemies, in any Sea, Creek, Haven or River; and that ſuch Ship or Ships, Veſſel or Veſſels, Arms, Ammunition, Stores of War, Goods and Merchandizes whatſoever, with all their Furniture, Tackle or Apparel, ſo to be taken by or with ſuch private Owner or Owners, Ship or Veſſel, according to ſuch Commiſſion and Commiſſions, being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty as aforeſaid, ſhall wholly and intirely belong to, and be divided between and among the Owner and Owners of ſuch Ship or Veſſel, and the ſeveral Perſons which ſhall be on Board the ſame, and be aiding and aſſiſting to the taking thereof, in ſuch Shares and Proportions, as ſhall be agreed on with the Owner or Owners of ſuch Ship or Veſſel, as ſhall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattles of ſuch Owner or Owners, and the Perſons that ſhall be thus intitled thereto, by virtue of ſuch Agreements among themſelves; and that neither his Majeſty, his Heirs or Succeſſors, or any Admiral, Vice-admiral, Governor, or other Perſon commiſſioned by or claiming under his Majeſty, his Heirs or Succeſſors, or any Perſon or Perſons whatſoever, other than the Owner or Owners of ſuch Ship or Veſſel, being the Captor of ſuch Prize, Ship or Veſſel, Arms, Ammunition, Stores of War, Goods and Merchandizes, and the Perſons claiming under him or them, ſhall be intitled to any Part or Share thereof, except as to the Cuſtoms and Duties hereafter mentioned; any Cuſtom, Statute or other Law to the contrary notwithſtanding.

Lord High Admiral, &c. to grant Commiſſions to Commanders of Privateers,

III. And for the more ſpeedy proceeding to Condemnation, or other Determination of any Prize, Ship or Veſſel, Goods or Merchandizes, taken as aforeſaid, and for leſſening of the Expences that have been uſual in the like Caſes, Be it further enacted by the Authority aforeſaid, That the Judge or Judges of ſuch Court of Admiralty, or other Perſon or Perſons thereto authorized, ſhall, within the Space of five Days after Requeſt to him or them for that Purpoſe made, finiſh the uſual preparatory Examination of the Perſons commonly examined in ſuch Caſes, in order to prove the Capture to be lawful Prize, or to enquire whether the ſame be lawful Prize or not, and that the proper Monition uſual in ſuch Caſes ſhall be iſſued by the Perſon or Perſons proper to iſſue the ſame, and ſhall be executed in the uſual Manner by the Perſon or Perſons proper to execute the ſame, within the Space of three Days after Requeſt in that Behalf made; and in caſe no Claim of ſuch Capture, Ship, Veſſel or Goods, ſhall be duly entered or made in the uſual Form, and atteſted upon Oath, giving twenty Days Notice after the Execution of ſuch Monition; or if there be ſuch Claim, and the Claimant or Claimants ſhall not within five Days give ſufficient Security (to be approved by ſuch Court of Admiralty) to pay double Coſts to the Captor or Captors of ſuch Ship, Veſſel or Goods, in caſe the ſame ſo claimed ſhall be adjudged lawful Prize, that then the Judge or Judges of ſuch Court of Admiralty ſhall, upon producing to him or them the ſaid Examinations or Copies thereof, and upon producing to him or them upon Oath all Papers and Writings which ſhall have been found taken in or with ſuch Capture, or upon Oath made that no ſuch Papers were found, immediately and without further Delay, proceed to Sentence, either to diſcharge and acquit ſuch Capture, or to adjudge and condemn the ſame as lawful Prize, according as the Caſe ſhall appear to him or them, upon Peruſal of ſuch preparatory Examinations, and alſo of the Writings found taken in

How the Prizes ſhall be tried, for Condemnation.

or with ſuch Capture, if any ſuch Writing ſhall be found; and in caſe ſuch Claim ſhall be duly entred or made, and Security given thereupon, according to the Tenor and true Meaning of this Act, and there ſhall appear no Occaſion to examine any Witneſſes, other than what ſhall be then near to ſuch Court of Admiralty, that then ſuch Judge or Judges ſhall forthwith cauſe ſuch Witneſſes to be examined, and within the Space of ten Days after ſuch Claim made and Security given, proceed to ſuch Sentence as aforeſaid, touching ſuch Capture; but in caſe upon making or entring ſuch Claim and the Allegation and Oath thereupon, or the producing ſuch Writings as ſhall have been found taken in or with ſuch Capture, or upon the ſaid preparatory Examinations, it ſhall appear doubtful to the Judge or Judges of ſuch Court of Admiralty, whether ſuch Capture be lawful Prize or not; and it ſhall appear neceſſary according to the Circumſtances of the Caſe, for the clearing and determining ſuch Doubt, to have an Examination of Witneſſes that are remote from ſuch Court of Admiralty, and ſuch Examination ſhall be deſired, and that it be ſtill inſiſted on Behalf of the Captors that the ſaid Capture is lawful Prize, and that the contrary be ſtill perſiſted in on the Claimants Behalf; that then the ſaid Judge or Judges ſhall forthwith cauſe ſuch Capture to be appraiſed by Perſons named on the Part of the Captor, and ſworn truly to appraiſe the ſame according to the beſt of their Skill and Knowledge; for which Purpoſe the ſaid Judge or Judges ſhall cauſe the Goods found on Board to be unladen, and put into proper Warehouſes, with ſeparate Locks of the Collector and Comptroller of the Cuſtoms, and where there is no Comptroller, of the naval Officer, and the Agents or Perſons employed by the Captors and Claimants at the Charge of the Party or Parties deſiring the ſame, and ſhall after ſuch Appraiſement made, and within the Space of Fourteen Days after the making of ſuch Claim, proceed to take good and ſufficient Security from the Claimants to pay the Captors the full Value thereof, according to ſuch Appraiſement, in caſe the ſame ſhall be adjudged lawful Prize; and after ſuch Security duly given, the ſaid Judge or Judges ſhall make an interlocutory Order, for releaſing or delivering the ſame to ſuch Claimant or Claimants, or his or ther Agents, and the ſame ſhall be actually releaſed or delivered accordingly.

Farther Directions herein 13 Geo. 2. c. 31 § 9.

IV. And it is further enacted by the Authority aforeſaid, That if any Claimant or Claimants ſhall refuſe to give ſuch Security, the Judge or Judges ſhall cauſe the Captor or Captors in like Manner to give good and ſufficient Security, to be approved of by the Claimant or Claimants, to pay the ſaid Claimant or Claimants the full Value thereof according to the Appraiſement, in caſe any ſuch Capture or Captures ſhall be adjudged not to be lawful Prize; and the ſaid Judge or Judges ſhall thereupon proceed to make an interlocutory Order, for the releaſing and delivering of the ſame to the ſaid Captor or Captors, or their Agents.

V. And it is further enacted by the Authority aforeſaid, That all ſuch Captures as aforeſaid, which ſhall be brought into any of his Majeſty's Colonies or Plantations in *America*, ſhall without breaking Bulk ſtay there, and be under the joint Care and Cuſtody of the Collector and Comptroller of the Cuſtoms, or where there is no Comptroller, of the naval Officer of the Port or Place where the ſame ſhall be brought; and all the Captors thereof, and their Agents, until either the ſame ſhall by final Sentence have been either cleared and diſcharged, or adjudged and condemned as lawful Prize; or that ſuch interlocutory Orders, as aforeſaid, ſhall have been made for the releaſing or delivering of the ſame; and upon the Condemnation or Adjudication thereof as lawful Prize, ſhall in caſe the ſame were taken by any ſuch private Ship or Ships commiſſioned as aforeſaid, be immediately delivered unto the Captors thereof, and their Agents, to be by them diſpoſed of as their Goods and Chattles; and in caſe the ſame were taken by any of his Majeſty's Ships of War, unto ſuch Perſon or Perſons, and to be ſo divided and diſpoſed of, as his Majeſty, his Heirs and Succeſſors, ſhall by Proclamation for that Purpoſe order and direct.

Penalty on Judges neglect of Duty.

VI. And be it further enacted by the Authority aforeſaid, That if any Judge or Judges, or other Officer or Officers, in any of his Majeſty's Plantations or Dominions abroad, to whom reſpectively it ſhall appertain, ſhall delay the doing, performing, making, or pronouncing any of the ſeveral Proceedings, Matters, or Things for, towards, or relating to condemning or diſcharging, releaſing or delivering of any ſuch Capture, in Manner aforeſaid, within the reſpective Times herein before limited, or as ſoon as the ſame or any of them ought to be done, according to the Tenor and true Meaning of this Act, all and every ſuch Judge and Judges, and other Officer and Officers, ſhall for every ſuch Offence forfeit the Sum of five hundred Pounds; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, the other Moiety thereof, with full Coſts of Suit, to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, in any of the Courts in or for any of his Majeſty's ſaid Colonies or Plantations, or in any of his Majeſty's Courts of Record within his Kingdom of *Great Britain*.

What ſhall be paid in the Courts of Admiralty Abroad, for trying and condemning Prizes.

VII. And it is hereby further enacted by the Authority aforeſaid, That there ſhall not be paid unto or among all the Judges and Officers of ſuch Court of Admiralty in any of his Majeſty's Plantations or Dominions abroad, for, towards, or relating to the adjudging or condemning of ſuch Capture as aforeſaid, as lawful Prize, above the Sum of ten Pounds, in caſe ſuch Prize Ship or Veſſel be under the Burthen of one hundred Tons; nor above the Sum of fifteen Pounds, in caſe the ſame be of that or any greater Burthen; and that upon Payment of either of the ſaid reſpective Sums, as the Caſe ſhall require, to the ſaid Judge or Judges, or any of them, to be by him or them diſpoſed or divided, as he or they ſhall think fit, among the Officers of ſuch Court, ſuch Judges and Officers, and every of them, ſhall be liable to all and every the ſeveral Penalties hereby impoſed, for neglecting or delaying to do and perform their ſeveral and reſpective Duties or Offices in and relating to the ſeveral Proceedings aforeſaid, within the reſpective Times herein for that Purpoſe limited.

Appeal to Commiſſioners.

VIII. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That if any Captor or Captors, Claimant or Claimants, ſhall not reſt ſatisfied with the Sentence given in ſuch Court of Admiralty in any of his Majeſty's Plantations or Dominions abroad, it ſhall and may be lawful

ful for the Party or Parties thereby aggrieved, to appeal from the ſaid Court of Admiralty to the Commiſſioners appointed or to be appointed under the Great Seal of *Great Britain*, for receiving, hearing, and determining Appeals in Cauſes of Prizes; ſuch Appeal to be allowed in the like Manner as Appeals to ſuch Commiſſioners are now allowed from the Court of Admiralty within this Kingdom; ſo as the ſame be made within fourteen Days after Sentence, and a good Security be likewiſe given by the Appellant or Appellants, that he or they will effectually proſecute ſuch Appeal, and anſwer the Condemnation, as alſo pay Treble Coſts, as ſhall be awarded, in caſe the Sentence of ſuch Court of Admiralty be affirmed; any thing in this Act before to the contrary hereof in any wiſe notwithſtanding. Provided always, That the Execution of any Sentence ſo appealed from as aforeſaid ſhall not be ſuſpended be reaſon of ſuch Appeal, in caſe the Party or Parties appellate ſhall give ſufficient Security, to be approved of by the Court in which ſuch Sentence ſhall be given, to reſtore the Ship, Veſſel, Goods, or Effects, concerning which ſuch Sentence ſhall be pronounced, or the full Value thereof, to the Appellant or Appellants, in caſe the Sentence ſo appealed from ſhall be reverſed.

To forfeit Treble Value for all Goods embezziled on Board any Prizes.

IX. And be it further enacted by the Authority aforeſaid, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers, or others, ſhall break Bulk on Board, or embezil any of the Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture, or Apparel of or belonging to ſuch Prize or Prizes ſo taken, ſuch Commander, Officer, Seaman, Marine, Soldier, or others, ſhall forfeit Treble the Value of all ſuch Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture, or Apparel, as he or they ſhall embezil; one third Part thereof to be to the Uſe of *Greenwich Hoſpital*, and the other two third Parts thereof to him or them that will ſue for the ſame, by Action of Debt, Plaint, or Information, in any Court of Record in *Great Britain*, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Agents for Sale of Prizes how to be appointed.

X. And be it further enacted by the Authority aforeſaid, That all Appraiſements and Sales of any Ship or Ships, Goods, Wares, or Merchandizes, as ſhall be taken by any of his Majeſty's Ships of War, ſhall be made by Agents, or Perſons nominated and appointed in equal Numbers by the Commander, Officer, or Ship's Company, and others intitled thereunto (that is to ſay) That if the Commander or Commanders of ſuch Ship or Ships, as ſhall take any ſuch Prize or Prizes, ſhall nominate and appoint one or more Perſon or Perſons, Agent or Agents, to ſell or appraiſe the ſame as aforeſaid, then the Officers intitled thereunto, or the Majority of them, ſhall nominate and appoint the like Number of Perſons or Agents to act for them, and the Ship's Company and others, or the major Part of them, ſhall alſo nominate and appoint the ſame Number of Perſons or Agents to act on their Behalf in ſuch Appraiſement or Sale; provided that nothing herein contained ſhall extend or be conſtrued to alter or make void any Agreement or Agreements made or to be made in Writing between the Owners, Officers, and Seamen of any private Ships or Veſſels of War.

Publick Notice to be given by the Agents, of the Day appointed to pay the Captors Shares.

Shares not demanded in 3 Years, to go to Greenwich Hoſpital.

Proviſo.

XI. And be it further enacted by the Authority aforeſaid, That after the Sale or Sales of ſuch Prize or Prizes, as ſhall be taken from the Enemy by any of his Majeſty's Ships of War, publick Notification ſhall be given by the Perſons or Agents appointed as aforeſaid, of the Day appointed for the Payment of the ſeveral Shares to the Captors aforeſaid; after which publick Notification if any Mens Shares ſhall remain in the Hands of the Perſons or Agents appointed as aforeſaid, and ſhall not be legally demanded within three Years, then ſuch Share or Shares ſo remaining in the Perſons or Agents Hands ſhall go and be paid to the Uſe of *Greenwich Hoſpital*.

XII. Provided always, and be it declared and enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to exempt any Ships, Goods, Wares, or Merchandizes, which ſhall be taken as Prize, and brought or imported into this Kingdom, or any of his Majeſty's Plantations in *America*, from the Payment of any Cuſtoms or Duties, or from being ſubject to ſuch Reſtrictions and Regulations, to which the ſame now are or ſhall hereafter be liable by virtue of the Laws and Statutes of this Realm.

Charters, &c. to be granted to Adventurers.

XIII. And for the encouraging his Majeſty's Subjects to engage in joint and united as well as ſeparate Expences, Expeditions and Adventures, Be it further enacted by the Authority aforeſaid, That his Majeſty be, and he, and his Heirs and Succeſſors are hereby impowered, from time to time during the Continuance of the preſent or any future War, to grant or make any Charter, Commiſſion, or Grant, Charters, Commiſſions, or Grants, for the better or more effectual enabling any Society or Societies, or particular Perſons, to join in any Expeditions or Adventures by Sea or Land, and to ſail to and in any of the Seas in *America*, for the attacking, ſurprizing, taking, or deſtroying any Ships, Goods, Moveables and Immoveables, Settlements, Factories, Creeks, Harbours, Places of Strength, Lands, Forts, Caſtles, and Fortifications, now belonging, or hereafter to belong to, or to be poſſeſſed by any Enemy of his Majeſty, his Heirs or Succeſſors, in any Part or Parts of *America*; and for the better making and carrying on any Preparations for ſuch Purpoſe and Purpoſes, and for the making and aſſuring to the Societies and Perſons which may be concerned, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, full and undoubted Properties, Rights and Titles, of, in, and to, and the full Enjoyment of all and every the Ships, Ammunition, Stores of War, Goods, Chattels, Moveables and Immoveables, Settlements, Factories, Places of Strength or Security, Lands, Forts, Caſtles or Fortifications, now belonging to, or poſſeſſed by, or hereafter to belong to, or to be poſſeſſed by any Enemy of his Majeſty, his Heirs or Succeſſors, in any of the Parts of *America*, which ſuch Society or Perſons ſhall take, or cauſe to be taken from any ſuch Enemy, together with all the Proceed, Profits and Advantages, which may accrue of or by ſame, or any of them, with and under ſuch Regulations, and in ſuch Manner and Form as his Majeſty, his Heirs and Succeſſors ſhall think fit; and at any time and times afterwards, by any further Grants or Charters, to confirm, corroborate, and further aſſure the Premiſſes, and every or any of them, to the ſaid Societies or Perſons concerned, their and every of their Heirs, Succeſſors, Executors,

Executors, Adminiſtrators or Aſſigns, ſo as to enable them, and every of them, to have, hold and enjoy the full Benefit thereof according to the true Intent and Meaning of this Act; any Law, Statute, Proviſion, or Declaration to the contrary in any wiſe notwithſtanding.

XIV. Provided always, That nothing ſhall be contained in any Charter, Commiſſion, or Grant, made in purſuance of this Act, to exclude or reſtrain any of his Majeſty's Subjects from having a full and free Trade to and in any Part of *America*. Proviſo.

XV. And as a further Encouragement to the Officers, Seamen, Marines, Soldiers, and others on board his Majeſty's Ships of War, as alſo of Privateers, to attack, take and deſtroy any Ships of Force belonging to the Enemy; Be it enacted by the Authority aforeſaid, That there ſhall be paid by the Treaſurer of his Majeſty's Navy, upon Bills to be made forth by the Commiſſioners of the Navy, to be paid according to the Courſe thereof without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers or others, that ſhall have been actually on board ſuch of his Majeſty's Ship or Ships of War, or Privateer or Privateers, in any Action where any Ship or Ships of War, or Privateers, ſhall have been taken from the Enemy, ſunk, burnt, or otherwiſe deſtroyed, five Pounds for every Man which was living on board any Ship or Ships ſo taken, ſunk, burnt, or otherwiſe deſtroyed, at the Beginning of the Engagement between them; the Numbers of ſuch Men to be proved by the Oaths of three or more of the Chief Officers, or Men, which were belonging to the ſaid Ship or Ships of War, or Privateers of the Enemy, at the Time of her or their being taken as Prize, ſunk, burnt or otherwiſe deſtroyed, before the Mayor, or other Chief Magiſtrate of the Port, whereunto any Prize, or Officers, or Men of ſuch Ships, as were ſunk, burnt or otherwiſe deſtroyed, ſhall be brought; which Oaths the ſaid Mayor, or other Chief Magiſtrate of any ſuch Port, is hereby impowered and required to adminiſter, and ſhall forthwith grant a Certificate thereof, without Fee or Reward, directed to the Commiſſioners of the Navy; upon producing which Certificate to the Commiſſioners of his Majeſty's Navy, together with an authentick Copy of the Condemnation of ſuch Ship ſo taken, or if ſuch Ship be ſunk, burnt or otherwiſe deſtroyed, on producing only a Certificate from the Mayor, or other Chief Magiſtrate as aforeſaid, the ſaid Commiſſioners of His Majeſty's Navy, or ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, ſhall, according to the Courſe of the Navy, within fifteen Days make out Bills for the Amount of ſuch Bounty, directed to the Treaſurer of the Navy, payable to, and to be divided amongſt the Officers, Seamen, Marines and Soldiers on board his Majeſty's Ships of War, in Manner, Form and Proportion, as by his Majeſty's Proclamation to be iſſued for that Purpoſe ſhall be directed and appointed; and amongſt the Owners, Officers and Seamen of any private Veſſel, or Ship of War, in ſuch Manner and Proportion, as by any Agreement in Writing they ſhall have entred into for that Purpoſe, ſhall be directed. Bounty-money to be paid for taking or deſtroying the Enemies Ships.

XVI. And be it further enacted by the Authority aforeſaid, That the Bill or Bills to be made out for the Bounty hereby granted to the Commanders, Officers, Seamen, Marines, Soldiers, and others of his Majeſty's Ships of War, for taking, ſinking, burning or otherwiſe deſtroying any Ships of War, or Privateers, belonging to any of his Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be authorized and appointed by the Commander, and by the Majority of the Officers, and the major Part of ſuch Ship's Company, and others, as ſhall have taken, ſunk, burnt or otherwiſe deſtroyed the ſame, to be diſtributed and divided by the ſaid Perſon or Perſons ſo authorized and appointed, amongſt the Captors, in ſuch Manner, Form and Proportion as aforeſaid; the ſeveral Shares of which Captors if not legally demanded within three Years after publick Notification, ſhall be applied to the Uſe of *Greenwich Hoſpital*; and that the Bill or Bills to be made out for the Bounty hereby granted to Privateers, for taking, ſinking, burning or otherwiſe deſtroying any Ships of War or Privateers belonging to any of his Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be nominated and appointed by the Owner or Owners, Officers and Seamen of ſuch Privateer or Privateers, who ſhall have taken, ſunk, burnt or otherwiſe deſtroyed the ſame, or the major Part of them, to be divided in ſuch Manner and Proportion as ſhall have been agreed by them as aforeſaid. Captors to appoint Agents to receive the Bounty-money.

XVII. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to oblige or authorize any Judge of any of his Majeſty's Courts of Admiralty in the Plantations or Colonies in *America*, or elſewhere out of *Great Britain*, to adjudge or determine concerning the Validity of the Capture of any Ship or Ships, whether Men of War or Merchant Ships, commonly called *Flota Ships* or *Galleons*, or any Ship having a Regiſter, bound from *Buenos Ayres*, or *Honduras*, or any Goods on board any ſuch Ship; but that all ſuch Ships called *Flota Ships* or *Galleons*, and every Ship having a Regiſter, bound from *Buenos Ayres*, or *Honduras*, which ſhall be taken by any Ship or Ships, ſhall with their Cargoes be tried and adjudged in his Majeſty's High Court of Admiralty; any thing in this Act to the contrary in any wiſe notwithſtanding. Prizes of Galleons, &c. not to be adjudged in the American Courts of Admiralty.

This Clauſe amended by 15 *Geo.* 2. *c.* 31. § 5.

XVIII. Provided always, and be it enacted, That if any Ship, Veſſel or Boat taken as Prize, or any Goods therein, ſhall appear and be proved in the Court of Admiralty to be belonging to any of his Majeſty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing under his Majeſty's Protection and Obedience, which were before taken or ſurprized by any of his Majeſty's Enemies, and afterwards again ſurprized and retaken by any of his Majeſty's Ships of War, or any private Man of War, or other Ship, Veſſel or Boat, under his Majeſty's Protection or Obedience; that then ſuch Ships, Veſſels, Boats and Goods, and every ſuch Part and Parts thereof as aforeſaid, belonging to ſuch his Majeſty's Subjects, ſhall be adjudged to be reſtored, and ſhall be by Decree of the ſaid Court of Admiralty accordingly reſtored to ſuch former Owner or Owners or Proprietors, he or they paying for and in lieu of Salvage, if taken by one of his Majeſty's Ships of War, an eighth Part of the true Value of the Ships, Veſſels, Boats and Goods reſpectively ſo to be reſtored; Goods of British Subjects retaken from the Enemy, how to be diſpoſed of.

which

which Salvage ſhall be anſwered and paid to the Captains, Officers and Seamen in the ſaid Man of War, to be divided in ſuch Manner as before in this Act is directed touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Marines and Soldiers, where Prizes are taken by any of his Majeſty's Ships of War: And if taken by a Privateer or other Ship, Veſſel or Boat, after having been in the Poſſeſſion of the Enemy twenty-four Hours, an eighth Part of the true Value of the ſaid Ships, Veſſels, Boats and Goods; and if above twenty-four Hours, and under forty-eight Hours, a fifth Part thereof; and if above forty-eight Hours, and under ninety-ſix Hours, a third Part thereof; and if above ninety-ſix Hours, a Moiety thereof: All which Payments to be made to any Privateer or other Ship, Veſſel, or Boat, ſhall be without any Deductions: And if ſuch Ship ſo retaken ſhall appear to have been, after the taking by the Enemy, by them ſet forth as a Man of War, the former Owners and Proprietors to whom the ſame ſhall be reſtored, ſhall be adjudged to pay, and ſhall pay for Salvage, the full Moiety of the true Value of the ſaid Ship ſo taken and reſtored, without Deduction as aforeſaid; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Penalties on Ships taken by Colluſion.

XIX. And be it further enacted, That in caſe any Ship or Veſſel, or any Goods or Merchandizes, ſhall be taken by any Privateer through Conſent or clandeſtinely, or by Colluſion or Connivance, ſuch Ship and Veſſel, and ſuch Goods and Merchandizes, and alſo the Ship's Tackle, Apparel, Furniture and Ammunition of ſuch Privateer, ſhall, upon Proof thereof to be made in his Majeſty's Court of *Exchequer*, or in the Cou t of Admiralty, be declared and judged to be good Prize to his Majeſty; one Moiety thereof ſhall be to the Uſe of his Majeſty, his heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame; and the Bond given by the Captain of ſuch Privateer, ſhall be and is hereby adjudged to be forfeited to his Majeſty: And in caſe any ſuch Ship or Veſſel, or any Goods or Merchandizes as aforeſaid ſhall be taken by any Man of War through Conſent, clandeſtinely, or by Colluſion or Connivance of the Commander or Captain, ſuch Commander or Captain ſhall forfeit the Sum of one thouſand Pounds; one Moiety thereof to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection, Privilege, or Wager of Law, or any more than one Imparlance ſhall be allowed; and ſuch Captain or Officer ſhall forfeit his Command and Employment, and ſhall be and is hereby diſabled and made incapable of any Office or Employment under his Majeſty during the Space of ſeven Years; and the ſaid Goods and Merchandizes, and the Ship, Tackle, Apparel, Furniture, Guns and Ammunition, ſo taken by Colluſion, ſhall be and is hereby adjudged to be good Prize to his Majeſty.

No Privateer, &c. in America, to take on board any Servant, without Conſent of the Maſter.

But in all Caſes to obſerve the Laws of that Country.

'XX. And whereas good and neceſſary Laws have been made, and are ſtill in Force, within ſeveral 'of his Majeſty's Colonies or Plantations in *America*, for the preventing the carrying off from the ſaid 'Colonies or Plantations any Servant or Slave without the Conſent of the Owner, or the carrying off 'from thence any other Perſon or Perſons whatſoever, until ſuch Perſon ſhall have taken out his Ticket 'from the Secretary's Office within ſuch reſpective Colony or Plantation, in ſuch Manner, and under 'ſuch Penalties and Forfeitures, as in and by the ſaid ſeveral Laws is declared and provided;' Be it therefore further enacted by the Authority aforeſaid, That all Commanders of private Ships of War, or Merchant Ships having Letters of Marque, ſhall upon their going into any of thoſe Ports or Harbours, be ſubject and they are hereby determined to be ſubject to the ſeveral Directions, Proviſions, Penalties and Forfeitures in and by ſuch Laws made and provided; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Concerning Seamen, ſee the References to the foregoing Chapter.

CAP. V.

An Act for making more effectual Three ſeveral Acts of Parliament, One of the Sixth Year of the Reign of her late Majeſty Queen ANNE, and another of the eleventh Year of the Reign of his late Majeſty King GEORGE, *For repairing the Highways from* Old Stratford *in the County of* Northampton, *to* Dunchurch *in the County of* Warwick; and the third made in the tenth Year of his preſent Majeſty's Reign, for making more effectual the ſaid two former Acts. P R.

The Tolls are further continued for 21 Years.

CAP. VI.

An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpoſe. Perſons taking the Oaths 1 Geo. 1. c. 13. by 8 *Nov.* 1740. and receiving the Sacrament, indemnified, and recapacitated, and their Acts valid. But Perſons not hereby reſtored to Places already avoided or filled up. EXP.

CAP. VII.

An Act for naturalizing ſuch foreign Proteſtants, and others therein mentioned, as are ſettled, or ſhall ſettle, in any of his Majeſty's Colonies in *America*.

Preamble.

'WHEREAS the Increaſe of People is a Means of advancing the Wealth and Strength of any 'Nation or Country: And whereas many Foreigners and Strangers from the Lenity of our Go'vernment, the Purity of our Religion, the Benefit of our Laws, the Advantages of our Trade, and 'the Security of our Property, might be induced to come and ſettle in ſome of his Majeſty's Colonies 'in *America*, if they were made Partakers of the Advantages and Privileges which the natural born Sub-

'jects

jects of this Realm do enjoy;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty, all Perſons born out of the Ligeance of his Majeſty, his Heirs or Succeſſors, who have inhabited and reſided, or ſhall inhabit or reſide, for the Space of ſeven Years or more, in any of his Majeſty's Colonies in *America*, and ſhall not have been abſent out of ſome of the ſaid Colonies for a longer Space than two Months at any one Time during the ſaid ſeven Years, and ſhall take and ſubſcribe the Oaths, and make, repeat, and ſubſcribe the Declaration appointed by an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the further Security of his Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs* SOPHIA, *being Proteſtants; and for extinguiſhing the Hopes of the pretended Prince of* Wales, *his open and ſecret Abettors*; or, being of the People called *Quakers*, ſhall make and ſubſcribe the Declaration of Fidelity, and take and affirm the Effect of the Abjuration Oath, appointed and preſcribed by an Act made in the eighth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for granting the People called* Quakers, *ſuch Forms of Affirmation or Declaration, as may remove the Difficulties which many of them lie under*; and alſo make and ſubſcribe the Profeſſion of his Chriſtian Belief, appointed and preſcribed by an Act made in the firſt Year of the Reign of their late Majeſties King WILLIAM and Queen MARY, intituled, *An Act for exempting their Majeſties Proteſtant Subjects from the Penalties of certain Laws*; before the Chief Judge, or other Judge of the Colony wherein ſuch Perſons reſpectively have ſo inhabited and reſided, or ſhall ſo inhabit and reſide, ſhall be deemed, adjudged, and taken to be, his Majeſty's natural born Subjects of this Kingdom, to all Intents, Conſtructions, and Purpoſes, as if they, and every of them, had been or were born within this Kingdom; which ſaid Oath or Affirmation and Subſcription of the ſaid Declarations reſpectively the Chief Judge or other Judge of every of the ſaid reſpective Colonies is hereby enabled and impowered to adminiſter and take; and the taking and ſubſcribing of every ſuch Oaths or Affirmation, and the making, repeating, and ſubſcribing of every ſuch Declaration, ſhall be before ſuch Chief Judge or other Judge, in open Court, between the Hours of nine and twelve in the Forenoon; and ſhall be entered in the ſame Court, and alſo in the Secretary's Office of the Colony wherein ſuch Perſon ſhall ſo inhabit and reſide: And every Chief Judge or other Judges of every reſpective Colony, before whom ſuch Oaths or Affirmation ſhall be taken and every ſuch Delaration ſhall be made, repeated, and ſubſcribed as aforeſaid, is hereby required to make a due and proper Entry thereof in a Book to be kept for that Purpoſe in the ſaid Court; for the doing whereof two Shilings and no more ſhall be paid at each reſpective Place, under the Penalty and Forfeiture of ten Pounds of lawful Money of *Great Britain* for every Neglect or Omiſſion: And in like Manner every Secretary of the Colony wherein any Perſon ſhall ſo take the ſaid Oaths or Affirmation, and make, repeat, and ſubſcribe the ſaid Declarations reſpectively, as aforeſaid, is hereby required to make a due and proper Entry thereof in a Book to be kept for that Purpoſe in his Office, upon Notification thereof to him by the Chief Judge or other Judge of the ſame Colony, under the like Penalty and Forfeiture for every ſuch Neglect or Omiſſion.

Foreigners living 7 Years in any of our Colonies, to be deemed Natives, on taking the Oaths, &c.

Quakers to ſubſcribe the Declaration of Fidelity, &c.

Entries to be made in Books to be kept for publick Inſpection.

2 s. to be paid, and no more, for each Entry, on 10 l. Penalty.

The ſame Penalty on Secretary's neglecting to regiſter.

II. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon, of what Quality, Condition, or Place ſoever, other than and except ſuch of the People called *Quakers* as ſhall qualify themſelves and be naturalized by the Ways and Means herein before-mentioned, or ſuch who profeſs the *Jewiſh* Religion, ſhall be naturalized by virtue of this Act, unleſs ſuch Perſon ſhall have received the Sacrament of the Lord's Supper in ſome Proteſtant and Reformed Congregation within this Kingdom of *Great Britain*, or within ſome of the ſaid Colonies in *America*, within three Months next before his taking and ſubſcribing the ſaid Oaths, and making, repeating, and ſubſcribing the ſaid Declaration; and ſhall, at the Time of his taking and ſubſcribing the ſaid Oaths, and making, repeating, and ſubſcribing the ſaid Declaration, produce a Certificate ſigned by the Perſon adminiſtring the ſaid Sacrament, and atteſted by two credible Witneſſes, whereof an Entry ſhall be made in the Secretary's Office of the Colony, wherein ſuch Perſon ſhall ſo inhabit and reſide, as alſo in the Court where the ſaid Oaths ſhall be ſo taken as aforeſaid, without any Fee or Reward.

Each qualified Perſon to receive the Sacrament, except *Quakers* and *Jews*. 20 Geo. 2. c. 44.

'III. And whereas the following Words are contained in the latter Part of the Oath of Abjuration, 'Videlicet, (*upon the true Faith of a Chriſtian*) And whereas the People profeſſing the *Jewiſh* Religion 'may thereby be prevented from receiving the Benefit of this Act;' Be it further enacted by the Authority aforeſaid, That whenever any Perſon profeſſing the *Jewiſh* Religion ſhall preſent himſelf to take the ſaid Oath of Abjuration in purſuance of this Act, the ſaid Words (*upon the true Faith of a Chriſtian*) ſhall be omitted out of the ſaid Oath in adminiſtring the ſame to ſuch Perſon, and the taking and ſubſcribing the ſaid Oath by ſuch Perſon profeſſing the *Jewiſh* Religion, without the Words aforeſaid, and the other Oaths appointed by the ſaid Act in like Manner as *Jews* were permitted to take the Oath of Abjuration, by an Act made in the tenth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for explaining and amending an Act of the laſt Seſſion of Parliament, intituled*, An Act to oblige all Perſons, being Papiſts, in that Part of *Great Britain* called *Scotland*, and all Perſons in *Great Britain*, refuſing or neglecting to take the Oaths appointed for the Security of his Majeſty's Perſon and Government, by ſeveral Acts herein mentioned, to regiſter their Names and real Eſtates; *and for enlarging the Time for taking the ſaid Oaths, and making ſuch Regiſters, and for allowing further Time for the Inrolment of Deeds or Wills made by Papiſts, which have been omitted to be inrolled purſuant to an Act of the third Year of his Majeſty's Reign; and alſo for giving Relief to Proteſtant Leſſees*, ſhall be deemed a ſufficient taking of the ſaid Oaths, in order to intitle ſuch Perſon to the Benefit of being naturalized by virtue of this Act.

Jews taking the Oaths, may omit ſome Chriſtian Expreſſions.

Certificates given by the Colony of Residence, taking the Oaths, &c. to be allowed proper Evidence in all the Courts of Great Britain and Ireland. *This Clause is extended by* 20 *Geo.* 2. *c.* 44.

IV. And be it further enacted by the Authority aforesaid, That a Testimonial or Certificate under the Seal of any of the said Colonies, of any Persons having resided and inhabited for the Space of seven Years or more as aforesaid within the said Colonies or some of them, to be specified in such Certificate, together with the particular Time of Residence in each of such respective Colonies (whereof the Colony under the Seal of which such Certificate shall be given to be One) and of his having taken and subscribed the said Oaths, and of his having made, repeated and subscribed the said Declaration, and in case of a *Quaker* of his having made and subscribed the Declaration of Fidelity, and of his having taken and affirmed the Effect of the Abjuration Oath as aforesaid, and in the Case of a Person professing the *Jewish* Religion, of his having taken the Oath of Abjuration as aforesaid, within the same Colony, under the Seal whereof such Certificate shall be given as aforesaid, shall be deemed and taken to be a sufficient Testimony and Proof thereof, and of his being a natural born Subject of *Great Britain*, to all Intents and Purposes whatsoever, and as such shall be allowed in every Court within the Kingdoms of *Great Britain* and *Ireland*, and also in the said Colonies in *America*.

Secretary of the Colony to send over to the Commissioners of Trade Lists yearly to be registred in England; on Penalty of 50 *l.*

V. And be it further enacted by the Authority aforesaid, That every Secretary of the said respective Colonies for the time being, shall and is hereby directed and required at the End of every Year, to be computed from the said First Day of *June* in the Year of our Lord one thousand seven hundred and forty, to transmit and send over to the Office of the Commissioners for Trade and Plantations kept in the City of *London* or *Westminster*, a true and perfect List of the Names of all and every Person and Persons who have in that Year intitled themselves to the Benefit of this Act, under the Penalty and Forfeiture of fifty Pounds of lawful Money of *Great Britain* for every Neglect or Omission: All which said Lists so transmitted and sent over, shall from Year to Year be duly and regularly entered by the said Commissioners, in a Book or Books to be had and kept for that Purpose in the said Office, for publick View and Inspection as Occasion shall require.

Proviso. Extended to the Unitas Fratrum by 20 Geo. 2. c. 44. *See farther* 22 *Geo.* 2. *c.* 45. & 29 *Geo.* 2. *c.* 5. *enabling his Majesty to grant Commissions to a certain Number of foreign Protestants to act in America.*

VI. Provided always, and it is hereby further enacted, That no Person who shall become a natural born Subject of this Kingdom by virtue of this Act, shall be of the Privy Council, or a Member of either House of Parliament, or capable of taking, having or enjoying any Office or Place of Trust within the Kingdoms of *Great Britain* or *Ireland*, either Civil or Military, or of having, accepting or taking any Grant from the Crown to himself, or to any other in Trust for him, of any Lands, Tenements or Hereditaments within the Kingdoms of *Great Britain* or *Ireland*; any thing herein before contained to the contrary thereof in any wise notwithstanding.

CAP. VIII.

An Act to explain and amend an Act made in the first Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the more effectual preventing the Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton and Iron Manufactures of this Kingdom*; and for extending the said Act to the Manufactures of Leather.

Preamble, reciting the Act 1 Annæ, st. 2. c. 18.

'WHEREAS by an Act made in the first Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the more effectual preventing the Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton and Iron Manufactures of this Kingdom*; it is, amongst other Things, enacted, That if any Person or Persons employed in working up of Woollen, Linen, Fustian, Cotton or Iron Manufactures, should embezil or purloin any Wefts, Thrums, or Ends of Yarn, or any other Materials of Wooll, Hemp, Flax, Cotton or Iron, with which he, she or they was, were or should be intrusted to work upon, or should reel short or false Yarn, and should be thereof convicted in such Manner as in and by the said Act is prescribed, should forfeit double the Value of the Damages done, for the Use of the Poor of the said Parish; and in case the Offender or Offenders to be convicted as in the said Act is mentioned, should neglect or refuse to pay their Forfeiture or Forfeitures, that then it should and might be lawful to and for one Justice of the Peace of the County where such Offence shall be committed, to cause the said Offender to be committed to the House of Correction, until Satisfaction should be made; and in case it should appear to the said Justice, that the said Offender was not able to make Satisfaction, then the said Offender is to be there publickly whipped, and kept to hard Labour for any Time not exceeding fourteen Days: And by the said Act it is further enacted, That every Person buying or receiving any Wefts, Thrums, or Ends of Yarn, or any other Materials of Wooll, Hemp, Flax, Cotton or Iron, and being thereof lawfully convicted in Manner as in the said Act is mentioned, shall suffer the like Penalties and Forfeitures as one convicted pursuant to the said Act for purloining and embeziling of the said Materials; which said Act was made temporary only; but being by Experience found to be beneficial, was, by another Act passed in the ninth Year of the Reign of her said late Majesty, made perpetual: And whereas Doubts have arisen, whether the before-mentioned Clauses in the said Act of the first Year of the Reign of her said late Majesty extend to the embeziling Woollen, Linen, Fustian, Cotton and Iron Manufactures, actually wrought or made up into merchantable Wares, and whether the said Forfeiture of double the Value of the Damages done, when recovered, should be applied for the Use of the Poor of the Parish where the Persons injured shall respectively live, or for the Use of the Poor of the Parish in which the Offence has been or shall be committed: And whereas the Forfeitures and Penalties to which Offenders are subjected by the recited Act, have proved ineffectual to answer the Purposes thereby intended;' Now to explain and amend the said Act, so far as the same relates to the Matters aforesaid, be it enacted

ed by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons who ſhall be hired or employed in the working up of any Woollen, Linen, Fuſtian, Cotton or Iron Manufactures, ſhall, after the firſt Day of *May* one thouſand ſeven hundred and forty, purloin, imbezil, ſecrete, ſell, pawn, exchange, or otherwiſe illegally diſpoſe of any the Materials with which he, ſhe or they ſhall be reſpectively intruſted to work up ſuch Woollen, Linen, Fuſtian, Cotton or Iron Manufactures, whether the ſame or any Part thereof be or be not firſt wrought, made up or manufactured, or ſhall reel ſhort or falſe Yarn, the Perſon or Perſons ſo offending, and being thereof convicted in Manner and Form as is preſcribed by the ſaid recited Act for the Conviction of Perſons who ſhall embezil or purloin any of the Materials therein mentioned, he, ſhe or they ſhall ſeverally forfeit double the Value of the Damages, which the Owner or Owners of ſuch Materials, whether the ſame or any Part thereof be or be not manufactured, ſhall reſpectively ſuſtain thereby, together with ſuch Coſts of Proſecution for every ſuch Offence as ſhall be adjudged reaſonable by the Juſtice of the Peace, before whom ſuch Offender or Offenders reſpectively ſhall be convicted; and in caſe immediate Payment of the reſpective Forfeitures, together with ſuch Coſts of Proſecution as aforeſaid, ſhall be neglected or refuſed to be made, that then it ſhall and may be lawful to and for the ſame Juſtice of the Peace, before whom ſuch Conviction ſhall be made, to cauſe the ſaid Offender or Offenders to be committed to the Houſe of Correction, to be there whipped, and kept to hard Labour for any Time not exceeding fourteen Days; and in caſe of a further Conviction for or on a Second or other ſubſequent Offence of any Perſon, for embeziling or purloining any of the Materials in the ſaid Act mentioned, either before the ſame or any Part thereof ſhall be wrought, made up or converted into merchantable Wares, the Perſon or Perſons ſo offending ſhall, for every Second or other ſubſequent Offence, being thereof convicted in Manner as is mentioned in the ſaid recited Act, forfeit four Times the Value of the Damages, which the Owner or Owners of ſuch Materials, whether the ſame be or be not wrought, made up or manufactured reſpectively, ſhall ſuſtain thereby, together with ſuch Coſts of Proſecution as ſhall be adjudged reaſonable by the Juſtice before whom ſuch Offender or Offenders ſhall be thereof reſpectively convicted; and in caſe immediate Payment of the reſpective Forfeitures, together with ſuch Coſts of Proſecution as aforeſaid, ſhall be neglected or refuſed to be made, that then ſuch Juſtice, or any other Juſtice of the Peace for the County, Riding, Diviſion, City, Town or Place, where ſuch Offences ſhall be committed, ſhall cauſe the ſaid Offenders reſpectively to be committed to the Houſe of Correction, to be there kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, as to ſuch Juſtice ſhall ſeem reaſonable; and alſo during the Time of ſuch Offender or Offenders reſpective Commitment or Commitments, ſhall cauſe the ſaid Offender or Offenders to be publickly whipped in the Market Town where ſuch Offender or Offenders ſhall be reſpectively committed, at the Market-place or Croſs of ſuch Town once or oftner as to ſuch Juſtice ſhall ſeem reaſonable.

Manufacturers of Woollen, &c. embezling Materials, to forfeit double Value;

or be ſent to the Houſe of Correction and whipp'd.

For a ſecond or other future Offence to forfeit four Times the Value,

or ſent to the Houſe of Correction,

and publickly whipp'd.

II. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons who from and after the firſt Day of *May* one thouſand ſeven hundred and forty, ſhall buy or receive, accept or take, by way of Gift, Pawn, Pledge or Sale, of or from any or either of the Perſons herein or in the ſaid recited Act mentioned, any Woollen, Linen, Fuſtian, Cotton or Iron Manufactures, either before or after the ſame ſhall be wrought, made up, manufactured or converted into merchantable Wares, knowing the ſame to be ſo purloined or embeziled, and being thereof lawfully convicted in Manner before-mentioned, he, ſhe and they ſhall ſeverally ſuffer, and are hereby ſubjected to the like Forfeitures and Penalties reſpectively, as are by this or the ſaid recited Act, inflicted on Perſons purloining or embeziling ſuch of the Materials, or Manufactures enumerated or mentioned in the ſaid before recited Act, or herein before in this preſent Act.

Receivers ſubject to the ſame Penalties.

III. And it is hereby further enacted and declared, That the Forfeitures mentioned and incurred by the ſaid recited Act, and alſo the Forfeitures created or given by this preſent Act, ſhall, from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and forty, when recovered, be applied in Manner following (that is to ſay) one Moiety thereof to the Uſe of the Party or Parties injured, and the other Moiety thereof to the Uſe of the Poor of the Pariſh only where the Offence ſhall be committed, with the like Liberty and Benefit of appealing to all Parties, as is given in and by the ſaid recited Act of the firſt Year of her ſaid late Majeſty.

Forfeitures, half to the injured Perſon, and half to the Poor of the Pariſh.

'IV. And whereas many Frauds and Abuſes have of late been likewiſe committed by Perſons employ-'ed in cutting out and manufacturing of Skins, Leather and other Materials into Gloves, Breeches, 'Boots, Shoes, Slippers and other Wares and Manufactures, by purloining, embeziling, ſecreting, ſel-'ling, pawning or exchanging ſuch Skins, Leather and other Materials, or in ſome other Manner, 'wherefore it is become neceſſary to make Proviſion for diſcovering, preventing and puniſhing ſuch Of-'fences;' And for the better regulating ſuch Perſons as are or ſhall be employed in the Premiſſes laſt mentioned, be it further enacted by the Authority aforeſaid, That if from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and forty, any Perſon or Perſons hired or employed, or to be hired or employed, in cutting, paring, waſhing, dreſſing, ſewing, making up, or otherwiſe manufacturing of Gloves, Breeches, Leather, Skins, Boots, Shoes, Slippers, Wares or other Goods or Materials to be made uſe of in any of the Trades or Employments, or in Manner laſt mentioned, or in any Branch or Particular thereof, ſhall fraudulently purloin, embezil, ſecrete, ſell, pawn or exchange, all or any Part of the Gloves, Breeches, Leather, Skins, Parings or Shreads of Gloves or Leather, or other Materials with which he, ſhe or they ſhall be intruſted to work up or manufacture, or ſhall purloin, imbezil, ſecrete, ſell, pawn or exchange any Gloves, Breeches, Boots, Shoes, Slippers or Wares, when made, wrought up or manufactured, or do or wilfully permit any other Act, whereby to leſſen the Value of ſuch or any

Workers in Leather to pay double the Damage of Imbezilment;

Part of ſuch Gloves, Breeches, Leather, Skins, Parings or Shreads of Gloves or Leather, Boots, Shoes, Slippers or other Wares laſt particularized, either before or after the ſame ſhall be reſpectively ſo made into Wares, and be thereof lawfully convicted upon the Oath or Affirmation of the Maſter or Owner of ſuch Goods or Wares, or any other credible Witneſs or Witneſſes, or by the Confeſſion of the Perſon or Perſons charged with the Fact, before one or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion, City, Town or Place, where ſuch Offence ſhall be committed, or where the Party or Parties ſo charged ſhall reſide or inhabit (which Oath or Affirmation ſuch Juſtice or Juſtices is and are hereby impowered to adminiſter and take) ſuch Juſtice or Juſtices ſhall and may award the Perſon or Perſons ſo offending, to make a reaſonable and ſuitable Recompence and Satisfaction for every Offence, to the Parties reſpectively injured, for the Damage by them ſuſtained, ſo as the ſame do not exceed double the Value of the Gloves, Breeches, Leather, Boots, Shoes, Slippers, Wares, Goods or Materials, by ſuch Offender or Offenders ſo purloined or embeziled, ſecreted, ſold, pawned or exchanged; one Half thereof to go to the Party or Parties grieved, and the other Half thereof to go and be applied to the Uſe of the Poor of the Pariſh or Place where ſuch Offence ſhall be committed, together with the full Charges attending ſuch Conviction, to be levied by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices by Diſtreſs and Sale of the Offenders Goods, rendering the Overplus upon Demand to the Owner; but if ſuch Offender or Offenders ſhall not have Goods ſufficient to anſwer for levying the Forfeitures and the Expences and Charges attending the Premiſſes, and ſhall alſo neglect or refuſe immediately to pay the ſame, that then the ſaid Offender and Offenders ſhall, by like Warrant of ſuch Juſtice or Juſtices laſt deſcribed, be, for every diſtinct Offence, committed to the Houſe of Correction, or other publick Priſon of ſuch County, Riding, City, Town or Place, and there kept to hard Labour for the Space of fourteen Days, and ſhall be there likewiſe whipped in ſuch Manner as the ſaid Juſtice or Juſtices ſhall order and direct; and in caſe alſo of a ſubſequent Conviction for or on a ſecond or any other ſuch like Offence, the Perſon or Perſons ſo offending for every ſecond or other ſubſequent Offence, being thereof convicted in manner before-mentioned, ſhall forfeit four Times the Value of the Damages which the Owner or Owners of ſuch Materials, either before or after the ſame ſhall be reſpectively made up into Wares, ſhall ſuſtain thereby, together with ſuch Coſts of Proſecution as ſhall be adjudged reaſonable by the Juſtice before whom ſuch Offender or Offenders ſhall be thereof reſpectively convicted; and in caſe immediate Payment of the reſpective Forfeitures, together with ſuch Coſts of Proſecution as aforeſaid, ſhall be neglected or refuſed to be made, that then it ſhall and may be lawful to and for ſuch Juſtice to commit the Offender or Offenders laſt deſcribed to the Houſe of Correction, or other publick Priſon, to be there kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, as to ſuch Juſtice ſhall ſeem reaſonable; and alſo during the Time of ſuch Offender or Offenders reſpective Commitment or Commitments, ſhall cauſe the ſaid Offender or Offenders to be publickly whipped in the Market Town where ſuch Offender or Offenders ſhall be reſpectively committed, at the Market Place or Croſs of ſuch Town, once or oftner as to ſuch Juſtice ſhall ſeem reaſonable.

one half to the Sufferer, the other to the Poor of the Pariſh; to be levied on Offenders Goods;

or ſent to the Houſe of Correction for a Fortnight, and there whipp'd; and for any ſubſequent Offence to forfeit four Times the Value,

or ſent to the Houſe of Correction not exceeding three Months or leſs than one; and be publickly whipp'd.

Receivers ſubject to the ſame Penalties.

V. And be it further enacted by the Authority aforeſaid, That every Perſon and Perſons who ſhall knowingly or willingly, from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and forty, buy or receive, accept or take, by way of Pawn, Pledge or Sale, or in any other Manner, of or from any or either of the Perſons offending in either of the Particulars in this Act laſt mentioned, or of or from any other Perſon or Perſons whatſoever (except of or from the Perſon or Perſons in whom the Property of ſuch Gloves, Breeches, Leather, Boots, Shoes, Slippers, Wares, Goods or other Materials ſhall be at the Time of ſuch Sale, Pawn, or Exchange) or offer ſo to do, ſuch Perſon or Perſons offending therein reſpectively, ſhall, for every Offence, being convicted thereof in Manner aforeſaid, make ſuch ſuitable and reaſonable Recompence and Satisfaction within two Days next after the Matter of Fact ſhall from time to time be determined by any one or more Juſtice or Juſtices as aforeſaid, upon hearing the ſame (he and they being hereby in this Reſpect alſo impowered ſo to do) or elſe be ſubject to ſuch Diſtreſs, and for want of ſufficient Diſtreſs to be liable to the like Puniſhment as is hereby directed to be inflicted on ſuch Perſon or Perſons as ſhall purloin, imbezil, ſecrete, ſell, pawn or exchange any Gloves, Breeches, Leather, Boots, Shoes, Slippers, Wares, Goods or other Materials or Effects of that Sort as aforeſaid, and ſo in like Manner for any ſecond and every other ſubſequent Offence.

Workmen to be paid their Wages in Money;

VI. And to prevent Oppreſſion of the Labourers and Workmen employed in any reſpect in or about making or manufacturing of Gloves, Breeches, Boots, Shoes, Slippers, Wares or Goods of that Sort before-mentioned; Be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and forty, all Payments and Satisfaction hereafter to be made to any ſuch Labourers, Manufacturers and Workmen, employed as aforeſaid, for any Work by them done in and about ſuch Manufactures, ſhall be in and of the lawful Coin of this Realm only, and not by any Victuals, Goods or Commodities whatſoever, in lieu thereof (except at and by his and their Requeſt and Conſent only); and all Goods and Materials delivered out to be wrought up in the Manufacture laſt mentioned, ſhall be delivered with a Declaration at the ſame Time, of the true Weight, Quantity or Tale thereof, on Pain that every Offender in either of the ſaid Caſes ſhall forfeit and pay to ſuch Labourer, Manufacturer or Worker, double the Value of what ſhall be due for ſuch Work by him, her or them done and performed; and if any ſuch Labourer, Manufacturer or Worker, as is laſt deſcribed, ſhall be guilty of any Fraud, Abuſe, Neglect or Default in the Work by him, her or them undertaken to be done, then ſuch Labourer, Manufacturer or Worker ſhall allow and anſwer to the Owner of ſuch Work double the Damages thereby ſuſtained.

but to pay double Damages, if found guilty of Neglect, &c.

Complaints to be heard and determined by two Juſtices.

VII. And be it further enacted by the Authority aforeſaid, That all Wages, Demands, Frauds, Abuſes, Neglects and Defaults of Labourers, Manufacturers and Workmen in the Trades laſt above-mentioned,

ed, for or concerning any Work done in that Manufacture, ſhall and may be heard and determined by any two Juſtices of the Peace of the County, Riding, Diviſion, City, Town or Place, where the Matter in Controverſy ſhall happen or ariſe, who are hereby impowered to ſummon and examine Witneſſes on Oath or Affirmation, concerning the ſame, which Oath or Affirmation the ſaid Juſtices are to adminiſter and take.

Journeymen to perform the Buſineſs engaged in,

VIII. And for the better regulating the Journeymen and other Perſons employed as Manufacturers or Workers in the Trade or Buſineſs laſt above-mentioned; Be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall at any Time after the firſt Day of *May* one thouſand ſeven hundred and forty, be firſt retained or employed in the making up of any Gloves, Breeches, Boots, Shoes, Slippers or other Wares as aforeſaid, for any one Maſter, and ſhall neglect the Performance thereof, either by procuring or permitting himſelf to be ſubſequently retained or employed by any other Maſter or Perſon whatſoever, before he or they ſhall have compleated the Work or Service in or to do which he or they was or were firſt and originally ſo retained or employed, and ſhall be firſt delivered to him or them; then, and in every ſuch Caſe, every Perſon ſo offending, being thereof lawfully convicted by the Oath or Oaths, Affirmation or Affirmations, of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace, where the Offence or Offences ſhall be committed, the Perſon or Perſons ſo convicted ſhall be ſent to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding one Month.

or be ſent to the Houſe of Correction for a Month.

Perſons aggrieved may appeal to the Seſſions;

IX. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him, her or themſelves aggrieved by any Judgment or Order of the ſaid two Juſtices, it ſhall and may be lawful for ſuch Perſon and Perſons to appeal from the Judgment, Order and Determination of the ſaid two Juſtices, to the Juſtices of the Peace at their next General Quarter-Seſſions of the Peace, to be held for the ſame County, Riding, Diviſion, City, Town or Place, where the Matter in Diſpute ſhall ariſe (giving eight Days Notice of ſuch Appeal to the Perſon or Perſons againſt whom ſuch Appeal ſhall be brought and proſecuted); and ſuch Juſtices of the Peace, at their next General Quarter-Seſſions, are hereby impowered to ſummon and examine Witneſſes on Oath or Affirmation (which Oath or Affirmation they are hereby impowered to adminiſter and take) and to hear and finally determine the Matter of the ſaid Appeal, and at ſuch Quarter-Seſſions ſhall award and order to the Party on whoſe Behalf ſuch Appeal is determined, ſuch reaſonable Coſts and Charges to be paid by ſuch Appellant, or by the Perſon or Perſons appealed againſt, in Regard of ſuch Appeal, as to the ſaid Juſtices, or the major Part of them, ſhall ſeem meet; but no Order made by the ſaid Two Juſtices of the Peace as aforeſaid ſhall be appealed from, quaſhed or vacated for want of Form only.

giving eight Days Notice.

Proviſo.

X. Provided always, and it is hereby enacted and declared, That no Perſon ſhall by virtue of the ſaid recited Act, or this Act, ſuffer the Puniſhments therein directed twice for one and the ſame Fact and Offence.

Act 1 Annæ, and this Act, to extend to Scotland.

XI. And be it further enacted by the Authority aforeſaid, That the ſaid recited Act paſſed in the firſt Year of the Reign of her late Majeſty Queen ANNE (and made perpetual as aforeſaid) and this preſent Act, and all the Clauſes, Proviſions, Pains, Penalties and Forfeitures therein and herein contained, ſhall from and after the firſt Day of *May* one thouſand ſeven hundred and forty, extend and be conſtrued and adjudged to extend and be put in Force, in that Part of *Great Britain* called *Scotland*, in as full and ample Manner as the before-mentioned Acts are to be put in Force and executed in that Part of *Great Britain* called *England*; and the Pains, Penalties and Forfeitures, which ſhall be incurred by virtue of the before-mentioned Acts, or either of them, ſhall be inflicted, levied and taken in the ſame Manner, and by ſuch Ways and Means, as the Pains, Penalties and Forfeitures are in and by the before-mentioned Acts, or either of them, directed, ordered and appointed; and if any Offence againſt this Act ſhall be committed within that Part of *Great Britain* called *Scotland*, and determined by one or more Juſtice or Juſtices of the Peace, as herein before directed, no Warrant for poynding or diſtraining that ſhall be iſſued by any one or more Juſtice or Juſtices of the Peace, ſhall be ſtopped, or ſiſted by any Suſpenſion, Siſt, or other Proceſs whatſoever, except an Appeal entered to the Quarter-Seſſions of the Peace, as herein before directed.

See further 22 Geo. 2. c. 27.

CAP. IX.

An Act for repairing the Road between *Hockliffe*, in the County of *Bedford*, and *Stony Stratford*, in the County of *Buckingham*. PR.

CAP. X.

An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. XI.

An Act for the more effectual improving the Navigation of the River *Dun*, from a Place called *Wilſick-houſe* in the Pariſh of *Barmby Dun* in the County of *York*, to *Fiſſlock Ferry* in the ſame County. PR.

Preamble, reciting the Act 12 Geo. 1. c. 38.

WHEREAS by an Act of Parliament made and paſſed in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for making the River* Dun *in the Weſt Riding*

'*Riding of the County of* York *navigable, from* Holmſtile *in* Doncaſter *up to the utmoſt Extent of* Tinſley '*Weſtward, a Townſhip within two Miles of* Sheffield, the Maſter, Wardens, Searchers, Aſſiſtants and 'Commonalty of the Company of *Cutlers* in *Hallamſhire*, in the County of *York*, their Succeſſors and 'Aſſigns, are nominated and appointed Undertakers of the ſaid Navigation, with Power to make the ſaid 'River navigable at their own Expence from *Holmſtile* aforeſaid, up the ſaid River above *Holmſtile* to the 'utmoſt Extent of *Tinſley* Weſtward, and for making and erecting Wharfs and Warehouſes, Locks and 'Dams, and for making Towing-paths on the Banks of the ſaid River for the haling of Veſſels with 'Men or Horſes, and for purchaſing Lands for the Purpoſes aforeſaid; and alſo ſuch Powers of taking 'Tonnage and Lock Dues, and other Sums of Money, as a Recompence for the Expence they ſhall
13 Geo. 1. c. 29. 'be at in making the ſaid River navigable, as in the ſaid Act is mentioned: And whereas by another 'Act made in the thirteenth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for improving 'the Navigation of the River* Dun, *from a Place called* Holmſtile *in the Townſhip of* Doncaſter, *in the Coun-'ty of* York, *to* Wilſick-houſe, *in the Pariſh of* Barmby Dun, *in the ſaid County*, the Mayor, Aldermen, 'and Burgeſſes of the Borough of *Doncaſter*, in the ſaid County of *York*, their Succeſſors and Aſſigns, 'are nominated and appointed Undertakers of the ſaid laſt-mentioned Navigation, and they are thereby 'impowered by themſelves, their Servants, Agents, Workmen and Aſſigns, at their own Expence, to 'make the ſame River paſſable with Boats, Barges, Lighters, and other Veſſels, at all Times in the 'Year, from a Place called *Wilſick-houſe* to *Holmſtile* aforeſaid, and to ſcour and cleanſe the ſaid River, 'and to make Ways and Bridges, Locks, Cuts, Dams, and exerciſe all ſuch other Powers and Autho-'rities, as in and by the ſaid laſt-mentioned Act are given and granted to them; and alſo to make 'Towing-paths on the Banks of the ſaid River for haling of Veſſels with Men or Horſes; and alſo to 'purchaſe Lands for the Purpoſes aforeſaid; and alſo to take Tonnage, Lock Dues and other Sums 'of Money, as a Recompence for the Expences they ſhall be at in making the ſaid River navigable; 'and to exerciſe ſuch other Powers and Authorities as are mentioned in the ſaid laſt-mentioned Act:
6 Geo. 2. c. 9. 'And whereas by one other Act of Parliament made in the ſixth Year of the Reign of his preſent Ma-'jeſty King GEORGE the Second, intituled, *An Act to explain and amend two Acts of Parliament, one 'made in the twelfth, and the other in the thirteenth Year of his late Majeſty's Reign, for making navigable 'the River* Dun *in the County of* York, *and for the better perfecting and maintaining the ſaid Navigation, 'and for uniting the ſeveral Proprietors thereof into one Company*; reciting (amongſt other Things) That 'for the better carrying on and compleating of the ſaid Navigation, it was found neceſſary that the 'Undertakers of both the ſaid Navigations ſhould be united into one Company and Copartnerſhip, and 'that all the Intereſt of the Undertakers of both the ſaid Navigations ſhould be divided into one hun-'dred and fifty Shares, to be diſtributed unto and among the ſaid two Corporations and others the 'Contributors to the ſaid Undertakings, in Proportion to the ſeveral Sums of Money by them reſpec-'tively advanced towards carrying on both the ſaid Navigations: And it was by the ſaid laſt-mentioned 'Act enacted, That the Powers and Authorities given and granted by the two in Part recited Acts 'paſſed in the twelfth and thirteenth Years of his late Majeſty King GEORGE the Firſt, ſhould be veſted 'in the ſaid united Company, for the better carrying on, making, maintaining and perfecting of the 'ſaid Navigation, as well above as below *Holmſtile*, according to the Rules and Orders in the ſaid Act 'made in the ſixth Year of the Reign of his preſent Majeſty are expreſſed, and ſhould for that Purpoſe 'be one Body Politick and Corporate, by the Name of *The Company of Proprietors of the Navigation of 'the River* Dun; and by the ſame Name ſhould have perpetual Succeſſion, and ſhould have a Common 'Seal, and by that Name ſhould and might ſue and be ſued, and alſo ſhould have ſuch Powers and 'Authorities, as the ſaid two Corporations, or either of them, were by the ſaid recited Acts of the 'twelfth and thirteenth Year of the Reign of his ſaid late Majeſty, or either of them, inveſted with, '(except as in the ſaid Act of the ſixth Year of the Reign of his preſent Majeſty is excepted:) And 'whereas the ſaid Company of Proprietors of the Navigation of the River *Dun*, have (in purſuance of 'the ſaid in Part recited Acts, and in putting in Execution the Powers and Authorities thereby reſpec-'tively granted and given) laid out and expended the Sum of twenty-four thouſand Pounds and upwards, 'whereby they have made and perfected a good Navigation from the Town of *Rotherham*, upon the ſaid 'River, to *Wilſick-houſe*, in the Pariſh of *Barmby Dun*, in the ſaid County: And whereas the ſaid River '*Dun* is already navigable and paſſable for Boats, Lighters and other Veſſels, from *Wilſick-houſe* afore-'ſaid, to *Fiſhlock Ferry* in the ſaid County of *York*, Part of the Year; but in Time of Neap Tides and 'dry Seaſons Boats cannot paſs on that Part of the ſaid River, to the great Hindrance and Prejudice 'of Trade: And whereas the improving of the Navigation of the ſaid River, and making the ſame na-'vigable at all Times and Seaſons, will be very beneficial to Trade, and advantageous to the Poor, and 'a great Encouragement to the Manufactures of Iron, and convenient for the Carriage of Lead, Coals, 'Lime, Stone, Timber and other heavy Goods, Wares and Merchandizes to and from the Towns, 'and Parts adjacent or near to the ſaid River, and alſo to and from *Derbyſhire*, *Cheſhire*, *Lancaſhire* and 'other diſtant Counties, and to and from *London*, and ſeveral other Parts of this Kingdom, and will 'very much tend to the employing, and the Increaſe of Watermen and Seamen, and be a Means to pre-'ſerve the Highways, and promote the publick Good of this Kingdom:' Wherefore may it pleaſe Your moſt Excellent Majeſty, that it may be enacted, *&c.*

"The Proprietors to make the River *Dun* navigable from *Wilſick Houſe* to *Fiſhlock Ferry* in *Com' York*, "by cleaning Drains, *&c.* and cutting Trees, *&c.* To ſatisfy all Damages. Commiſſioners to deter-"mine Differences betwixt Undertakers and Proprietors of Mills, *&c.* If the Undertakers are diſ-"ſatisfied with Commiſſioners Determation, Sheriff or Coroners to impanel a Jury of Freeholders, on "Penalty of 50 *l.* whoſe Verdict ſhall be final. Records of Verdicts and Proceedings of Commiſſioners

" and Juries to be kept by the Town Clerk of *Doncaſter*. On paying the Damages aſſeſſed, Undertakers " may pull down Mills, &c. Undertakers may ſurvey, &c. giving Notice to the Owner of the Land, " &c. and paying Damage if exceeding 6*d*. No Perſon ſhall act as a Commiſſioner, unleſs he has a " Freehold Eſtate, &c. of the yearly Value of 100*l*. Damages unſettled by Agreement of Parties, or " Verdict of Commiſſioners, may be aſcertained by a Jury. If Titles of Lands are in Diſpute, Com- " miſſioners (on giving Notice) may proceed to Judgment. Satisfaction to be immediately paid after " legal Determination. Dam above *Bramwith* upper Ford to be raiſed 20 Inches from Low-water " Mark. Banks to defend low Grounds from Damages to be raiſed at the Charge of the Under- " takers. Undertakers ſhall make a Clough under the Cut of ſuch Dimenſions as *R. Portington*, &c. " ſhall direct, and build a Bridge croſs the Cut for Carts and Carriages; and make a Wall againſt the " Orchards, &c. belonging to *W. Simpſon*. Undertakers to build a Wood Bridge croſs *Stainforth Ford*, " and maintain the ſame. Undertakers may make Towing-paths, &c. but not on the South Side of " the River. Undertakers may ſet up convenient Gates in the Towing-paths; and build Bridges over " the new Cuts. Notice to be given 30 Days before Commiſſioners Meeting. The Undertakers ſhall " have for every cuſtomary Ton of Coals and Bark, Lime, Stone, Wood and Timber of *Engliſh* " Growth, 2*d*. for all other Goods which ſhall be carried up or down the River, through the lower " End of the Cut at *Barmby Dun*, and through the Lock at *Barmwith* and *Stainforth*, 4*d*. for every " cuſtomary Ton which is declared to be 2500 Weight. Goods of the neighbouring Growth, between " *Goole* and the lower End of *Barmby Dun*, exempted. Goods landed in the Neighbourhood to pay no " Duty; unleſs ſhipped again. Inhabitants of *Doncaſter*, &c. to pay 2*d*. *per* Ton. Grain of any " Kind carried down the River *Dun* to pay no Duty. A Bridge to be built at *Stainforth*. Boat- " maſter's Name to be wrote in large Letters on the Out-ſide of the Craft, on the Penalty of 40*s*. " Boats to be meaſured and marked on the Out-ſide, on Penalty of 6*l*. Commiſſioners to determine " Differences. Opening Locks, &c. maliciouſly and miſ-ſpending the Water, to forfeit 5*l*. River " *Dun* deemed a navigable River, not ſubject to the Inſpection of Commiſſioners of Sewers. No Bal- " laſt, &c. to be thrown into the new Cut, on Penalty of 20*l*. Ballaſt, &c. may be thrown on the " Banks. Rights ſaved to the Mayor, &c. of *York*; and Commiſſioners of Sewers, of *Com' York*, *Lin-* " *coln* and *Nottingham*. Land Owners may uſe Pleaſure Boats, and fiſh and fowl, &c."

CAP. XII.

An Act for making a Chapel lately built by *Robert Downes*, Goldſmith, and others, in the Town of *Sheffield*, in the County of *York*, a perpetual Cure and Benefice; and for making a Proviſion for the Maintenance of the Curate or Miniſter of the ſaid Chapel, purſuant to an Agreement for that Purpoſe. P R.

CAP. XIII.

An Act for providing a Marriage Portion for the Princeſs *Mary*.

Preamble.

'WHEREAS his Majeſty hath received Propoſals for a Marriage between his Daughter the Princeſs *Mary*, and Prince *Frederick* of *Heſſe*, Son of Prince *William*, Landgrave of *Heſſe*, Bro- 'ther to the King of *Sweden*; which his Majeſty hath been graciouſly pleaſed favourably to accept and 'agree to the ſame, not doubting that this Alliance with ſo conſiderable a Proteſtant Family will be to 'the general Satisfaction of all his good Subjects: And his Majeſty's faithful Commons thinking it 'highly juſt and reaſonable, that his Majeſty ſhould be enabled to give ſuch a Portion to his Daughter 'as may be ſuitable to the Honour and Dignity of his Crown and Family;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That out of all or any of the Aids or Supplies granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and forty, there ſhall and may be iſſued, paid and applied the Sum of forty thouſand Pounds, as a Marriage Portion to her Highneſs the ſaid Princeſs *Mary:* And the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to direct the Payment of, and to iſſue the ſaid Sum of forty thouſand Pounds, at ſuch Times and in ſuch Manner as his Majeſty, by Warrant under his Royal Sign Manual, ſhall be graciouſly pleaſed to direct and appoint.

40,000*l*. allowed for the Princeſs Mary's Portion.

CAP. XIV.

An Act for making more effectual two Acts of Parliament paſſed in the ſeventh and tenth Years of her late Majeſty Queen ANNE, *For preſerving and enlarging the Harbour of* Whitehaven, *in the County of* Cumberland; and for repairing and amending the high Roads leading to the ſaid Harbour and Town of *Whitehaven*. P R.

Preamble, reciting the Acts 7 Annæ, not printed.

'WHEREAS by an Act of Parliament made and paſſed in the ſeventh Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for preſerving and enlarging the Harbour of* 'Whitehaven, *in the County of* Cumberland; certain Rates and Duties upon Coals, and other Goods

'and

'and Merchandize, and upon Shipping, in the ſaid Act particularly mentioned, were charged and 'granted, to commence and take Effect from and after the twenty-fifth Day of *March* one thouſand 'ſeven hundred and nine, and to continue for the Term of fourteen Years then next enſuing, and 'directed to be applied for making certain Moles and other Works for preſerving and enlarging the 'ſaid Harbour, and for deepening the ſame, and for other Purpoſes in the ſaid Act mentioned: And 'it was thereby enacted, That from and after the Expiration of the aforeſaid Term of fourteen Years, 'one third Part of the Rates and Duties thereby charged upon the Tonnage of Ships and Veſſels, and 'no more, ſhould for ever continue and be paid for the perpetual repairing, cleaning and maintaining 'the ſaid Harbour; and whereas by another Act of Parliament made and paſſed in the tenth Year of 'the Reign of her ſaid late Majeſty Queen ANNE, all the Rates and Duties granted by the ſaid former 'Act, for the ſaid Term of fourteen Years, from the twenty-fifth Day of *March* one thouſand ſeven 'hundred and nine, were continued for the further Term of fourteen Years, from the Expiration of 'the ſaid former Term: And the Truſtees in the ſaid former Act named were by the ſaid Act of the 'tenth Year of the Reign of her late Majeſty Queen ANNE, authorized and impowered to borrow Mo- 'ney to finiſh and compleat the Works neceſſary for the Preſervation and Improvement of the ſaid Har- 'bour; and which Money, and the Intereſt thereof, were thereby directed to be paid off and diſcharged 'in Order and Courſe, out of the temporary Duties granted and continued by the ſaid Acts: And it 'was by the ſaid laſt mentioned Act enacted and declared, That from and after ſuch Time as the ſaid 'principal Sums and Intereſt ſhould be paid off and diſcharged, and that the Juſtices of the Peace, at 'the general Quarter-Seſſions for the ſaid County of *Cumberland*, ſhall adjudge that the Works of the 'ſaid Harbour were ſufficiently repaired and ſecured, the temporary Duties thereby granted ſhould ceaſe 'and determine, and ſuch Duties only ſhould be paid from thenceforward as were granted in Per- 'petuity by the ſaid former Act: And whereas, in purſuance and by virtue of the ſaid two former 'Acts, the ſaid Harbour of *Whitehaven* hath been conſiderably deepened and improved, and ſeveral 'ſtrong and ſubſtantial Moles and Bulwarks have at great Expence been made and erected, whereby 'Ships in the ſaid Harbour (which formerly lay expoſed, and liable to be driven out and caſt away upon 'the Rocks and Shoals on that Coaſt) can now lie in Safety, and are ſecure from the Violence of the 'Sea, whereby the Shipping, Trade and Navigation within the Port and Town of *Whitehaven* have 'been conſiderably increaſed and improved: And whereas the Sum of two hundred and twenty Pounds, 'borrowed and taken up in purſuance and upon the Credit of the ſaid former Acts, and alſo the Sum 'of ſeven hundred and eighteen Pounds ſeventeen Shillings and ſeven Pence three Farthings, for Work 'done and performed in and about the ſaid Harbour, do remain due and unſatisfied, notwithſtanding 'the Duties raiſed by the ſaid Acts have been ſtrictly applied to the Uſes of the ſaid Harbour, and to 'pay off the Debts incurred for the Service thereof: And whereas, in caſe the Moles, Bulwarks and 'Works of the ſaid Harbour were enlarged and extended to Low-water Mark, ſuch Depth of Water 'may be obtained, that the largeſt Ships of the ſaid Port of *Whitehaven* might ſail in and out of the 'Harbour at Neap Tides, and other Ships frequenting thoſe Seas might ſail in at Half Flood, which 'might tend not only to the Preſervation of the Lives of many of his Majeſty's Subjects, but alſo to 'the Improvement and Increaſe of the Trade and Navigation of the ſaid Town and Port of *Whitehaven*: 'But it hath been found by Experience, that the perpetual Duties granted and continued by the two 'former Acts, and which took Place at *Lady-Day* one thouſand ſeven hundred and thirty-ſeven (when 'the temporary Duties granted by thoſe Acts determined) are not ſufficient to keep the ſaid Harbour of 'a proper Depth, and the Moles and Bulwarks belonging to the ſame in neceſſary Repair, and to diſ- 'charge the ſaid Debt due as aforeſaid; a Deſign ſo uſeful and beneficial to the ſaid Town and Port of '*Whitehaven*, and to the Trade and Navigation of the Kingdom, cannot be effected and carried into 'Execution, unleſs the temporary Duties granted and continued by the ſaid former Acts, and which 'are now determined, be revived for a competent Term of Years, and other Proviſions made for the 'Purpoſes afore-mentioned:' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

to Annæ, not printed.

"The two former Acts continued for 21 Years. Truſtees enabled to mortgage the Duties. The tem- "porary Duties hereby granted to ceaſe when the Harbour ſhall be ſufficiently repaired; but then a "Moiety of the Duties on Tonnage to continue for ever."

Certain Tolls for amending the Roads are granted from 10 *June* 1740, for 21 Years.

CAP. XV.

An Act for continuing and making more effectual an Act paſſed in the fifth Year of the Reign of his late Majeſty King *George* the Firſt, *For repairing the Roads from the Top of* Stokenchurch-Hill *to* Enſlow-Bridge, *and the Road from* Wheatley-bridge, *through the City of* Oxon, *by* Begbrook *to* New Woodſtock *in the County of* Oxon, *except the Mile-way on each Side of the ſaid City*; and for repairing the Road from the *Crown Alehouſe* to the Turnpike on *Stokenchurch-Hill* aforeſaid. P R.

The former Act is further continued for 21 Years, and to the End of the next Seſſion of Parliament.

CAP.

CAP. XVI.

An Act to give further Powers to the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*; and to enable them to raiſe a further Sum of Money towards finiſhing the ſaid Bridge, and to perform the other Truſts repoſed in them. P R.

'WHEREAS the Commiſſioners for building a Bridge croſs the River *Thames*, from the *Woolſtaple*, or thereabouts, in the Pariſh of *Saint Margaret Weſtminſter*, to the oppoſite Shore in the County of *Surrey*, or any nine or more of them, are by virtue of ſeveral Acts of Parliament made in the ninth, tenth, eleventh and twelfth Years of his preſent Majeſty, ſome or one of them reſpectively authorized to purchaſe certain Lands, Tenements and Hereditaments, for the Purpoſes in the ſaid Acts mentioned: And whereas at certain Seaſons of the Year it may be inconvenient for nine of the Commiſſioners to meet together, and that a leſs Number may be ſufficient to anſwer the Intentions of the ſaid Acts: And whereas ſeveral Doubts have ariſen, and may ariſe, relating to the Conſtruction, Force and Effect of the Powers veſted in the ſaid Commiſſioners, whereby the executing the Purpoſes and Deſign of the ſaid Acts of Parliament in the beſt and moſt advantageous Manner may be prevented or greatly obſtructed;' Therefore for the explaining and amending the ſaid Acts, in order to the more eaſy Execution thereof, and for the more effectual conveying and aſſuring to the ſaid Commiſſioners, and thoſe claiming or to claim under them, ſuch Lands, Tenements and Hereditaments, as they have been or ſhall be directed or enabled to purchaſe by any Act or Acts of Parliament now made, or which may hereafter be made; and for the more ſecure and proper Diſpoſition of the Money to be paid for ſuch Purchaſes; Be it enacted, *&c.* 9 *Geo.* 3. *c.* 20. 10 *Geo.* 2. *c.* 16. 11 *Geo.* 2. *c.* 25. 12 *Geo.* 2. *c.* 33.

" All Diſabilities to treat about ſelling Houſes, *&c.* taken away. Any Perſons refuſing to treat, a Jury " to be impanelled, to aſſeſs Damages. Commiſſioners Judgment thereupon to be final. Their and the " Juries Proceedings to be kept among the Records of *Middleſex* and *Surrey* reſpectively. If the Pro- " perty of Lands, *&c.* cannot be reaſonably aſcertained, the Purchaſe-money to be paid into the Bank, " and the Property veſted in the Commiſſioners. Purchaſe-money may be placed in ſome of the publick " Funds, to the Uſe of the Perſons who ſhall make proper Conveyances. Conveyances to be inrolled at " *Weſtminſter*, within ſix Months after making. Perſons claiming a Right to any Eſtate conveyed to " Commiſſioners, may enter their Claim within five Years from the Date of the Inrollment, in a Book " kept by the Regiſter of *Middleſex*. 325,000*l.* to be advanced by 5*l.* Lottery Tickets. 15*l.* for every " 100*l.* amounting in the whole to 48,750*l.* to be deducted. Proprietors to apply for Certificates by " 15 *March* 1741. The Monies deducted to be applied to the building the Bridge. Penalty on ſelling " Chances of Tickets for leſs than the whole Time of drawing. 500*l.* Penalty on ſelling Intereſts " in Tickets not in the Perſons Poſſeſſion." *See further* 14 *Geo.* 2. *c.* 40. 15 *Geo.* 2. *c.* 6. 17 *Geo.* 2. *c.* 32. 18 *Geo.* 2. *c.* 29. 29 *Geo.* 2. *c.* 38. 30 *Geo.* 2. *c.* 34.

CAP. XVII.

An Act for the Increaſe of Mariners and Seamen to navigate Merchant Ships and other trading Ships or Veſſels.

'WHEREAS it is neceſſary to give all fitting Encouragement to Perſons to apply themſelves to the Sea Service, and the Practice of Navigation, and alſo to foreign Mariners and Seamen to engage in the *Britiſh* Service;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Perſon herein after mentioned ſhall be freed and exempted from being impreſſed into the Service of his Majeſty, his Heirs or Succeſſors (that is to ſay) Every Perſon being of the Age of fifty-five Years or upwards, and every Perſon not having attained the full Age of eighteen Years, and every Foreigner, being a Mariner, Seaman or Landman, who ſhall ſerve in any Merchant Ship, or other Trading Ship or Veſſel, or Privateer, belonging to the Subjects of the Crown of *Great Britain*. Preamble. 13 *Geo.* 2. *c.* 4. Perſons exempted from being impreſſed.

II. And, for the Encouragement of able-bodied Landmen to betake themſelves to the Sea Service; be it further enacted by the Authority aforeſaid, That every Perſon of what Age ſoever he be, who ſhall uſe the Sea, ſhall be freed and exempted from being impreſſed for the full Space of two Years, to be computed from the Time of his firſt going to Sea; and that every Perſon who, not having before uſed the Sea, ſhall bind himſelf Apprentice to ſerve at Sea, ſhall be freed and exempted from being impreſſed for the full Space of three Years, to be computed from the Time of his binding himſelf Apprentice as aforeſaid.

III. And, for the better ſecuring to all the Perſons before mentioned the Benefit intended them by this Act; be it further enacted by the Authority aforeſaid, That the Lord High Admiral of *Great Britain*, or Commiſſioners for executing the Office of Lord High Admiral for the time being, or any three or more of them, ſhall, upon due Proof made before him or them of the reſpective Ages and Circumſtances (as the Caſe ſhall happen) of any of the Perſons before mentioned, grant a Protection to every ſuch Perſon to ſecure him from being impreſſed, for ſuch Time as by the true Intent and Meaning of Lord High Admiral, &c. to grant Protections for that Purpoſe,

without Fee. this Act ſuch Perſon is to be free and exempted from being impreſſed; all which Protections ſhall be granted without any Fee or Reward to be taken for the ſame.

Concerning Seamen ſee further 14 *Geo.* 2. *c.* 38. 17 *Geo.* 2. *c.* 34. 18 *Geo.* 2. *c.* 31. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47. 31 *Geo.* 2. *c.* 10.

CAP. XVIII.

An Act to continue ſeveral Laws therein mentioned; for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes; for repairing Highways or Locks, or other Works erected by Authority of Parliament for making Rivers navigable; for preventing Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Weſtward, and for aſcertaining the Rates of Water Carriage upon the ſaid River; for preventing frivolous and vexatious Arreſts; and for the better ſecuring the lawful Trade of his Majeſty's Subjects to and from the *Eaſt-Indies*, and for the more effectual preventing all his Majeſty's Subjects trading thither under foreign Commiſſions; and for limiting the Time for ſuing forth Writs of *Certiorari* upon Proceedings before Juſtices of the Peace; and for regulating the Time and Manner of applying for the ſame; for the better and more ſpeedy Execution of Proceſs within particular Franchiſes or Liberties; and for extending the Powers and Authorities of Juſtices of the Peace of Counties touching County Rates, to the Juſtices of the Peace of ſuch Liberties and Franchiſes as have Commiſſions of the Peace within themſelves.

'WHEREAS the Laws herein after mentioned (which have by Experience been found uſeful and beneficial) are near expiring;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes, for repairing Highways or Locks, or other Works erected by the Authority of Parliament, for making Rivers navigable*; which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-eight, for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament; and which, by an Act made in the fifth Year of the Reign of his preſent Majeſty, was further continued for five Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the eighth Year of the Reign of his preſent Majeſty, was further continued for five Years, from the fifteenth Day of *May* one thouſand ſeven hundred and thirty-five, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and is hereby further continued from the Expiration thereof, until the firſt Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſeven.

1 Geo. 2. c. 19. Act againſt deſtroying Turnpikes continued. 'Continued by 20 Geo. 2. c. 47.' *See* 5 *Geo.* 2. *c.* 33. *which is made perpetual by* 27 *Geo.* 2. *c.* 16.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for reviving and amending an Act made in the ſixth and ſeventh Years of the Reign of his late Majeſty King* WILLIAM *the Third, intituled*, An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Weſtward, and for aſcertaining the Rates of Water Carriage upon the ſaid River, which was to continue in Force from the firſt Day of *May* one thouſand ſeven hundred and thirty, for the Term of nine Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and is hereby further continued from the Expiration thereof until the firſt Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſeven.

3 Geo. 2. c. 11. Act to prevent Exactions at the Locks. EXP. *Rep. by* 24 *Geo.* 2. *c.* 8. §. 26.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the twelfth Year of the Reign of his late Majeſty, intituled, *An Act to prevent frivolous and vexatious Arreſts*, which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-ſix, for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the fifth Year of the Reign of his preſent Majeſty, was explained, amended, and further continued for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and is hereby further continued, from the Expiration thereof, until the firſt Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſeven.

12 Geo. 1. c. 29. Act to prevent frivolous Arreſts. Perpetual 21 Geo 2. c. 3.

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act for reviving an Act made in the fifth Year of the Reign of his late Majeſty King* GEORGE *the Firſt, intituled*, An Act for the better ſecuring the lawful Trade of his Majeſty's Subjects to and from the *Eaſt Indies*, and for the more effectual preventing all his Majeſty's Subjects trading thither under foreign Commiſſions; which was to continue in Force from the firſt Day of *May* one thouſand ſeven hundred and thirty-two, for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and is hereby further continued, from the Expiration thereof, until the firſt Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſeven.

5 Geo. 2. c. 29. Act to ſecure the lawful Trade to the Eaſt Indies. Continued by 20 Geo. 2. c. 47.

V. And, for the better preventing vexatious Delays and Expence, occaſioned by the ſuing forth Writs of *Certiorari*, for the Removal of Convictions, Judgments, Orders and other Proceedings before Juſtices of

Writ of Certiorari how to be applied for.

of the Peace; Be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and forty, no Writ of *Certiorari* shall be granted, issued forth or allowed, to remove any Conviction, Judgment, Order or other Proceedings had or made by or before any Justice or Justices of the Peace of any County, City, Borough, Town Corporate or Liberty, or the respective General or Quarter-Sessions thereof, unless such *Certiorari* be moved or applied for within six Calendar Months next after such Conviction, Judgment, Order or other Proceedings shall be so had or made, and unless it be duly proved upon Oath, that the said Party or Parties suing forth the same, hath or have given six Days Notice thereof in Writing to the Justice or Justices, or to two of them (if so many there be) by and before whom such Conviction, Judgment, Order or other Proceedings shall be so had or made, to the End that such Justice or Justices, or the Parties therein concerned, may shew cause, if he or they shall so think fit, against the issuing or granting such *Certiorari*.

Concerning this Writ refer to 21 *Jac.* 1. *c.* 8. 5 & 6 *W.* & *M.* *c.* 11. 8 & 9 *W.* 3. *c.* 33.

VI. And, for the better and more speedy Execution of Process within particular Franchises or Liberties; be it further enacted by the Authority aforesaid, That from and after the third Day of *November*, which shall be in the Year of our Lord one thousand seven hundred and forty, the Sheriff of every Shire, being no City or Town made a Shire, within which there is any Franchise or Liberty, the Lord or Proprietor whereof is of Right intitled to the Return of Writs within such Franchise or Liberty, shall (if required by any such Lord or Proprietor) within one Month next after such Request made to him for that Purpose, nominate and appoint one or more sufficient Deputy or Deputies, at the proper Costs and Charges of such Lord or Proprietor, to be resident at some convenient Town or Place in or near such Franchise or Liberty, to be for that Purpose appointed by the Lord High Chancellor of *Great Britain*, and the Chief Justices of his Majesty's Courts of *King's Bench* and *Common Pleas* for the time being, or any one of them, who is and are hereby authorized and impowered to appoint such convenient Town or Place, as to him or them shall seem meet, and to settle and direct what Costs and Charges shall be paid therefore by such Lord or Proprietor; and such Deputy or Deputies shall reside at such Town or Place so to be appointed as aforesaid, and shall have Authority in the Sheriff's Name, and is and are respectively authorized and impowered, to receive and open all such Writs and Process (the Execution or Return whereof doth of Right belong to the Lord or Proprietor of any such Franchise or Liberty) and thereupon in the Name, and under the Seal of the Sheriff, to make and issue out such Warrant or Warrants to such Lord or Proprietor, as by Law is requisite, for the due Execution of such Writs or Process; and every such Deputy or Deputies is and are hereby required, upon Tender of any such Writ or Process, to receive and open the same, and to issue out such Warrant thereon, without Delay, in such Manner and Form as the Sheriff himself may or ought to do, without taking any further or other Fee than what is now due and accustomed for such Warrant; upon Pain that every such Sheriff or Deputy respectively, who shall be guilty of any wilful Neglect or Default in the Premisses, shall be liable to be punished for the same, as for a Contempt of one of his Majesty's said Courts of *Chancery*, *King's Bench*, or *Common Pleas* (as the Case shall require) and shall likewise make Satisfaction to the Party or Parties that shall receive Damage thereby.

Sheriffs to appoint Deputies at the Request of Lords of Liberties.

'VII. And whereas by an Act passed in the twelfth Year of his present Majesty's Reign, intituled, '*An Act for the more easy assessing, collecting and levying of County Rates*, several Powers and Authorities 'are given to the Justices of the Peace in that Part of *Great Britain* called *England*, within the respective 'Limits of their Commissions, at their General or Quarter-Sessions, from time to time, to make one 'General Rate or Assessment for such Sum or Sums of Money as they in their Discretion shall think 'sufficient to answer all and every the Ends and Purposes of the several Acts therein recited; but there 'being a Proviso in the said Act, that the same, or any thing therein contained, should not extend, or 'be construed to extend, to make any Persons, Liberties, Divisions or Places liable to pay to any Rate 'to be made in pursuance of the said Act, to which such Person, Liberty, Division or Place did not, or 'was not liable to contribute before the passing thereof; some Doubts have arisen whether the said Act 'doth extend to Liberties and Franchises, which are not within the Jurisdiction of the Commissions of 'the Peace for the Counties in which such Liberties and Franchises lie, and so never did nor were lia-'ble to contribute to the said County Rates;' To the End therefore that such Liberties and Franchises may not be wholly deprived of the Benefit of the said in Part recited Act, it is hereby declared and enacted by the Authority aforesaid, That where any Liberties or Franchises within that Part of *Great Britain* called *England*, have Commissions of the Peace within themselves, and are not subject to the Jurisdiction of the Commissions of the Peace for the Counties in which such Liberties or Franchises lie, and do not, nor did before the making the said in Part recited Act, contribute or pay to the several Rates made for the said Counties; it shall and may be lawful to and for the Justices of the Peace of such Liberties and Franchises, within the respective Limits of their Commissions, to have, use and exercise all and singular the Powers, Authorities and Methods, given or prescribed by the said in Part recited Act, and all such Liberties and Franchises are hereby declared to be subject thereto, in the same Manner to all Intents and Purposes, as Counties at large are; any thing in the said in Part recited Act contained, or any Law, Usage or Custom to the contrary thereof, in any wise notwithstanding.

12 *Geo.* 2. *c.* 29.

Justices of Peace for Liberties, to act with the same Power as Justices for the County, in collecting County Rates.

CAP. XIX.

An Act to reſtrain and prevent the exceſſive Increaſe of Horſe Races, and for amending an Act made in the laſt Seſſion of Parliament, intituled, *An Act for the more effectual preventing of exceſſive and deceitful Gaming.*

Preamble.

'WHEREAS the great Number of Horſe Races for ſmall Plates, Prizes or Sums of Money, 'have contributed very much to the Encouragement of Idleneſs, to the Impoveriſhment of many 'of the meaner Sort of the Subjects of this Kingdom, and the Breed of ſtrong and uſeful Horſes hath 'been much prejudiced thereby:' For Remedy thereof, may it pleaſe Your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty, no Perſon or Perſons whatſoever ſhall enter, ſtart or run any Horſe, Mare or Gelding, for any Plate, Prize, Sum of Money or other Thing, unleſs ſuch Horſe, Mare or Gelding ſhall be truly and *bona fide* the Property of, and belonging to ſuch Perſon ſo entering, ſtarting or running the ſame Horſe, Mare or Gelding; nor ſhall any one Perſon enter and ſtart more than one Horſe, Mare or Gelding, for one and the ſame Plate, Prize or Sum of Money or other Thing; and in caſe any Perſon or Perſons ſhall after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty, enter, ſtart or run any Horſe, Mare or Gelding, not being the Property truly and *bona fide* of ſuch Perſon ſo entering, ſtarting or running the ſame, for any Plate, Prize, Sum of Money, or other Thing, the ſaid Horſe, Mare or Gelding, or the Value thereof, ſhall be forfeited, to be ſued for and recovered, and diſpoſed of, in Manner as is herein after-mentioned; and in caſe any Perſon or Perſons ſhall enter and ſtart more than one Horſe, Mare or Gelding, for one and the ſame Plate, Prize or Sum of Money, or other Thing, every ſuch Horſe, Mare or Gelding (other than the firſt entered Horſe, Mare or Gelding) or the Value thereof, ſhall be forfeited, to be ſued for and recovered, and diſpoſed of, in Manner as herein after is mentioned.

Horſes to be entered by the Owners,

and no more than one at a Time.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty, no Plate, Prize, Sum of Money, or other Thing, ſhall be run for by any Horſe, Mare or Gelding, or advertiſed, publiſhed or proclaimed to be run for by any Horſe, Mare or Gelding, unleſs ſuch Plate, Prize or Sum of Money ſhall be of the full, real and intrinſick Value of fifty Pounds, or upwards; and in caſe any Perſon or Perſons ſhall from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty enter, ſtart or run any Horſe, Mare or Gelding, for any Plate, Prize, Sum of Money, or other Thing of leſs Value than fifty Pounds, or ſhall make, print, advertiſe, publiſh or proclaim any Advertiſement or Notice of any Plate, Prize, Sum of Money, or other Thing of leſs Value than fifty Pounds as aforeſaid, to be run for by any Horſe, Mare or Gelding; every ſuch Perſon or Perſons ſo entering, ſtarting or running ſuch Horſe, Mare or Gelding for ſuch Plate, Prize, Sum of Money, or other Thing of leſs Value than fifty Pounds as aforeſaid, ſhall forfeit and loſe the Sum of two hundred Pounds, to be ſued for, recovered and diſpoſed of in ſuch Manner as is herein after preſcribed and directed; and every Perſon or Perſons who ſhall make, print, publiſh, advertize or proclaim any Advertiſement or Notice of any Plate, Prize, Sum of Money, or other Thing of leſs Value than fifty Pounds aforeſaid, to be run for by any Horſe, Mare or Gelding, ſhall forfeit and loſe the Sum of one hundred Pounds.

No Plate to be run for under 50 l. Value,

on Penalty of 200 l.

III. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty, no Horſe, Mare or Gelding, being of the Age of five Years, ſhall be entered, ſtarted or run for any Plate, Prize, Sum of Money, or other Thing whatſoever, unleſs ſuch Horſe, Mare or Gelding, ſhall carry ten Stone Weight, computing fourteen Pounds to each Stone Weight; and that no Horſe, Mare or Gelding, being of the Age of ſix Years, ſhall be entered, ſtarted or run for any Plate, Prize, Sum of Money, or other Thing whatſoever, unleſs ſuch Horſe, Mare or Gelding ſhall carry eleven Stone Weight, computing fourteen Pounds to each Stone Weight; and that no Horſe, Mare or Gelding, being of the Age of ſeven Years, ſhall be entered, ſtarted or run for any Plate, Prize, Sum of Money, or other Thing whatſoever, unleſs ſuch Horſe, Mare or Gelding ſhall carry twelve Stone Weight, computing fourteen Pounds to each Stone Weight; and in caſe any Perſon or Perſons ſhall enter, ſtart or run any Horſe, Mare or Gelding, of either of the Ages aforeſaid, for any Plate, Prize or Sum of Money, or other Thing, carrying leſs than the Weights herein before directed to be carried, ſuch Horſe, Mare or Gelding, or the Value thereof, ſhall be forfeited, and the Perſon or Perſons ſo entering, ſtarting or running ſuch Horſe, Mare or Gelding, ſhall forfeit and loſe the Sum of two hundred Pounds.

Five Years old Horſes to carry 10 Stone,

6 Years old 11 Stone,

7 Years old 12 Stone.

Horſes carrying leſs Weight, to be forfeited, and Perſon entering, forfeits 200 l.

This Clauſe is repealed by 18 *Geo.* 2. *c.* 34. §. 11.

IV. Provided alſo, That every Race that ſhall be hereafter run for any Plate, Prize or Sum of Money, be begun and ended in the ſame Day.

Race to be begun and ended in one Day.

V. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty, no Perſon or Perſons whatſoever ſhall ſtart or run any Match with or between any Horſe, Mare or Gelding, for any Sum of Money, Plate, Prize or other Thing whatſoever, unleſs ſuch Match ſhall be ſtarted or run at *Newmarket Heath*, in the Counties of *Cambridge* and *Suffolk*, or *Black Hambleton* in the County of *York*, or the ſaid Sum of Money, Plate, Prize, or other Thing be of the real and intrinſick Value of fifty Pounds, or upwards: And in caſe any Perſon or Perſons ſhall ſtart or run any ſuch Match at any other Place than *Newmarket Heath* or *Black Hambleton*

Matches to be at Newmarket and Black Hambleton only, and for not leſs Sum 50 l.

Hambleton aforesaid, or for any Plate, Prize, Sum of Money, or other Thing of less Value than fifty Pounds, every such Person or Persons shall forfeit and lose the Sum of two hundred Pounds. on Penalty of 200 l.

VI. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures incurred by any Person or Persons for any Offence against this Act shall be sued for and recovered by any Action, Bill, Plaint or Information in any of his Majesty's Courts of Record at *Westminster*, or at the Assizes, and shall be disposed of, one Moiety thereof to the Use of such Person or Persons as shall so sue for the same, and the other Moiety to the Use of the Poor of such Parish or Place where the Offence shall be committed; except such one Moiety of such Penalties and Forfeitures as shall be incurred by, and recovered of any Person or Persons within the County of *Somerset*; which said one Moiety shall go and be applied to and for the Use and Benefit of the poor Persons admitted into the Hospital or Infirmary lately erected in the City of *Bath*, for the Benefit of poor Persons resorting to the said City for the Benefit of the Mineral Waters there. One Half to the Use of the Informer, and the other to the Poor of the Parish; but in Somersetshire, one Half to the Hospital at Bath.

VII. And be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty, all and every Sum or Sums of Money to be paid for entering of any Horse, Mare or Gelding to start or run for any Plate, Prize, Sum of Money, or other Thing, shall go and be paid to the Second best Horse, Mare or Gelding, which shall start or run for such Plate, Prize or Sum of Money, as aforesaid. Entrance Money to be paid to the Second best Horse.

VIII. Provided always, That nothing herein contained shall extend, or be construed to extend to prevent the starting or running any Horse, Mare, or Gelding for any Plate, Prize, or other Thing or Things now issuing out of or paid for or by the Rents, Issues, and Profits of any Lands, Tenements or Hereditaments, or of or by the Interest of any Sum or Sums of Money now chargeable with the same, or appropriated for that Purpose. Gifts left for annual Races, not to be altered.

'IX. And whereas a good and wholesome Law was made in the twelfth Year of the Reign of his 'present Majesty King GEORGE the Second, intituled, *An Act for the more effectual preventing of excessive and deceitful Gaming*; but contrary to the true Intent and Meaning thereof, some fraudulent and 'deceitful Games have been invented, and a certain Game called *Passage* is now daily practised and carried on, to the Ruin and Impoverishment of many of his Majesty's Subjects;' It is therefore hereby enacted and declared, That the said Game of Passage, and all and every other Game and Games invented or to be invented with one or more Die or Dice, or with any other Instrument, Engine, or Device in the Natue of Dice, having one or more Figures or Numbers thereon (Backgammon and the other Games now played with the Backgammon Tables only excepted) are and shall be deemed to be Games or Lotteries by Dice, within the Intent and Meaning of the said in Part recited Act; and all and every Person and Persons who shall set up, maintain, or keep any Office, Table, or Place (save and except as in the said in Part recited Act is provided and declared) for the said Game of Passage, or for any other such Game or Games, as aforesaid (Backgammon and the other Games now played with the Backgammon Tables only excepted) shall severally forfeit, be subject, and liable to, all and every the Penalties and Forfeitures in and by the said in Part recited Act inflicted upon any Person or Persons who shall erect, set up, continue, or keep any of the Games or Lotteries in the said in Part recited Act mentioned; and all and every Person or Persons who shall play, set at, stake, or adventure at the said Game of Passage, or at any other such Game, as aforesaid (Backgammon and the other Games now played with the Backgammon Tables only excepted) save and except as in the said in Part recited Act is provided and declared, he and they respectively shall severally forfeit, be subject, and liable to all and every the Penalties and Forfeitures in and by the said in Part recited Act inflicted upon any Person or Persons who shall play, set at, stake, or adventure at any of the said Games in the said in Part recited Act mentioned; and all and every such Offenders respectively shall be prosecuted and convicted, and the several Penalties and Forfeitures shall be sued for, and recovered and disposed of in like Manner, and to such Uses, as the several Penalties and Forfeitures in either of such Cases are by the said in Part recited Act directed to be sued for, and recovered, and disposed of. Act against excessive Gaming. 12 Geo. 2. c. 28. Game of Passage, and other Games with Dice, prohibited. *See farther* 29 Geo. 2. c. 7.

X. And be it further enacted by the Authority aforesaid, That in any Action, Bill, Plaint, or Information to be brought or commenced by virtue of this Act, no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; and that over and above the Penalties and Forfeitures to be recovered by virtue of this Act, the Plaintiff or Informer shall recover his or her double Costs. Double Costs.

CAP. XX.

An Act for the more effectually preventing fraudulent Qualifications of Persons to vote as Freeholders in the Election of Members to serve in Parliament, for such Cities and Towns as are Counties of themselves, in that Part of *Great Britain* called *England*.

'WHEREAS by an Act made in the tenth Year of the Reign of Queen ANNE, intituled, *An Act for the more effectual preventing fraudulent Conveyances, in order to multiply Votes for electing Knights of Shires to serve in Parliament*, it is enacted, That all Estates and Conveyances whatsoever, made to any Person or Persons in any fraudulent or collusive Manner, on purpose to qualify him or them to give his or their Vote or Votes at such Elections of Knights of the Shire, subject nevertheless to Conditions or Agreements to defeat or determine such Estate, or to re-convey the same, shall be deemed and taken against those Persons who executed the same as free and absolute, and be holden and enjoyed by all and every such Person or Persons to whom such Conveyance shall be made as aforesaid, freely and absolutely acquitted, exonerated, and discharged, of and from all Manner of Trusts, Preamble recites the Act 10 Anne, c. 23.

'Conditions,

'Conditions, Clauſes of Re-entry, Powers of Revocation, Proviſoes of Redemption, or other Defeazances whatſoever, between or with the ſaid Parties, or any other Perſon or Perſons in Truſt for 'them; and that all Bonds, Covenants, Collateral or other Securities, Contracts, or Agreements, be'tween or with the ſaid Parties, or any other Perſon or Perſons in Truſt for them, or any of them, 'for the redeeming, revoking, or defeating ſuch Eſtate or Eſtates, or for the reſtoring or re-conveying 'thereof, or any Part thereof, to any Perſon or Perſons who made or executed ſuch Conveyance, or to 'any other Perſon or Perſons in Truſt for them, or any of them, ſhall be null and void to all Intents 'and Purpoſes whatſoever; and that every Perſon who ſhall make and execute ſuch Conveyance or 'Conveyances as aforeſaid, or being privy to ſuch Purpoſe, ſhall deviſe or prepare the ſame, and every 'Perſon who by Colour thereof ſhall give any Vote at any Election of any Knight or Knights of the 'Shire to ſerve in Parliament, ſhall, for every ſuch Conveyance ſo made, or Vote ſo created or given, 'forfeit the Sum of Forty Pounds to any Perſon who ſhall ſue for the ſame, to be recovered, together 'with full Coſts of Suit, by Action of Debt, Bill, Plaint or Information in any of the Courts of Re'cord at *Weſtminſter*, wherein no Eſſoin, Privilege, Protection, Wager of Law, or more than one Impar'lance ſhall be admitted or allowed. And it is thereby further enacted, That no Perſon ſhall vote for the 'electing of any Knight of a Shire within that Part of *Great Britain* called *England*, in Reſpect or in 'Right of any Lands or Tenements which have not been charged or aſſeſſed to the publick Taxes, 'Church Rates, and Pariſh Duties, in ſuch Proportion as other Lands or Tenements of Forty Shil'lings *per Annum*, within the ſame Pariſh or Townſhip where the ſame ſhall lie, or be uſually charged, 'and for which ſuch Perſon ſhall not have received the Rents or Profits, or be intitled to have received 'the ſame, to the full Value of forty Shillings or more to his own Uſe for one Year before ſuch Elec'tion; unleſs ſuch Lands or Tenements came to ſuch Perſon within the Time aforeſaid by Deſcent, 'Marriage, Marriage Settlement, Deviſe, or Preſentation to ſome Benefice in the Church, or by Pro'motion to ſome Office unto which ſuch Freehold is affixed; and that if any Perſon ſhall vote in any 'ſuch Election, contrary to the true Intent and Meaning of the ſaid Act, he ſhall for every ſuch Of'fence forfeit the Sum of Forty Pounds, one Moiety thereof to the Poor of the Pariſh or Pariſhes where 'the Lands or Tenements lie, for which ſuch Perſon ſhall vote, and the other Moiety to the Perſon or 'Perſons who ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information in 'any of the Courts of Record at *Weſtminſter*, wherein no Eſſoin, Privilege, Protection, or Wager of 'Law ſhall be allowed, or more than one Imparlance: And whereas by an Act made in the next Seſſion 'of Parliament, to explain a Clauſe in the ſaid laſt recited Act, made in the tenth Year of the Reign 'of Queen ANNE, it is enacted, That the ſaid Act, made in the tenth Year of the Reign of Queen 'ANNE, or any Thing therein contained, ſhall not extend, or be conſtrued to reſtrain any Perſon from 'voting in ſuch Election of any Knight of a Shire within that Part of *Great Britain* called *England*, in 'reſpect, or in Right of any Rents, Tythes, or other incorporeal Inheritances, or any Meſſuages or 'Lands in extraparochial Places, or any Chambers in the Inns of Court, or Inns of *Chancery*, or any 'Meſſuages or Seats belonging to any Offices, in regard, or by reaſon that the ſame have not uſually 'been, or ſhall not be charged or aſſeſſed to all or any of the publick Taxes, Church Rates, and Pa'riſh Duties, as mentioned in the ſaid Act, made in the tenth Year of the Reign of Queen ANNE, or 'in reſpect or Right of any other Meſſuages or Lands not therein before ſpecified, in regard, or by 'reaſon that the ſame have not been uſually charged or aſſeſſed to all and every the publick Taxes, 'Church Rates, and Pariſh Duties aforeſaid; provided that ſuch Meſſuages or Lands have uſually been 'charged or aſſeſſed to ſome one or more of the ſaid publick Taxes, Rates or Duties, in ſuch Propor'tion as other Meſſuages or Lands of forty Shillings *per Annum*, within the ſame Pariſh or Townſhip 'where the ſame ſhall lie or be, are uſually charged to the ſame; any thing contained in the ſaid Act, 'made in the tenth Year of the Reign of Queen ANNE, to the contrary thereof in any wiſe notwith'ſtanding: And whereas it is reaſonable, That Proviſion ſhould likewiſe be made to prevent any frau'dulent Conveyances of Lands and Tenements, in order to multiply Votes for electing Members to 'ſerve in Parliament, for ſuch Cities and Towns as are Counties of themſelves, wherein Perſons have 'a Right to vote for electing ſuch Members, for or in reſpect of Lands, Tenements or Hereditaments 'of the yearly Value of forty Shillings;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty, the ſaid Proviſions contained in the ſaid in Part recited Act made in the tenth Year of the Reign of Queen ANNE, for preventing fraudulent Conveyances, in order to multiply Votes for electing Knights for Shires; and in the ſaid Act made in the next Seſſions of Parliament, ſhall be extended, and conſtrued to extend, to ſuch Lands or Tenements, for or in Reſpect of which any Perſon ſhall vote for the Election of any Member to ſerve in Parliament, for any ſuch City or Town as aforeſaid, being a County of itſelf, in that Part of *Great Britain* called *England*; and that if any Perſon ſhall vote for the Election of any ſuch Member as a Freeholder, not having ſuch an Eſtate for one Year before the ſame Election, and ſo charged or aſſeſſed, as in the ſaid Acts, or one of them, is deſcribed, except in Caſes therein excepted, every ſuch Perſon ſhall be ſubject to the like Penalties and Forfeitures as are by the ſaid Act made in the tenth Year of the Reign of Queen ANNE, impoſed on Perſons voting for Knights of Shires, not having the Qualifications thereby required.

Voters to be poſſeſſed of Lands, &c. to the Value of 40 s. per Ann. a full Year before the Election.

Unleſs ſuch Lands come by Deſcent, &c. within the Time,

on Penalty of 40 l.

12 Annæ, ſt. 1. c. 5.

Perſons voting as Freeholders not having an Eſtate 1 Year before Election, ſubject to the Penalties and Forfeitures 10 Annæ.

Exception.

In part repealed by 19 Geo. 2. c. 28.

Concerning Parliament ſee further 15 *Geo.* 2. *c.* 22. 18 *Geo.* 2. *c.* 18. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

CAP.

CAP. XXI.

An Act for further and more effectually preventing the wilful and malicious Deſtruction of Collieries and Coal Works.

'WHEREAS of late divers evil-diſpoſed Perſons poſſeſſed of or intereſted in Collieries, have by ſecret and ſubtil Devices wilfully and maliciouſly attempted to drown adjacent Collieries, and have by Means of Water conveyed or obſtructed for that Purpoſe deſtroyed or damaged the ſame, intending thereby to enhance the Price of Coals, and gain the Monopoly thereof: And whereas by an Act made in the tenth Year of the Reign of his preſent Majeſty it was enacted, That if any Perſon or Perſons ſhall wilfully and maliciouſly ſet on Fire, or cauſe to be ſet on Fire, any Mine, Pit or Delph of Coal, or Cannel Coal, every Perſon ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy: And whereas it is reaſonable that an adequate Puniſhment ſhould likewiſe be inflicted on Perſons who ſhall wilfully and maliciouſly deſtroy or damage Collieries by Means of Water as is aforeſaid;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon, from and after the twelfth Day of *June* one thouſand ſeven hundred and forty, ſhall unlawfully, wilfully and maliciouſly divert, or cauſe to be diverted, Water from any River, Brook, Watercourſe, Channel or Land Flood, or convey, or cauſe to be conveyed, Water into any Coal Work, Mine, Pit or Delph of Coal, or into any ſubterraneous Cavities or Paſſages, or make, or cauſe to be made, any ſubterraneous Cavities or Paſſages, with Deſign thereby to deſtroy or damage any Coal Work, Mine, Pit or Delph of Coal belonging to any other Perſon or Perſons, or ſhall for that Purpoſe unlawfully, wilfully and maliciouſly deſtroy or obſtruct any Sough or Sewer (which has been a Sough or Sewer in common for fifty Years) made for draining any Coal Work, Mine, Pit or Delph of Coal, or ſhall attempt or continue any ſuch miſchievous Practice, or ſhall aid or aſſiſt therein in Manner aforeſaid; every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay to the Party or Parties aggrieved treble Damages, and full Coſts of Suit, to be ſued for and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*.

Preamble, reciting the Act 10 Geo. 2. c. 32.

Perſons drowning Coal Pits, ſhall pay treble Damages, and full Coſts;

II. Provided always, That nothing in this Act contained ſhall prevent or reſtrain, or be conſtrued to prevent or reſtrain, any Perſon or Perſons, being the Owner or Owners of any Sough, Drain or Sewer, from deſtroying, obſtructing or diverting, uſing or diſpoſing of any ſuch Sough, Drain or Sewer, in ſuch Manner as he, ſhe or they reſpectively may now lawfully do.

Except ſuch Coal Pits are their own.

Concerning Coals ſee further 14 *Geo.* 2. *c.* 41. 33 *Geo.* 2. *c.* 15.

17 *Geo.* 2. *c.* 35. 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27.

CAP. XXII.

An Act for enlarging the Term and Powers granted and given by an Act paſſed in the tenth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing the Road leading from* Dunchurch *in the County of* Warwick, *to the Bottom of* Meriden Hill *in the ſame County*; and for making the ſaid Act more effectual. P R.

The Act is continued for 21 Years, and to the End of the next Seſſion of Parliament.

CAP. XXIII.

An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and forty; and for enabling his Majeſty to raiſe the further Sum of two hundred thouſand Pounds out of the growing Produce of the ſaid Fund; and for granting to his Majeſty the Sum of twenty-one thouſand Pounds one Shilling and eight Pence Halfpenny, remaining in the Receipt of his Majeſty's Exchequer, ariſen by Sale of Lands in the Iſland of Saint *Chriſtopher*'s; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous not only to raiſe ſuch Supplies as are neceſſary to enable your Majeſty to carry on the preſent War with Succeſs, but alſo to uſe ſuch Ways and Means therein, as that your Majeſty may have the better and more ſpeedy Effect of the ſaid Supplies, have reſolved to give and grant unto your Majeſty the Sum of one million, out of the Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*, towards the Supply granted to your Majeſty for the Service of the Year one thouſand ſeven hundred and forty; and alſo to enable your Majeſty to iſſue and apply the further Sum of two hundred thouſand Pounds out of the growing Produce of the ſaid Sinking Fund, for the Service of the ſaid Year one thouſand ſeven hundred and forty; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be

Preamble.

be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from time to time quarterly be, in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called the *Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued, paid and applied a Sum not exceeding the ſaid Sum of one million, for and towards the Supply granted to his Majeſty, for the Service of the ſaid Year one thouſand ſeven hundred and forty; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

Treaſury to iſſue out of the Sinking Fund, 1,000,000l.

II. And for or towards raiſing the ſaid further Sum of two hundred thouſand Pounds; it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, and they are hereby authorized and impowered from time to time, quarterly, to iſſue and apply the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund* (after paying or reſerving ſufficient to pay the ſaid Sum of one million by this Act granted as aforeſaid, and all ſuch other Sum and Sums of Money as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) towards raiſing the ſaid further Sum of two hundred thouſand Pounds, for or towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and forty.

and the growing Produce of the ſaid Fund, towards raiſing the further Sum of 200,000l. for the Service of the Year 1740.

III. And be it further enacted by the Authority aforeſaid, That the Sum of twenty-one thouſand Pounds one Shilling and eight pence halfpenny, remaining in the Receipt of his Majeſty's Exchequer, ariſen by Sale of the Lands in the Iſland of Saint *Chriſtopher*'s, ſhall and may be iſſued and applied as Part of the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and forty; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding.

IV. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the high Treaſurer for the time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million two hundred thouſand Pounds, or any Part thereof, by Loans or Exchequer Bills, in Manner hereafter mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money, not exceeding the ſaid Sum of one million two hundred thouſand Pounds, upon the Credit of the Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Intereſt after a Rate not exceeding three Pounds ten Shillings *per Centum per Annum*, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the high Treaſurer, or any three of the Commiſſioners of the Treaſury for the time being, who are hereby authorized to iſſue their Warrants for that Purpoſe, as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover, that no Money to be lent upon the Security of this Act ſhall be rated and aſſeſſed to any Tax or Aſſeſſment whatſoever.

For the ſaid Sum may be raiſed by Loans or Exchequer Bills.

V. And be it further enacted, That all and every Perſon and Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, not exceeding the ſaid Rate of three Pounds ten Shillings *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtred in Courſe according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators or Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes and Overplus Monies; and he, ſhe or they, who ſhall have his, her or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund* as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, without undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever, other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid; and that no Fee, Reward, or Gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's Subjects, for providing or making of any ſuch Books or Regiſters, or any Entries, Views, or Searches in or for Payment of Money lent, or the Intereſt thereof, as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks, or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made either in Point of Regiſtry or Payment contrary to the true Meaning of this Act by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value

Lender to have Tallies and Orders.

Orders and Payments to be in Courſe.

No undue Preference.

Officers to take no Fees.

Penalties.

Value of the Debt with full Coſts of Suit to the Party grieved, and ſhall be forejudged of his Office or Place; and if ſuch Preference be unduly made by any his Deputy or Clerk without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Office or Place; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Tellers make Payment upon ſuch Order, according to each Perſon's due Place and Order, as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch Manner as aforeſaid: All which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

What ſhall be interpreted no undue Preference.

VI. Provided always, and it is hereby declared, That if it ſhall happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference, which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

VII. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay, ſubſequent Orders to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them, Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Orders aſſignable.

VIII. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtred by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his, her or their Order, may aſſign or transfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

Treaſury may raiſe the ſaid Sum by iſſuing out new Exchequer Bills.

IX. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the ſaid Sum of one million two hundred thouſand Pounds to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being ſhall judge it more adviſeable to raiſe the ſaid Sum of one million two hundred thouſand Pounds, or any Part thereof, by Exchequer Bills inſtead of ſuch Loans as aforeſaid; that then they reſpectively are hereby authorized and impowered at any Time or Times to prepare and make, or cauſe to be prepared and made, at the Exchequer any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the whole the ſaid Sum of one million two hundred thouſand Pounds, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form or Order, and according to the ſame or like Rules and Directions as in and by a certain Act of Parliament for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and forty, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſaid Act.

Clauſes of the Malt Act 1740, relating to Exchequer Bills, to extend to thoſe of this Act.

X. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities contained in the ſaid laſt-mentioned Act, relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Duties or Impoſitions granted or continued by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſaid Exchequer Bills had been originally authorized by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act.

The ſaid Bills charged on the Sinking Fund.

XI. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills as ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate and Charges incident to, or attending the ſame, ſhall be and are hereby charged and chargeable upon, and ſhall be repaid and borne by or out of the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for or towards paying off, cancelling and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be reſerved and kept in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

Application of the Supplies.

XII. Provided always, and be it further enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and forty*, and ſo much Money (if any ſuch be) of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty*, and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo the Sum of eighty-eight thouſand ſeven hundred twenty-two Pounds ſeven Shillings and ten Pence farthing, granted for the Service of the Year one thouſand ſeven hundred and thirty-nine, but not applied for the Service of that Year; and the Sum of twenty-one thouſand Pounds one Shilling and eight Pence Halfpenny, remaining in the Receipt of his Majeſty's Exchequer, ariſen by the Sale of Lands in the Iſland of Saint *Chriſtopher's*; and the Sum of one million two hundred thouſand Pounds, by this Act granted as aforeſaid, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein after expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay,

2,019,704 l. 8 s. 3 d. for Naval Services.

XIII. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two million nineteen thouſand ſeven hundred and four Pounds eight Shillings and three Pence, for or towards the naval Services herein after more particularly expreſſed; (that is to ſay) For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed.

10,000 l. to Greenwich Hoſpital.

XIV. And it is alſo hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for or towards the Support of the Royal Hoſpital at *Greenwich*, and for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

140,434 l. 4 s. and 8 d. for the Office of Ordnance.

XV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred and forty thouſand four hundred thirty-four Pounds four Shillings and eight Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services, not provided for by Parliament.

118,214 l. 1 s. for 6 Regiments of Marines.

XVI. And it is alſo hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ninety-four thouſand five hundred fifty-four Pounds eighteen Shillings, which with the Sum of twenty-three thouſand ſix hundred fifty-nine Pounds three Shillings, iſſued out of the Sum of five hundred thouſand Pounds charged on the Sinking Fund for the Service of the Year one thouſand ſeven hundred and thirty-nine, amounts to the Sum of one hundred eighteen thouſand two hundred and fourteen Pounds one Shilling, for raiſing and defraying the Charge of maintaining Six Regiments of Marines, conſiſting of four thouſand eight hundred and ninety Men, Commiſſion and Non-commiſſion Officers included, for fourteen Months from the twenty-fifth Day of *October* one thouſand ſeven hundred and thirty-nine, to the twenty-fourth Day of *December* one thouſand ſeven hundred and forty, both Days

33,420 l. for additional Marines.

inclusive; and any Sum or Sums of Money not exceeding thirty-three thouſand four hundred twenty-nine Pounds, for raiſing and maintaining two thouſand and forty Men, Officers included, to be added to the ſix Regiments of Marines for the Year one thouſand ſeven hundred and forty.

1,210,095 l. 4 s. 3 d. 3 Farthings, for Land Forces, i. e.

XVII. And it is hereby likewiſe enacted, that out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million two hundred ten thouſand and ninety-five Pounds four Shillings and three Pence three Farthings, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding eight hundred ſixty thouſand

860,150 l. 10 s. 4 d. Halfpenny, for Guards and Garriſons.

one hundred and fifty Pounds ten Shillings and four Pence Halfpenny, for defraying the Charge of twenty-eight thouſand eight hundred fifty-two Men, Commiſſion and Non-commiſſion Officers included (and alſo including two thouſand one hundred forty-one Invalids, and eight hundred and fifteen Men which the Regiment conſiſts of for the Service of the Highlands) for Guards, Garriſons, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, for the Year one thou-

266,201 l. 3 s. 1 d. Halfpenny, for the Plantations.

ſand ſeven hundred and forty; and any Sum or Sums of Money not exceeding two hundred ſixty-ſix thouſand two hundred and three Pounds two Shillings and one Penny Halfpenny, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons

Garisons at *Annapolis Royal*, *Canso*, *Placentia*, *Gibraltar* and *Georgia*, for the Year one thousand seven hundred and forty; and any Sum or Sums of Money not exceeding ten thousand three hundred forty-seven Pounds and six Shillings, upon Account, for the Out-Pensioners of *Chelsea* Hospital, for the Year one thousand seven hundred and forty; and any Sum or Sums of Money not exceeding nine thousand four hundred seventy-seven Pounds thirteen Shillings and one Penny three Farthings, for defraying several extraordinary Expences and Services incurred in the Year one thousand seven hundred and thirty-nine, and not provided for by Parliament; and any Sum or Sums of Money not exceeding thirty-four thousand five hundred eighty-seven Pounds, upon Account of Half-pay to the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and forty, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as are herein after prescribed concerning the same; and any Sum or Sums of Money not exceeding twenty-two thousand eight hundred eighty Pounds nineteen Shillings and two Pence, for defraying the Charge of General and Staff-officers for the Year one thousand seven hundred and forty; and any Sum or Sums of Money not exceeding two thousand four hundred and fifty Pounds thirteen Shillings and six Pence, for maintaining one Company of Invalids, to be forthwith raised; and for making an Addition of twenty Men to each of the four Companies of Invalids raised in *November* one thousand seven hundred and thirty-nine, in all to one hundred eighty-one Men, for the Service of the Year one thousand seven hundred and forty; and any Sum or Sums of Money not exceeding three thousand nine hundred ninety-eight Pounds, for paying of Pensions to Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and forty; which said Sum of three thousand nine hundred ninety-eight Pounds shall be issued to such Person or Persons, as his Majesty shall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists or other Directions, and with and subject to such Conditions, Qualifications, Deductions, or other Allowances for the same, as his Majesty, by such and the like Warrant or Warrants, shall be graciously pleased to direct and appoint.

10,347 l. 6 s. to Chelsea Hospital.

9,477 l. 13 s. 1 d 3 Farthings, for extraordinary Expences.

34,587 l. for Half-pay.

22,880 l. 19 s. 2 d. for General and Staff Officers.

2,450 l. 13 s. 6 d. for one Company of Invalids.

3,998 l. to reduced Officers Widows.

XVIII. And it is also hereby enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding five thousand eight hundred sixty-five Pounds eighteen Shillings and nine Pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Stamp Duties at *Christmas* one thousand seven hundred and thirty-eight, pursuant to a Clause in an Act of Parliament passed in the fourth Year of his Majesty's Reign, for raising one million two hundred thousand Pounds by Annuities and a Lottery for the Service of the Year one thousand seven hundred and thirty-one; and any Sum or Sums of Money, not exceeding twenty thousand Pounds, to replace to the said Sinking Fund the like Sum paid out of the same to the Governor and Company of the Bank of *England* for one Year's Interest due on or before the eighth Day of *September* one thousand seven hundred and thirty-nine, being after the Rate of four Pounds *per Centum* on the principal Sum of five hundred thousand Pounds by them lent on the Credit of the Salt Duties, towards the Supply of the Year one thousand seven hundred and thirty-five, pursuant to a Clause in an Act of Parliament passed in the eighth Year of his Majesty's Reign, for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of four Years; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards the Maintenance of the *British* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coast of *Africa*; and any Sum or Sums of Money not exceeding four thousand Pounds, towards repairing and finishing the Collegiate Church of *Saint Peter*, *Westminster*; and there shall and may be issued to the Trustees for establishing the Colony of *Georgia* in *America*, any Sum or Sums of Money, not exceeding four thousand Pounds, by them to be applied for the further settling and improving the said Colony; and any Sum or Sums of Money, not exceeding fifty-eight thousand three hundred thirty-three Pounds six Shillings and eight Pence, on Account of the Subsidy payable to the King of *Denmark*, pursuant to the Treaty bearing Date the 23d Day of *March* one thousand seven hundred and thirty eight, for the Year one thousand seven hundred and forty.

5,865 l. 18 s. 9 d. for Deficiency of the Stamp Duties.

20,000 l. to replace to the Sinking Fund.

10,000 l. towards maintaining the African Forts. 4000 l. to the repairing Westminster Abbey. 4,000 l. to the Colony of Georgia. 58,333 l. 6 s. 8 d. Subsidy to the King of Denmark.

XIX. And it is hereby also enacted, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding two hundred thousand Pounds, upon Account, towards enabling his Majesty to carry on in the most effectual Manner, such Measures as his Majesty shall judge necessary in the further Prosecution of the just War in which his Majesty is engaged.

200,000 l. for further Prosecution of the War.

XX. And be it enacted, That the said Aids or Supplies provided as aforesaid shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

The Aids not to be misapplied.

XXI. And as to the said Sum of thirty-four thousand five hundred eighty-seven Pounds, by this Act appropriated on Account of Half-pay as aforesaid; it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application thereof; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; That no Person shall have or receive any Part of the same,

Rules for the Application of Half-pay. See 14 Geo. 2. c. 41.

ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

12 *Geo.* 2. *c.* 19.

'XXII. And whereas by an Act of Parliament made in the twelfth Year of his Majeſty's Reign, 'intituled, *An Act for granting to his Majeſty the Sum of five hundred thouſand Pounds out of the Sinking 'Fund for the Service of the Year one thouſand ſeven hundred and thirty-nine; and for enabling his Majeſty 'to raiſe the further Sum of five hundred thouſand Pounds out of the growing Produce of the ſaid Fund; and 'for the further appropriating the Supplies granted in this Seſſion of Parliament; and for giving Time for the 'Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*; ſeveral Sup- 'plies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes 'and Purpoſes therein expreſſed, amongſt which, any Sum or Sums of Money not exceeding thirty-nine 'thouſand one hundred twenty-four Pounds nineteen Shillings and two Pence, was appropriated to be 'paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch 'Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were pre- 'ſcribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforeſaid,

The Overplus of laſt Year's Half-pay how to be applied.

That ſo much of the ſaid Sum of thirty-nine thouſand one hundred and twenty-four Pounds nineteen Shillings and two Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or have loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act to the contrary notwithſtanding.

CAP. XXIV.

An Act for amending and enforcing the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and for reducing the ſame into one Act of Parliament; and alſo for amending the Laws for erecting, providing and regulating Houſes of Correction. REP. 17 Geo. 2. c. 5.

CAP. XXV.

An Act for the more effectual Maintenance and Well-keeping of *Stanes* Bridge and *Egham* Cauſeway, being the Highway from *London* to the Weſt Parts of *England*. PR.

Preamble, reciting 1 *H.* 8. *c.* 9.

'WHEREAS by an Act of Parliament made in the firſt Year of the Reign of King HENRY 'the Eighth, intituled, *An Act concerning the Bridge of* Stanes, the Chancellor of *England* for the 'Time being, or the Keeper of the King's Great Seal, and their Succeſſors, were authorized and im- 'powered to depute and aſſign two, three or four Perſons of the Town and Pariſh of *Stanes*, to 'take and receive Toll and Cuſtom, as before that Time had been uſed to be paid, as well for Carts 'and Horſes laden with Merchandize and other Stuff carried over and upon the ſame Bridge, as of 'Barges coming underneath the ſame Bridge, and to employ the ſaid Tolls for repairing and making 'the ſaid Bridge, and alſo the Cauſeway extending from the ſaid Town of *Stanes* to the Town of *Egham* 'in the County of *Surrey*, and to render a yearly Account thereof to the ſaid Chancellor or Keeper

30 Eliz. not printed.

'for the Time being, or before ſuch Perſons as either of them ſhould depute and aſſign: And whereas 'by another Act made in the thirty-ninth Year of the Reign of Queen ELIZABETH, intituled, *An Act for 'the better Maintenance and Well-keeping of* Stanes *Bridge and* Egham *Cauſeway, being the Highway from* 'London *unto the Weſt Parts of* England, it was enacted, That the Chancellor of *England* for the Time 'being, or Lord Keeper of the Great Seal, and their Succeſſors, ſhould have the Deputation and Aſſign- 'ment of four Men, whereof two to be of the Town and Pariſh of *Stanes* aforeſaid, and the other two 'to be of the Town and Pariſh of *Egham* aforeſaid; and the ſaid four to take and receive by themſelves, 'or their ſufficient Deputy or Deputies, the Toll and Cuſtom as before that Time ought or had been uſed 'to be paid, and to employ the ſame upon the Reparation and making of the ſaid Bridge and Cauſeway, 'and thereof yearly to yield Account to the ſaid Chancellor or Keeper of the Great Seal for the Time 'being, or before ſuch Perſons as he ſhould depute and aſſign, between the Feaſts of Saint *Michael the 'Archangel* and *All Saints*; and if by Default of the four Perſons aforeſaid, or any of them, in not ga- 'thering or not well-employing the ſaid Toll, the ſaid Bridge and Cauſeway, or either of them, ſhould 'not be ſufficiently kept and maintained, the Chancellor or Lord Keeper of the Great Seal had Power 'to inflict a Penalty upon them, or any of them, in whom ſuch Default ſhould be found as aforeſaid, 'not exceeding ten Pounds, the ſame to be levied by Diſtreſs by ſuch Perſon or Perſons as ſhould be 'nominated by the ſaid Chancellor or Keeper of the Great Seal, and to be employed for maintaining 'the ſaid Bridge and Cauſeway: And whereas the Tolls and Duties ariſing by virtue of the ſaid Acts,

'after

'after Deduction of Taxes and Aſſeſſments, do not amount to above forty-five Pounds *per Annum* one 'Year with another at an Average, which Sum is greatly inſufficient to keep up, ſupport and maintain 'the ſaid Bridge and Cauſeway; by reaſon whereof the ſaid Bridge, or great Part thereof, hath been for 'ſome Time paſt and now is in a ruinous and dangerous Condition, and the ſaid Cauſeway is fallen to 'ſuch Decay, that unleſs ſpeedily repaired, it will be in great Danger of being broken through by 'high Floods in the River *Thames*, whereby not only a great Tract of many thouſand Acres of Land 'will be liable to be overflowed, and ſeveral Towns and Villages greatly damnified, but alſo the 'Courſe and Navigation of the River *Thames* may be obſtructed and diverted, and the Road from '*Staines* to *Egham* aforeſaid, being Part of the great Weſtern Road, rendered impaſſable: And whereas 'the Bridge-maſters, or Perſons deputed by the Chancellor or Lord Keeper of the Great Seal as 'aforeſaid, in order to provide Money for the Repair of the ſaid Bridge and Cauſeway, have fre-'quently kept up a Ferry there at an exorbitant Rate, to convey Paſſengers over the River *Thames*, to the 'great Inconvenience and Oppreſſion of all Perſons travelling that Way, *&c.*"

CAP. XXVI.

An Act to revive, explain and amend an Act made in the ſixteenth and ſeventeenth Years of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for making the River of* Medway *navigable, in the Counties of* Kent *and* Suſſex. P R.

'WHEREAS an Act of Parliament was made in the ſixteenth and ſeventeenth Years of the 'Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for making the River* 'of Medway *navigable, in the Counties of* Kent *and* Suſſex; whereby, after reciting, that making the 'River *Medway*, and all other Rivers, Streams and Watercourſes falling thereinto, in the Counties of '*Kent* and *Suſſex*, navigable, had been upon View found to be feaſable, and would be of great Uſe 'for the better and more eaſy and ſpeedy Portage of Iron Ordnance, Balls, Timber and other Ma-'terials, in Places adjacent, made, forged and provided for his Majeſty's Service, at all Times, and 'more eſpecially at ſuch Times and Seaſons in the Year as the ſame could not otherwiſe be brought 'out of thoſe Parts; and would be advantageous to the Inhabitants, and all others concerned, as well 'for Carriage of the Commodities aforeſaid, as of Wood, Corn and Grain, Hay, Hops, Wooll, Lea-'ther and all other Proviſions, growing and accruing from thence; as alſo of Coals, Lime, Stone 'Wares and all other Neceſſaries and Commodities to be carried thither, whereby Commerce and Trade 'would be much increaſed, and the publick Weal advanced: It was therefore enacted, That it ſhould 'and might be lawful for certain Perſons therein named, to make the ſaid River, and Streams running 'thereinto, navigable, in ſuch Manner as by the ſaid Act is limited and directed; and Commiſſioners 'were alſo therein appointed, with Power to adjudge and determine proper Satisfaction to all Perſon 'and Perſons, Bodies Politick and Corporate, for any Loſs or Damage to be by them ſuſtained, by 'cutting, digging or otherwiſe damnifying their Lands and Tenements, in making the ſaid River and 'Streams navigable, with a Power to appoint new Commiſſioners in the Stead of thoſe dying or re-'fuſing to act: And whereas the Powers by the ſaid Act created, were never yet carried into Exe-'cution; and the ſeveral Perſons authorized thereby to make the ſaid River and Streams navigable, 'and the ſeveral Commiſſioners therein named and appointed, are all ſince dead, without any proper 'Succeſſors appointed in their Stead in Manner as by the ſaid Act is directed: And whereas the making 'the ſaid River and Streams navigable at this Time is likely to be of great Utility to the publick, by rea-'ſon that great Quantities of Timber growing on the Woods of *Kent* and *Suſſex*, through which the ſaid 'River and Streams run, and which is allowed to be the beſt in this Kingdom for the Uſe of his Majeſty's 'Navy, cannot be conveyed to any Market, but at a very large Expence, by reaſon of the Badneſs of the 'Roads in thoſe Parts: And whereas divers Perſons herein after named, and many others, are deſirous to 'become Undertakers for making the ſaid River of *Medway* and Streams navigable, and have agreed to 'raiſe amongſt themſelves a Sum of Money ſufficient for that Purpoſe;' May it pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

Preamble, reciting the Act 16 & 17 Car. 2. not printed.

"Proprietors Power. If Proprietors or others do not like Commiſſioners Decree, Commiſſioners to iſſue "Warrants to Sheriffs or Coroners of *Kent* or *Suſſex* to impanel and return a Jury, to appear before the "Commiſſioners, to aſſeſs Damages; and Commiſſioners to give Judgment. Verdicts, *&c.* to be record-"ed by the Clerk of the Peace for *Kent* or *Suſſex*. Proprietors always liable to pay Damages to the "Land Owners, *&c.* by Verdict of a Jury before the Commiſſioners. Proprietors may raiſe Money "among themſelves to carry on their Work, not exceeding 30,000 l. The Money raiſed to be divided "into 300 Shares. No Perſon to have above 10 Shares. Subſcribers not anſwering all the Calls, "ſhall loſe what they have paid. Subſcribers to have a Vote for every Share, by themſelves or "Proxies. Books of Accounts to be kept at *Tunbridge* in a Cheſt, and the Key kept by the Com-"mittee. Proprietors may employ Boats, *&c.* to carry Goods on the River, and take Toll of others. "No Toll to be paid till the River is navigable for Boats carrying 40 Tons. Boats not carrying "Goods or Paſſengers, to paſs Toll-free. The Navigation of the River *Medway* not ſubject to the "Commiſſioners of Sewers."

CAP.

CAP. XXVII.

An Act for prohibiting Commerce with *Spain*. EXP.

Preamble.

'WHEREAS his Majeſty hath been called on by the repeated Inſults, Depredations, and Cruelties of the *Spaniards*, to make uſe of the Power which God hath given him, for vindicating the Honour and Dignity of his Crown, and for ſecuring to his Subjects the undoubted Rights and Privileges of Navigation and Commerce to which they are juſtly intitled; and in order thereunto his Majeſty upon juſt and honourable Grounds hath thought fit to declare War with *Spain*; and it being highly requiſite and neceſſary to prohibit and reſtrain all Commerce between his Majeſty's Subjects and thoſe of *Spain* in *Europe*, and to enforce ſuch Prohibitions and Reſtrictions by ſevere Penalties;' Be it therefore enacted, *&c.*

"No Goods to be imported from *Old Spain*, during the War, on Penalty of forfeiting Ship and Goods, "and Treble the Value. Except what are lodged at *Minorca* or *Gibraltar*, before 1 *May* 1740, and "brought home on *Britiſh* Bottoms before 24 *June* 1740."

Privateers taking Ships by Colluſion, the Privateer and Prize both forfeited.

III. And to prevent colluſive, fraudulent, or clandeſtine Captures by Privateers; Be it enacted by the Authority aforeſaid, That if any Privateer or Privateers ſhall by Conſent, or clandeſtinely, or by Colluſion, ſeize or take any Ship or Veſſel whatſoever; upon due Proof thereof to be made in the Court of Admiralty, the Bail or Recognizance given in the ſaid Court by or on the Behalf of ſuch Privateer at the taking out of his Commiſſion ſhall be pronounced and declared by the ſaid Court to be forfeited, and the Privateer Ship itſelf, with all her Appurtenances, Guns, Tackle, Ammunition, and Goods on Board, as alſo the Merchant Ship or Veſſel that ſhall be ſo taken, with her Appurtenances and Lading, upon Proof as aforeſaid, ſhall be condemned as good and lawful Prize; and after Condemnation and Sale thereof the Perſon or Perſons diſcovering and proſecuting the ſame ſhall have one Third Part of the net Produce for his or their Encouragement.

"The King by Proclamation may take off the Prohibition. Claimant to give 100l. Security to anſwer "Coſts of Proſecution."

CAP. XXVIII.

An Act for continuing the ſeveral Laws therein mentioned; relating to the Premiums upon the Importation of Maſts, Yards and Bowſprits, Tar, Pitch and Turpentine; to *Britiſh* made Sail Cloth, and the Duties payable on Foreign Sail Cloth; to the *Greenland*, and to the Whale Fiſhery: For granting a further Bounty for all Ships employed in the Whale Fiſhery during the preſent War: For exempting Harponeers, and others employed in the *Greenland* Fiſhery Trade, from being impreſſed: And for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

Preamble.

'WHEREAS the Laws herein after mentioned are found to be very uſeful and beneficial to the Publick, and are ſo near expiring that it is fit they ſhould now be continued; Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for better Preſervation of his Majeſty's Woods in* America, *and for the Encouragement of the Importation of Naval Stores from thence; and to encourage the Importation of Maſts, Yards and Bowſprits from that Part of* Great Britain *called* Scotland; as relates to the Premiums upon Maſts, Yards and Bowſprits, Tar, Pitch and Turpentine, which was made to be in Force from the twenty ninth Day of *September* one thouſand ſeven hundred and twenty-nine, for the Space of thirteen Years, and to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby continued from the Time therein limited for the Expiration thereof, unto the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament.

Act 2 Geo. 2. c. 35. for Importation of Naval Stores, 25 Geo. 2. c. 35.

continued to 25 Dec. 1750. *And further by* 32 *Geo.* 2. *c.* 23.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for further encouraging and regulating the Manufacture of* Britiſh *Sail Cloth, and for the more effectual ſecuring the Duties now payable on Foreign Sail Cloth imported into this Kingdom*; which was to be in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-ſix, for the Space of five Years, and to the End of the then next Seſſion of Parliament, ſhall be and the ſame is hereby continued from the Time therein limited for the Expiration thereof, unto the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament.

Act 9 Geo. 2. c. 37. for encouraging Britiſh Sail Cloth,

continued to 25 Dec. 1750. *And further by* 31 *Geo.* 2. *c.* 36.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for encouraging the* Greenland *Fiſhery*, which was to be in Force for nine Years, from the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-one, ſhall be, and the ſame is hereby continued from the Time therein limited for the Expiration there-

Act 5 Geo. 2. c. 28. for encouraging the Greenland Fiſhery,

of, unto the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament.

continued to 25 Dec. 1750.

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act for the further Encouragement of the Whale Fiſhery, carried on by his Majeſty's* Britiſh *Subjects*, which was to be in Force during the Continuance of the laſt mentioned Act of the fifth Year of his Majeſty's Reign, intituled, *An Act for encouraging the* Greenland *Fiſhery*, ſhall be, and the ſame is hereby continued from the Time therein limited for the Expiration thereof, unto the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament.

Farther continued by 22 *Geo.* 2. *c.* 45. *and* 28 *Geo.* 2. *c.* 20.

Act 6 Geo. 2. c. 33. for encouraging the Whale Fiſhery, continued to 25 Dec. 1750.

V. And be it further enacted by the Authority aforeſaid, That over and above the Allowance of twenty Shillings a Ton, according to the Admeaſurement of the Ship, by the ſaid laſt mentioned Act directed to be paid, it ſhall and may be lawful for the reſpective Commiſſioners of the Cuſtoms in *Great Britain*, during the preſent War and no longer (upon having ſuch Schedule, Certificate, Licence and Oath tranſmitted to them by the Collector and Comptroller of the Port from whence ſuch Ship ſhall depart, as by the ſaid laſt mentioned Act is directed; and upon ſuch Commiſſioners being ſatisfied of the faithful Dealings of the Maſter and other Perſons employed in ſuch Ship, with reſpect to ſuch Voyage and Fiſhery) on Demand to cauſe Payment to be made to the Maſter or Owners, or to his or their Aſſigns, by the Receiver General of the Cuſtoms in that Part of *Great Britain* from whence ſuch Ship ſhall depart, of the Sum of ten Shillings a Ton, according to the Admeaſurement of the Ship, over and above the Sum of twenty Shillings a Ton by the laſt mentioned Act granted for the Encouragement of the Whale Fiſhery in the *Greenland* Seas, or *Davis's Streights*, and the adjacent Seas, carried on by his Majeſty's *Britiſh* Subjects, in ſuch Manner, and at ſuch Time or Times as the ſaid Allowance of twenty Shillings a Ton by the ſaid laſt-mentioned Act is directed to be paid: 'And where-'as the *Greenland* Fiſhery Trade cannot be carried on without Men who are uſed to the ſaid Fiſhery;' Be it therefore enacted by the Authority aforeſaid, That no Harponeer, Line-manager, Boat-ſteerer, or Seaman, who ſhall be in, or belonging to any Ship or Veſſel in the *Greenland* Fiſhery Trade, ſhall be impreſſed from the ſaid Service, and that any ſuch Harponeer, Line-manager, Boat-ſteerer, or Seaman, may, during the Time of the Year that he or they are not employed in the ſaid Fiſhery, ſail in the Colliery Trade, upon giving Security to the Satisfaction of the Commiſſioners of the Cuſtoms, that he or they will proceed in the ſaid Ship or Veſſel to *Greenland*, or *Davis's Streights*, on the Whale Fiſhery the next Seaſon.

Additional Bounty of 10 s. per Ton, during the War. 27 Geo. 2. c. 18. §. 7.

Greenland Fiſhermen or Sailors not to be impreſſed.

See farther 22 *Geo.* 2. *c.* 45. 28 *Geo.* 2. *c.* 20.

VI. And, for the Relief of any Perſon or Perſons, who through Neglect or Inadvertency have omitted to pay the ſeveral Rates and Duties, or any Part thereof, upon Monies given, paid, contracted or agreed for, with or in relation to any Clerk, Apprentice or Servant which hath been put or placed to or with any Maſter or Miſtreſs to learn any Profeſſion, Trade or Employment, and to have ſuch Indentures or other Writings which ſhall contain the Covenants, Articles, Contracts or Agreements relating to the Service of ſuch Clerk, Apprentice or Servant ſtamped, within the Times by the ſeveral Acts of Parliament for thoſe Purpoſes reſpectively limited; or, who have alſo in like Manner omitted to inſert and write in Words at length in ſuch Indentures or other Writings as aforeſaid, the full Sum or Sums of Money or any Part thereof received, or in any wiſe directly or indirectly given, paid, agreed or contracted for, with or in relation to every ſuch Clerk, Apprentice or Servant as aforeſaid; Be it enacted by the Authority aforeſaid, That upon Payment of the Rates and Duties upon Monies, or ſuch Part of ſuch Monies ſo neglected or omitted to be paid as aforeſaid, on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and forty, to ſuch Perſon or Perſons to whom the ſame ought to be paid, and tendring the ſaid Indentures or other Writings to be ſtamped at the ſame Time, or at any Time on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and forty, (of which timely Notice is to be given in the *London Gazette*) the ſame Indentures or other Writings ſhall be good and available in Law or Equity, and may be given in Evidence in any Court whatſoever; and the Clerk, Apprentice or Servant therein named, ſhall be capable of following and exerciſing their reſpective intended Trades or Employments, as fully as if the ſaid Rates and Duties ſo omitted had been duly paid, and the full Sum or Sums received or agreed for as aforeſaid had been inſerted; and the Perſons who have incurred any Penalties by the Omiſſions aforeſaid, ſhall be acquitted and diſcharged of and from the ſaid Penalty; any thing in this or the ſaid former Acts to the contrary in any wiſe notwithſtanding.

Time enlarged for paying Duties for Clerks and Apprentices, and ſtamping their Indentures, &c. *Concerning Indentures, ſee farther* 18 *Geo.* 2. *c.* 22. 20 *Geo.* 2. *c.* 45. 32 *Geo.* 2. *c.* 23.

CAP. XXIX.

An Act for confirming and enlarging the Powers granted by his Majeſty to the Governors and Guardians of the Hoſpital, for the Maintenance and Education of Expoſed and Deſerted young Children, by his moſt Gracious Charter, bearing Date the ſeventeenth Day of *October* in the Year of our Lord one thouſand ſeven hundred and thirty-nine, and to enable them to execute the good Purpoſes of the ſaid Charter. P R.

'WHEREAS his Majeſty, in Compaſſion to the Numbers of poor Infants who are liable to be 'expoſed to periſh in the Streets, or be murdered by their indigent and inhuman Parents, has 'been moſt graciouſly pleaſed, by his Royal Charter under the Great Seal of *Great Britain*, to create 'and eſtabliſh a Corporation or Body Politick, by the Name of *The Governors and Guardians of the Hoſ-'pital for the Maintenance and Education of Expoſed and Deſerted young Children*; which Corporation is by 'the ſaid Charter declared to have perpetual Succeſſion, and impowered to take, hold, purchaſe, receive

'and

'and poſſeſs Lands, Tenements and Hereditaments, to the Value of four thouſand Pounds a Year, and 'Goods, Chattels and Perſonal Eſtate of what Nature and Value ſoever; and to purchaſe or erect an 'Hoſpital for the Support, Maintenance and Education of Expoſed and Deſerted young Children; and 'to hold Courts to make By-laws, and to elect Governors and Officers, and to do other Acts for the 'Purpoſes of the ſaid Charter: And whereas great Sums of Money have been given by the Governors 'of the ſaid Hoſpital, and other Perſons, to be applied to the charitable Uſes before mentioned: And 'whereas by Reaſon of the Laws now in Force for the Relief of the Poor many Difficulties may ariſe 'in carrying into Execution the good Intents of the ſaid Charter, and that the granting other and fur-'ther Powers to the ſaid Corporation is requiſite, effectually to anſwer the Purpoſes aforeſaid;' May it pleaſe your Majeſty that it may be enacted, *&c.*

"Hoſpital may purchaſe Lands, *&c.* not exceeding 4000*l. per Ann.* Taxes on Lands, *&c.* not to be "raiſed above what was paid in 1739; though improved for the Uſe of the Corporation. Conveyances "to be approved of by the Lord Chancellor, *&c.* Corporation to maintain and educate as many Chil-"dren as they think fit. No Churchwarden, *&c.* to hinder any Perſons bringing their Children to the "Hoſpital, on Penalty of 40*s.* No Pariſh Officer ſhall have any Authority in the Hoſpital. No Settle-"ment by being educated in the Hoſpital. No Fees due to any Pariſh for Chriſtenings or Burials. "Corporation to provide Miniſter and Burial Ground. Children may be lett for Hire to work abroad "for the Uſe of the Hoſpital. Preſident, *&c.* to be choſen annually. On Death of Preſident, *&c.* "others to be choſen. Governors may remove Officers and Servants at Pleaſure.

CAP. XXX.

An Act for further enlarging the Term granted by an Act of the ninth and tenth Years of the Reign of King WILLIAM the Third, *For cleanſing and making navigable the Chanel from the Hithe at* Colcheſter *to* Wivenhoe; and for making the ſaid Act, and another Act of the fifth Year of the Reign of his late Majeſty King GEORGE the Firſt, *For enlarging the Term granted by the ſaid Act of the ninth and tenth Years of the Reign of King* WILLIAM *the Third*, more effectual. P R.

Preamble, reciting the Acts 9 & 10 W. 3. c. 19. and 5 Geo. 1. c. 31.

'WHEREAS an Act paſſed in the ninth and tenth Years of the Reign of his late Majeſty King 'WILLIAM the Third, intituled, *An Act for cleanſing and making navigable the Channel from the 'Hithe at* Colcheſter *to* Wivenhoe; which Act was made to continue from the firſt Day of *May* one 'thouſand ſix hundred and ninety-eight, for and during the Space of one and twenty Years, during 'which Term certain Duties were by the ſaid Act laid upon ſuch Goods, Wares and Merchandizes, for 'the Purpoſes aforeſaid, as in the ſaid Act are mentioned; upon the Credit of which Act the Mayor of '*Colcheſter*, and the Juſtices of the Peace for the Eaſt Diviſion of the County of *Eſſex*, the Commiſ-'ſioners therein appointed, had purſuant to the Authority thereby given borrowed Monies for the more 'ſpeedy and effectual compleating of the ſaid Work; but the ſaid Duties falling ſhort, there had not 'been ſufficient raiſed thereby, either to perfect the ſaid Work, or to pay the whole Money borrowed 'for that Purpoſe; and the Sum of one thouſand and two hundred Pounds, or thereabouts, was in the 'Year one thouſand ſeven hundred and nineteen remaining due to the Executor of *William Hewer*, late 'of *Clapham* in the County of *Surrey*, Eſquire, upon Security of the Premiſſes, which could not be re-'paid, nor the ſaid Channel be effectually repaired and amended according to the Intent of the ſaid 'Act, unleſs a further Proviſion was made by Parliament, and the ſaid Act made more effectual: And 'whereas by an Act paſſed in the fifth Year of the Reign of his late Majeſty King GEORGE, intituled, '*An Act for enlarging the Time granted by an Act of the ninth and tenth Years of King* WILLIAM, For 'cleanſing and making navigable the Channel from the Hithe at *Colcheſter* to *Wivenhoe*, *and for making 'the ſaid Act more effectual* (reciting as before is recited) it was enacted, That the ſaid former Act, and 'all the Powers and Authorities thereby given, and all and every the Clauſes, Proviſoes, Matters and 'Things therein contained, and not thereby altered, ſhould, for raiſing, levying, collecting, ſecuring 'of, and accounting for the Rates and Duties thereby granted or continued, and to that End for levying 'and recovering the Penalties and Forfeitures mentioned in the ſaid former Act, and for other the Pur-'poſes of that Act, be continued, and be in full Force and Effect from the firſt Day of *May*, which 'ſhould be in the Year of our Lord one thouſand ſeven hundred and nineteen (when the ſaid former 'recited Act would expire) until the firſt Day of *May*, which ſhould be in the Year of our Lord one 'thouſand ſeven hundred and forty, being a further Term of twenty-one Years, as fully and effectually 'to all Intents and Purpoſes, as if the ſame were particularly and at large repeated and re-enacted in the 'Body of the ſaid laſt recited Act; and it was thereby further enacted, That the Duties granted by vir-'tue of the ſaid laſt recited Act ſhould be one Moiety or Half Part of the Duties granted by the ſaid 'former Act, and no more, and all Corn or Grain whatſoever ſhould be wholly exempted: And where-'as ſince the paſſing the ſaid laſt recited Act the Money due to the Executor of *William Hewer* 'has been paid, and the Commiſſioners have erected a very large Lock on the ſaid Chanel, which 'has been found by Experience to be of very great Uſe and Service to the Navigation thereof; and for-'aſmuch as the Maintenance and Reparation of the ſaid Lock will be a continual Expence, and the Term 'in the ſaid laſt recited Act will expire the firſt Day of *May* one thouſand ſeven hundred and forty, and 'the Lock after that Time cannot be ſupported, and the Chanel be kept cleanſed and fit for Navigation, 'unleſs ſome further Proviſion be made by Parliament for the ſame, and a Power be given to the Com-

‘ miſſioners to lend on Mortgage, or lay out in the Purchaſe of Lands or otherwiſe, the Sum of eleven ‘ hundred Pounds or thereabouts, which on the Expiration of the ſaid laſt recited Act, after the Charge ‘ of paſſing this preſent Act is paid, will be in the Receiver General's Hand, or then due and in Arrear ‘ from Perſons that ought to have paid the ſame:’ May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

“ The Two recited Acts made perpetual. Duty of 3 *d.* a Chalder on Coal. No Strangers may open the “ Lock. Money raiſed, ſhall be diſpoſed of by the Commiſſioners.” *See farther* 23 *Geo.* 2. *c.* 19.

Anno decimo quarto GEORGII II.

‘ AT the Parliament begun and holden at *Weſtminſter*, the fourteenth Day of *January*, *Anno Dom.* ‘ one thouſand ſeven hundred and thirty-four, in the eighth Year of the Reign of our Sove- ‘ reign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ire-* ‘ *land*, King, Defender of the Faith, *&c.* And from thence continued by ſeveral Prorogations to the ‘ eighteenth Day of *November* 1740, [a] being the ſeventh Seſſion of this preſent Parliament.

[a] *Tent.* xiv°. *die* Novembris, *&c. continuat' uſque ad et in* Lunæ, xvii^um *diem* Aprilis, *&c.* In Recordo.

CAP. I.

An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-one. EXP. 4 s. in the Pound.

CAP. II.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-one. EXP.

CAP. III.

An Act to prohibit, for a Time therein limited, the Exportation of Corn, Grain, (Rice excepted) Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork, and Bacon. EXP.

‘ WHEREAS the Exportation of any Sort of Corn or Grain (Rice excepted) Meal, Malt, Preamble. ‘ Flour, Bread, Biſcuit, Starch, Beef, Pork, or Bacon, out of this Kingdom of *Great Bri-* ‘ *tain*, or from *Ireland*, or any of his Majeſty's Colonies or Plantations in *America*, or other ‘ the Dominions belonging to the Crown of *Great Britain* in *Europe*, may at this Time be ‘ greatly prejudicial to his Majeſty's Subjects;’ Be it therefore enacted, *&c.*

“ Corn, *&c.* not to be exported before 25 *Dec.* 1741. Rice excepted. Officers of the Cuſtoms im- “ powered to ſeize, and bring the Goods to the King's Warehouſes. Corn, *&c.* may be carried Coaſt- “ wiſe, or to any of his Majeſty's Plantations. *India* Company may ſupply their Settlements. Wheat, “ *&c.* may be ſent from the Port of *Southampton*, to the Iſles of *Jerſey* and *Guernſey*. *Jamaica* may “ tranſport to the Bays of *Honduras* and *Campeachy*. To give Account in Parliament. Malt declared to “ be made for Exportation, before 6 *Dec.* 1740. to be allowed. His Majeſty may grant Power to ex- “ port the ſaid Commodities. When Certificates of landing Corn, *&c.* ſhall be returned. 15 Geo. 2. “ c. 35.”

CAP. IV.

An Act to impower *Joſeph Porter*, *James Bourdieu*, and *Abraham Deſmarette*, to import a certain Quantity of Raw Silk of the Growth of *Spain* from *Leghorn*. PR.

CAP. V.

An Act for making the Chapelry of *Nether Knutsford*, in the Pariſh of *Roſthern*, and County of *Cheſter*, a ſeparate and diſtinct Pariſh; and for erecting a Pariſh Church therein, endowing the ſame, ſettling the Right of Preſentation thereto, and other Purpoſes. PR.

CAP. VI.

An Act to render the Laws more effectual for the preventing the ſtealing and deſtroying of Sheep, and other Cattle.

Preamble. *For former Proviſions concerning Sheep refer to* 3 *H.* 6. *c.* 2. 25 *H.* 8. *c.* 13. 8 *Eliz. c.* 3.

'WHEREAS divers evil-diſpoſed Perſons have of late more generally and frequently than was ever known before, made it their Practices ſecretly in the Night-time to drive away and ſteal great Numbers of Sheep, and likewiſe ſecretly in the Night-time to kill great Numbers of Sheep, and to ſtrip off their Skins, and then ſteal the Carcaſes of the Sheep ſo killed, leaving their Skins behind to prevent Diſcoveries; and alſo in like Manner to kill great Numbers of Sheep, and then cut open the Sheep ſo killed, and take out and ſteal their inward Fat, leaving their Carcaſes behind to prevent being diſcovered; by which wicked Practices many of his Majeſty's good Subjects have been very greatly injured in their Properties, and put to very great Charges in having their Sheep and other Cattle watched: And whereas the Laws in Being have not proved effectual to prevent the Increaſe of the ſaid wicked Practices;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall, at any Time, from and after the firſt Day of *May* in the Year of our Lord one thouſand ſeven hundred and forty-one, feloniouſly drive away, or in any other Manner feloniouſly ſteal, one or more Sheep or other Cattle of any other Perſon or Perſons whatſoever, or ſhall wilfully kill one or more Sheep or other Cattle of any other Perſon or Perſons whatſoever, with a felonious Intent to ſteal the whole Carcaſe or Carcaſes, or any Part or Parts of the Carcaſe or Carcaſes of any one or more Sheep or other Cattle that ſhall be ſo killed, or ſhall aſſiſt or aid any Perſon or Perſons to commit any ſuch Offence or Offences; that then the Perſon or Perſons guilty of any ſuch Offence, being thereof convicted in due Form of Law, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

Sheep-ſtealing or ſtealing any Part of them, made Felony, without Benefit of Clergy.

Explained by 15 Geo. 2. c. 34.

II. And for the Encouragement of ſuch Perſons as ſhall vigorouſly endeavour to diſcover, apprehend and proſecute ſuch Offenders as aforeſaid; Be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſeven hundred and forty-one, all and every Perſon and Perſons, who ſhall apprehend and proſecute to Conviction, any Offender or Offenders guilty of any of the Offences herein before mentioned, ſhall have and receive, as a Reward upon every ſuch Conviction, the Sum of ten Pounds, to be paid within one Month after ſuch reſpective Conviction, by the Sheriff or Sheriffs of the County where ſuch Offence or Offences ſhall be committed and done (without any Deduction whatſoever) to the Perſon or Perſons ſo apprehending and proſecuting ſuch Offender or Offenders, he or they tendering a Certificate to the Sheriff or Sheriffs ſigned by the Judge or Judges, before whom any ſuch Offender ſhall be convicted, certifying ſuch Conviction, and where the Offence was committed, and that ſuch Offender or Offenders was or were apprehended and proſecuted by the Perſon or Perſons claiming the ſaid Reward; which Certificate the ſaid Judge or Judges are hereby authorized and required to ſign accordingly, before the End of the ſame Seſſions or Aſſizes, at which ſuch reſpective Conviction ſhall happen to be; and in ſuch Certificate ſhall direct and appoint (in caſe more than one Perſon ſhall claim a Right to the ſaid Reward) what Share and Proportion thereof ſhall be paid to each Claimant; and if it ſhall happen that any ſuch Sheriff or Sheriffs ſhall die or be removed before the Expiration of one Month after ſuch Conviction, and Demand made of the ſaid Reward (the ſame not being paid as aforeſaid) that then the next ſucceeding Sheriff or Sheriffs ſhall pay the ſame within one Month after Demand, and Certificate brought, as aforeſaid; and if Default of Payment of the ſaid Sum or Sums of Money ſhall happen to be made by any Sheriff or Sheriffs, ſuch Sheriff or Sheriffs ſo making Default ſhall forfeit to the Perſon or Perſons, to whom ſuch Money is due as aforeſaid, double the Sum or Sums of Money he or they ought to have paid, to be recovered by him or them, or his or their Executors or Adminiſtrators, in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint or Information, wherein but one Imparlance, and no Eſſoin, Protection or Wager of Law, ſhall be allowed, with Treble Coſts of Suit, by him or them expended in the Recovery of the ſame.

Reward for taking and convicting Sheep-ſtealers.

Sheriff on Default of Payment, to forfeit Double the Sum.

Treble Coſts.

III. And be it further enacted by the Authority aforeſaid, That all Sheriffs, their Executors and Adminiſtrators, upon producing ſuch reſpective Certificates, and the Receipts for the Monies paid by them in purſuance of this Act, ſhall be allowed, and are hereby impowered to deduct, upon their Accounts, all Monies, other than double the Sum or Sums of Money, and treble Coſts of Suit, which they ſhall diſburſe as aforeſaid; and that if upon Account of any Sheriff or Sheriffs there ſhall not be Money ſufficient in the Hands of ſuch Sheriff or Sheriffs, to reimburſe him or them ſuch Monies paid by him or them by virtue of this Act, that then the Sheriff or Sheriffs, having ſo paid the ſaid Monies, ſhall have the ſame repaid by the Lord Treaſurer or Commiſſioners of his Majeſty's Treaſury for the time being, out of the Revenue of the Crown, upon Certificate from the Clerk of the Pipe to that Effect.

Sheriffs how to be repaid.

CAP.

CAP. VII.

An Act for licenſing the Importation of Victual from *Ireland* and other Parts beyond the Seas into *Scotland*, in Time of Dearth and Scarcity.

Preamble.

'WHEREAS by the ninth Act paſſed in the Parliament of *Scotland*, holden by her late Majeſty Queen ANNE, in the Year one thouſand ſeven hundred and three, intituled, *An Act diſcharging Importation of* Iriſh *Victual, Beef and Cattle*, the Importation of Victual from *Ireland* or any other Places beyond the Seas into *Scotland*, and the buying, ſelling and retailing the ſame were reſtrained and prohibited under ſeveral Penalties mentioned and contained in the ſaid Act, and in ſeveral former Acts of the Parliament of *Scotland* therein mentioned and referred to, and thereby ratified and approved, with this Proviſo, that when by Reaſon of Dearth the Prices of Victual ſhould exceed the following Rates, *viz.* Wheat twelve Pounds the Bole, Bear, Barley, Malt and Meal eight Pounds *per* Bole, and Oats and Peas ſix Pounds the Bole; the Lords of her Majeſty's Privy Council ſhould have Power, after due Trial by them taken, to ſuſpend and diſcharge the Execution of the ſaid prohibitory Acts for ſuch Space and Time as the Exigence of the ſaid Dearth ſhall require, and no longer: And whereas by the ſixth Article of the Treaty of Union it is ſtipulated, agreed and provided, That the Prohibition as then in Force by the Law of *Scotland* againſt Importation of Victual from *Ireland* or any other Place beyond Sea into *Scotland*, ſhould, after the Union, remain in the ſame Force as it then was, until more proper and effectual Ways ſhould be provided by the Parliament of *Great Britain* for diſcouraging the Importation of the ſaid Victual from beyond the Sea: And whereas by an Act made and paſſed in the firſt Parliament of *Great Britain*, in the ſixth Year of the Reign of her ſaid late Majeſty Queen ANNE, intituled, *An Act for rendering the Union of the two Kingdoms more intire and compleat*; it was enacted, That from and after the firſt Day of *May* in the Year of our Lord one thouſand ſeven hundred and eight, the Queen's Majeſty, her Heirs and Succeſſors, ſhall have but one Privy Council in or for the Kingdom of *Great Britain*, to be ſworn to her Majeſty, her Heirs and Succeſſors, as Sovereigns of *Great Britain*, and that ſuch Privy Council ſhould have the ſame Powers and Authorities as the Privy Council of *England* lawfully had, uſed and exerciſed at the Time of the Union, and no other; by Means whereof the Power of ſuſpending the ſaid Laws prohibiting the Importation of Victual into *Scotland*, cannot in any Time of Dearth and Scarcity, or on any other Exigency, be exerciſed and put in Execution, which may be of dangerous and pernicious Conſequence to his Majeſty's Subjects of that Part of *Great Britain*:' Wherefore, for preventing and providing againſt the ſame, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Power of ſuſpending and diſcharging the Execution of the ſaid prohibitory Laws, which in and by the ſaid Act of her late Majeſty Queen ANNE, paſſed in the Year one thouſand ſeven hundred and three, in the Parliament of *Scotland*, was veſted in the Lords of the Privy Council, ſhall, from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-one, be veſted in, and the ſame is hereby from thenceforth veſted in the Judges of the Courts of Seſſion, Juſticiary and Exchequer in *Scotland*, in Manner following; and any nine of the ſaid Judges in Time of Seſſion, and any five of them in the Time of Vacance, ſhall and may, and they are hereby reſpectively authorized and required to exerciſe and execute the ſaid Power of Suſpenſion, in as full, ample and extenſive Manner as the Lords of the Privy Council of *Scotland* might or could have exerciſed and executed the ſame, before the ſaid Act of the ſixth of Queen ANNE, for rendering the Union of the two Kingdoms more compleat, ſubject nevertheleſs to the Rules and Directions of this preſent Act: And for the aſcertaining and determining the Prices of Victual, in order to authorize and warrant the Suſpenſion of the ſaid prohibitory Laws, according to the Tenor and Intention of the ſaid Acts of the Parliament of *Scotland*, containing ſuch Proviſo for Suſpenſion; Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-one, in any Time of Scarcity and Dearth it ſhall and may be lawful for any Perſon or Perſons deſirous to import Victuals from *Ireland* or other Parts beyond the Seas into *Scotland*, to apply, by a ſummary Petition, to the Judges of the Court of Seſſion for Licence to import ſuch Victual from *Ireland* or other Parts beyond the Seas into *Scotland*; and the ſaid Judges are hereby authorized and required, immediately upon ſuch Petition, to make Intimation thereof, by tranſmitting a fair Copy of the ſame to the Clerk of the Peace for every Sheriffdom or Stewartry of *Scotland*, and to aſſign and appoint a Time, not exceeding fifteen Days from the Time of ſuch Application, for hearing and examining the Proofs and Evidence herein after directed to be had and taken concerning the Premiſſes; and in caſe ſuch Application ſhall be made in Time of Vacance, then it ſhall and may be lawful to and for ſuch Perſon or Perſons to apply, during ſuch Vacance, by a ſummary Petition to the Judge of the Court of Seſſion who ſhall ſit upon the Bills, for ſuch Licence for Importation as aforeſaid, who is hereby authorized and required, upon ſuch Petition, to make Intimation as aforeſaid, and to aſſign and appoint a Time, not exceeding twenty Days from the Time of ſuch Application, for the hearing and examining the Proofs and Evidence concerning the Premiſſes, and to ſignify to the other Judges of the ſaid reſpective Courts the Tenor and Purport of ſuch Application, and the Time appointed for ſuch Hearing and Examination thereupon as aforeſaid; and the ſaid Judges, or any nine of them in Time of Seſſion, and any five of them in Time of Vacance reſpectively, are hereby authorized and required to ſummon and convene before them, within the Seſſion Court-houſe at *Edinburgh*, on the Day to be aſſigned and appointed, two or more honeſt and ſubſtantial Perſons of the

Power of ſuſpending Prohibitory Laws, to be veſted in the Judges of the ſeveral Courts in Scotland.

How and when to apply for Licence to import Victual into Scotland.

County of *Edinburgh*, not being Corn Merchants nor Factors for Corn, nor any way intereſted or concerned in any Corn to be imported, and who ſhall each of them have and be in Poſſeſſion of a Land Eſtate of four hundred Pounds *Scots per Annum* of valued Rent, and being ſkilful in the Price of Corn, and then and there upon the Oaths of ſuch two or more Perſons (and which Oath the ſaid Judges, or any five of them, are hereby impowered to adminiſter) and by ſuch other Ways and Means as to them ſhall ſeem proper and neceſſary, to examine, enquire into and determine the common Market Prices of middling Corn and Grain and Oatmeal of the reſpective Sorts and Kinds above-mentioned, as the ſame ſhall and may be commonly bought in the ſaid County and City of *Edinburgh*, and to fix and aſcertain the ſame by a proper Act or Determination, to be ſubſcribed under the Hand of one of the principal Clerks of Seſſion, an authentick Copy of which Judgment and Determination ſhall be tranſmitted from the ſaid Judges to the chief Officer or Collector of the Cuſtoms at the Port of *Leith* for the time being, and ſhall be by ſuch chief Officer or Collector kept and hung up in the Cuſtom-houſe at *Leith*, and there be patent to all and every Perſon and Perſons who ſhall deſire to inſpect the ſame, and ſhall and may be ſeen and inſpected accordingly without Fee or Reward; and it ſhall and may be lawful for any Perſon or Perſons intending to import Victual into any Part of *Scotland*, or deſirous to have ſuch Victual imported, or for any Juſtice of Peace within any County in *Scotland*, to inquire and demand an authentick Extract or Exemplification of ſuch Act or Determination from one of the ſaid principal Clerks of Seſſion under his Hand and Seal, paying therefore the Price of one Shilling and no more, and to deliver the ſame Extract or Exemplification to the Collector or chief Officer of any Port or Ports in *Scotland*, to be by him kept, hung up and made patent as aforeſaid; and that ſuch Extract or Exemplification to be delivered, kept and hung up by ſuch Collector or chief Officer in any Part of *Scotland*, which ſhall certify, declare and aſcertain the current Prices of Victual in the ſaid City and County of *Edinburgh* to exceed the Rates and Prices following; that is to ſay, Wheat three Pounds *Scots*, or five Shillings Sterling the *Wincheſter* Buſhel, conſiſting of eight *Wincheſter* Gallons; Bear and Barley one Pound ſeven Shillings *Scots*, or two Shillings and three Pence Sterling the *Wincheſter* Buſhel; Oats one Pound *Scots*, or one Shilling and eight Pence Sterling; Peas and Beans one Pound ten Shillings *Scots*, or two Shillings and ſix Pence Sterling the *Wincheſter* Buſhel; and Oatmeal eight Pounds *Scots*, or thirteen Shillings and four Pence the Bole, weighing eight Stone *Troys*, ſhall be a ſufficient Warrant to the Collector and other Officers of the ſeveral Ports in *Scotland*, to allow Victual from *Ireland* or other Parts beyond the Seas, to be entered, unſhipped and landed without paying or being charged with any higher Duty than is herein after mentioned.

Clerk's Fee.

Price of Victual.

Perſons who have Power to ſuſpend Prohibitory Laws, have alſo Power to take off ſuch Suſpenſion.

II. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſame Perſons, who for the time being are by virtue of this Act authorized and required to exerciſe and execute the ſaid Power of Suſpenſion as aforeſaid, and they are hereby reſpectively authorized and required, once in every thirty Days from the Time that ſuch Suſpenſion ſhall have taken Effect (ſo long as there ſhall be an Occaſion or Neceſſity for the ſame) by the Ways and Means herein before mentioned, directed and appointed, or any of them, to examine and enquire into and determine the common Prices of middling Corn and Grain of the reſpective Sorts and Kinds above mentioned; and in caſe upon ſuch Enquiry it ſhall appear and be found, that the current Price of Victual in the ſaid City and County of *Edinburgh* ſhall not exceed the Rates and Prices above-mentioned, upon which the Suſpenſion directed and intended by this Act is to be founded, then, and in ſuch Caſe, they are hereby authorized and required, by a proper Act or Inſtrument to be ſubſcribed as aforeſaid, to determine and aſcertain the ſame, and tranſmit, or cauſe to be tranſmitted, authentick Extracts or Exemplifications of ſuch Act or Inſtrument to the chief Officer or Collector of the Cuſtoms at the Port of *Leith* for the time being, and to the Collectors or chief Officers of all the other Ports in *Scotland*; and which ſaid Extracts or Exemplifications ſhall be by ſuch Officers reſpectively kept and hung up in the reſpective Cuſtom-houſes or Offices to which they reſpectively belong, and there be patent to all Perſons who ſhall deſire to inſpect the ſame, and ſhall and may be ſeen and inſpected accordingly without Fee or Reward; and ſuch Extracts or Exemplifications ſhall be ſufficient Notice to the Collectors and other Officers of the ſeveral Ports in *Scotland*, that the Laws prohibiting the Importation of Victual from *Ireland* or other Parts beyond the Seas are again revived and in Force, and an Authority for them to ſtop the entering, unſhipping and landing the ſame.

Former Duties to be continued and regulated by this Act. 22 Car. 2. c. 13.

III. And be it declared and further enacted by the Authority aforeſaid, That ſuch and the ſame Cuſtoms and Duties ſhall be paid for any Corn or Grain imported by virtue and in purſuance of this Act, as are charged and directed to be paid upon foreign Corn imported, in and by an Act made and paſſed in the two and twentieth Year of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for Improvement of Tillage, and the Breed of Cattle*; and the ſaid Cuſtom and Duty ſhall be regulated by, and be collected and paid, according to the Rates and Prices to be ſettled, aſcertained and determined in purſuance of this Act, and not otherwiſe.

Acts 22 Car. 2. c. 13. and 2 Geo. 2. c. 18. relating to Payment of Duties, to remain in Force.

IV. And it is hereby further enacted, That all the Clauſes and Proviſions contained, as well in the ſaid Act of the two and twentieth of King CHARLES the Second, as in an Act made in the Second Year of his preſent Majeſty, intituled, *An Act to aſcertain the Cuſtom payable for Corn and Grain imported; for better aſcertaining the Price and Quantity of Corn and Grain, for which a Bounty is payable upon Exportation; for appropriating the Supplies granted in this Seſſion of Parliament; and for giving Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts*; or in either of them, relating to the Payment and Recovery of ſuch Duties, which are now in Force and unrepealed, ſhall extend to, take Place, and be in Force in that Part of the united Kingdom called *Scotland*; and that all Offences there committed againſt any Parts of the ſaid Acts above-mentioned, relating to the ſaid Duties, ſhall and may be proſecuted in the Court of Seſſion, or his Majeſty *Exchequer* at *Edinburgh*.

CAP.

CAP. VIII.

An Act for incorporating the Undertakers of the Navigation of the River *Dee*. PR.

Preamble, reciting the Act 6 Geo. 2. c. 30.

'WHEREAS by an Act of Parliament made in the ſixth Year of his Majeſty's Reign, intituled, *An Act to recover and preſerve the Navigation of the River* Dee, *in the County Palatine of* Cheſter, reciting, That the Sands, Soil and Ground, commonly called *The White Sands*, in the ſaid Act mentioned, were of great Breadth in ſome Places, and that the ſaid River not being navigable was chiefly owing to the Breadth of the ſaid Sands, and to the ſhifting of the Chanel from one Side thereof to the other, as the Winds and Tides varied; and alſo, That the ſaid White Sands were not, nor were likely to be, of any Benefit to any Perſon, unleſs the ſaid River was bounded in, and made navigable, by Sea Walls, Banks and Fences, which would require a very great Expence, as well to erect as to maintain and repair, from time to time; and that if the ſaid White Sands were recovered from the Sea by making Walls, Banks and Fences, and the Chanel of the ſaid River *Dee* was confined to one certain Courſe, it would not only effectually make the ſaid River navigable, but, veſting the ſaid White Sands in the Undertakers of the ſaid Navigation, would be a conſiderable Encouragement to the Undertaking; and alſo reciting, That the making the ſaid River navigable would be a Means to advance the Trade of the ſaid City of *Cheſter*, and that great Benefit would accrue thereby to the Inhabitants thereof, and to the Towns and Countries adjacent to or near the ſaid River; and it would alſo increaſe the Number of Seamen and Watermen, and promote the publick Good of this Kingdom; *Nathaniel Kinderley* in the ſaid Act named, his Heirs and Aſſigns, and ſuch Perſons as he, his Heirs and Aſſigns ſhould nominate and appoint, under his or their Hand and Seal, ſhould be and were by the ſaid Act appointed Undertakers of the ſaid Navigation, and impowered at their own Coſts and Charges to make and keep the ſaid River *Dee* navigable from the Sea to a certain Point within the Liberty of the ſaid City of *Cheſter*, called *Wilcox Point*, in ſuch Manner that there ſhould be ſixteen Foot Water in every Part of the ſaid River at a moderate Spring Tide, for Ships and Veſſels to come and go to and from the ſaid City; and the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns and Nominees, had further Powers granted them by the ſaid Act as therein mentioned; and as a Recompence for the Expences which the ſaid Undertakers ſhould be at in making the ſaid River navigable, they were by the ſaid Act of the ſixth Year of his preſent Majeſty impowered, ſo ſoon as the ſaid River was made navigable as in the ſaid Act was expreſſed, to take and receive ſuch Duties and Tonnage as in the ſaid Act are mentioned; and certain Sands, Marſhes and Salt Graſs, in the ſaid Act mentioned, were thereupon veſted in the ſaid Undertakers to and for their proper Uſe, under the Proviſoes and Conditions in the ſaid Act mentioned; and they were by the ſaid Act directed to inveſt ten thouſand Pounds in *South Sea* Annuities or other Government Securities, in the Names of *Thomas Revel*, *John Manley*, and *Benjamin Hoare*, Eſquires, and *John Bland*, Banker, to remain as a Fund to anſwer ſuch Damages as ſhould ariſe to the Owners of Lands, Tenements, Hereditaments and Fiſheries in the ſaid Act mentioned, for the Space of three Years from and after the ſaid Navigation ſhould be fully compleated, as in and by the ſaid Act of Parliament will more fully appear: And whereas the ſaid *Nathaniel Kinderley* did afterwards by an Inſtrument in Writing, dated the ninth Day of *July* one thouſand ſeven hundred and thirty-three, duly executed by him under his Hand and Seal, declare, That his Name was made uſe of in the ſaid Act of Parliament, in Truſt for *Thomas Watts* and *Richard Manley*, Eſquires, and ſuch other Perſons as they ſhould appoint, to be concerned in the ſaid Undertaking to make the ſaid River *Dee* navigable, according to the Terms of the ſaid Act; and the ſaid *Nathaniel Kinderley* did afterwards duly nominate certain Perſons, being forty in Number, to be the Undertakers of the ſaid Navigation: And by Indenture Quadrupartite made the ninth Day of *April* one thouſand ſeven hundred and thirty-four, by and between the ſaid *Nathaniel Kinderley* of the firſt Part; the ſaid *Thomas Watts* and *Richard Manley* of the ſecond Part; *Joſeph Davis* and *William Parſons* of *London*, Gentlemen, of the third Part; and ninety other Subſcribers to the ſaid Indenture, or to the Schedule thereof, of the fourth Part, and duly executed by all the ſaid Parties (thirty-ſix of which Subſcribers to the ſaid Indenture, or to the Schedule thereof, were Nominees of the ſaid *Nathaniel Kinderley*, by him ſo nominated as aforeſaid to be Undertakers of the ſaid Navigation, the four other Perſons nominated as Undertakers not having paid any Money to the ſaid Undertaking, or ſubſcribed thereto) it was agreed, That the ſaid Subſcribers ſhould raiſe a joint Stock of forty thouſand Pounds, in the Manner and on the Truſts therein after mentioned; which Truſts were, amongſt other Things, to lay out the ten thouſand Pounds, to be depoſited as a Fund to anſwer the Damages before ſpecified; and alſo to lay out ſuch Sums as ſhould be neceſſary to recover and preſerve the Navigation of the River *Dee*, in ſuch Manner as in the ſaid Act is mentioned; and the Reſidue (if any) of the ſaid forty thouſand Pounds was to be in Truſt for the ſaid Subſcribers, in Proportion to the Sums by them reſpectively paid in; and it was by the ſaid Indenture farther agreed, That the Duties and Tonnage by the ſaid Act made payable to, and the Sands, Soil, Ground, Marſhes and Salt Graſs thereby veſted in the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns or Nominees, ſhould be and remain to and for the Uſe and Benefit of the ſaid Subſcribers to the ſaid Indenture, or to the Schedule thereto annexed, in Proportion to the Sums by them reſpectively paid, and to be paid, in purſuance of the ſaid Indenture; and it was by the ſaid Indenture agreed, That the ſaid Joint Stock of forty thouſand Pounds ſhould be divided into four hundred Shares, each conſiſting of one hundred Pounds, and that each of the Subſcribers ſhould be intitled to ſo many of the ſaid Shares as he ſhould have ſubſcribed and paid in one hundred Pounds; and ſeveral Proviſions were by the

'ſaid

'said Indenture made for the Management of the said Undertaking for recovering and preserving the 'said Navigation, and of the Affairs relating thereto, as by the said Indenture may more fully appear: 'And whereas the Monies advanced and paid in and upon the said Indenture, having been laid out in 'making the said Deposit of ten thousand Pounds in *South Sea* Annuities, as in the said Act is directed, 'and for other the Purposes in the said Indenture mentioned, great Progress was thereby made in re-'covering the said Navigation; but the same not being perfected, and it being necessary to raise fur-'ther Monies for that Purpose, it was by Deed Poll, bearing Date the seventeenth Day of *August* one 'thousand seven hundred and thirty-six (and executed by much the greater Part both in Number and 'Value of the said Subscribers to the said Indenture) agreed to advance ten *per Centum* more on each of 'their respective Subscriptions to the said Indenture, for the Purposes in the said Indenture expressed 'concerning the said forty thousand Pounds; and afterwards there being a Necessity to raise further 'Monies for the perfecting the said Navigation, by another Deed Poll, bearing Date the third Day of '*March* one thousand seven hundred and thirty-six, and executed likewise by much the greater Part 'in Number and Value of the said Subscribers to the said Indenture, it was agreed by the said Sub-'scribers to the said Deed Poll to advance twenty Pounds *per Centum* more on their respective Sub-'scriptions to the said Indenture, for perfecting the said Navigation; and whereas the Subscribers to 'the said Indenture, and to the said Deeds Poll, and Undertakers of the said Navigation, having raised 'and paid in forty-seven thousand eight hundred and thirty Pounds, the same hath been laid out in 'making the said Deposit of the ten thousand Pounds by the said Act directed, as a Fund to answer 'the Damages therein specified, and in cutting and making a new Channel for the said River *Dee* 'through the adjacent Marshes, near ten Miles in Length, and in making a Dam and Sluices cross the 'said old Channel of the said River, and deepening and scouring thereof, and turning the said River 'into the said new Channel, and making other Works necessary for the recovering and preserving the 'Navigation of the said River, and in Charges necessarily attending the said Undertaking: And whereas 'the Joint Stock of the said Undertaking, which was to consist of forty thousand Pounds, having been 'laid out as aforesaid, and proving insufficient to answer the Purposes of the said Proprietors, it was 'computed, that the Subscribers paying in first ten *per Centum*, and then twenty *per Centum* more on 'their respective original Subscriptions to the said Indenture, would raise twelve thousand Pounds more; 'which twelve thousand Pounds would be sufficient to answer the said Purposes: But, by reason of se-'veral of the said Subscribers to the said Indenture not having subscribed the said Deeds Poll for the 'Payment of the above mentioned ten and twenty *per Centum* on their original Subscriptions to the said 'Indenture, there was but forty-seven thousand eight hundred and thirty Pounds raised: And whereas 'the said Undertakers, at a general Meeting held the eleventh Day of *December* one thousand seven 'hundred and forty, did agree, for the more effectual carrying on the said Undertaking in the most 'beneficial Manner under the said Act, and for preserving and securing the Works already made, and 'inclosing and improving the Sands and Grounds vested by the said Act in the said Undertakers as 'therein is mentioned, that the said Joint Stock should consist of and be fifty-two thousand Pounds, 'and that the said Subscribers should be allowed so much of the said Joint Stock, as shall be in Pro-'portion to the respective Sums paid in by each of them, and that what should remain unpaid of the 'said fifty-two thousand Pounds Stock should be vested in the said Company, and that they would en-'deavour to obtain an Act of Parliament for uniting and erecting the said Undertakers and Proprietors 'of the said Navigation of the said River *Dee* into a Company, for the better enabling them to answer 'the Purposes aforesaid, and for the better settling and ascertaining their respective Interests in the Stock 'of the said Undertaking, in Proportion to the Monies by them respectively advanced, and to be ad-'vanced as aforesaid, and for the prescribing a certain Method and Form of assigning their respective 'Interests, in a short, easy and effectual Manner, for the common Good of the said Undertaking; and 'the said Undertakers have accordingly applied for such an Act to be passed: And whereas it is reason-'able and just, that the said Undertakers should obtain an Act of Parliament for the Purposes aforesaid;' May it therefore please your most Excellent Majesty that it may be enacted, *&c.*

See farther 17 *Geo.* 2. *c.* 28. 26 *Geo.* 2. *c.* 35.

"Company may purchase Lands. General Court to make Calls and By-laws. Act 6 Geo. 2. c. 30. "to remain in Force. Not subject to Commissioners of Sewers."

CAP. IX.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. X.

An Act to explain and amend an Act made in the third Year of the Reign of King JAMES the First, intituled, *An Act for the recovering of small Debts, and for the relieving of poor Debtors in* London.

Preamble. 3 Jac. 1. c. 15.

'WHEREAS by an Act of Parliament made in the third Year of the Reign of King JAMES 'the First, intituled, *An Act for the recovering of small Debts, and for the relieving of poor Debtors* 'in London; it is (amongst other Things) enacted, That every Citizen and Freeman of the City of 'London, and every other Person and Persons inhabiting, or that shall inhabit, within the said City or 'the Liberties thereof, being a Tradesman, Victualler or a labouring Man, which then had or there-'after

'after ſhould have any Debt or Debts owing unto him or them, not amounting to forty Shillings, by 'any Citizen, or by any other Perſon or Perſons, being a Victualler, Tradeſman or labouring Man, 'inhabiting, or that ſhould inhabit within the ſaid City or Liberties thereof, ſhould or might cauſe 'ſuch Debtor or Debtors to be warned or ſummoned by the Bedel or Officer of the Court of Requeſts 'of the ſaid City of *London* for the time being, by Writing to be left at the Dwelling-houſe of ſuch 'Debtor or Debtors, or by other reaſonable Warning or Notice to be given to ſuch Debtor or Debtors, 'to appear before the Commiſſioners of the ſaid Court of Requeſts holden in the *Guildhall* of the ſaid 'City; and that the ſaid Commiſſioners, or any three of them or more, ſhould have Power and Au-'thority by virtue of the ſaid Act, from time to time, to ſet down ſuch Order or Orders between ſuch 'Party or Parties Plaintiffs, and his or their ſuch Debtor or Debtors Defendants, touching ſuch Debts 'not amounting to the Value of forty Shillings, in Queſtion before them, as they ſhould find to ſtand 'with Equity and good Conſcience; all ſuch their Order or Orders to be regiſtred in a Book as they 'had been accuſtomed, and as well the Party Plaintiff, as the Debtor or Defendant, to obſerve, per-'form and keep the ſame in all Points: And whereas, ſince the making the ſaid Act, divers Perſons 'intending to ſubvert the good and charitable Intent of the ſame, and taking hold of ſome doubtful and 'ambiguous Words therein, do endeavour to avoid the Juriſdiction of the ſaid Court, contrary to the 'Meaning of the ſaid Act: And whereas the Commiſſioners of the Court of Requeſts have been often 'inſulted in the Execution of their Office, whilſt employed ſolely in the charitable Purpoſe of relieving 'and aſſiſting their poor and diſtreſſed Fellow Citizens: And whereas by the ſaid recited Act, no Pro-'viſion is made for the ſecuring of the Perſons of the ſaid Commiſſioners from ſuch Inſults: And 'whereas in the ſaid recited Act there is but one Officer, by the Name of Bedel or Officer, mentioned 'to attend the Execution of all the Orders of the ſaid Court; and by reaſon of the Increaſe of the 'Number of the Inhabitants of the ſaid City and Liberties ſince the paſſing the ſaid Act, the Buſineſs 'of the ſaid Office of Bedel or Officer is ſo increaſed, that it is become too heavy and laborious for 'one Perſon ſingly to execute and diſcharge the ſame agreeably to the Intent and Meaning of the ſaid 'Act, by which Means the poor Suitors are deprived of a great Part of the Benefit intended for them 'by the ſaid Act:' For Remedy whereof, and to the Intent that ſome more full and ample Proviſion may be made for the Benefit of the poor Suitors, for whoſe Relief and Advantage the ſaid Court was originally inſtituted; May it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-one, it ſhall and may be lawful to and for every Citizen and Freeman of the City of *London*, and every other Perſon and Perſons inhabiting, or that ſhall hereafter inhabit, within the ſaid City or the Liberties thereof; and all and every Perſon or Perſons who do or ſhall rent or keep any Shop, Shed, Stall or Stand, or ſeek a Livelihood in the ſaid City or Liberties thereof, which now have or hereafter ſhall have any Debt or Debts owing unto him, her or them, not exceeding the Sum of forty Shillings, by any Perſon or Perſons whatſoever inhabiting or ſeeking a Livelihood within the ſaid City or Liberties thereof, during their reſpective inhabiting within the ſaid City or Liberties thereof, or ſeeking a Livelihood as aforeſaid, to cauſe ſuch Debtor or Debtors to be warned or ſummoned by any of the Bedels or Officers of the ſaid Court of Requeſts for the time being, by Writing left at the Dwelling-houſe, Lodgings, Shop, Shed, Stall or Stand, or any other Place of ſeeking a Livelihood of ſuch Debtor or Debtors, or by any other reaſonable Warning or Notice to be given to the ſaid Debtor or Debtors, to appear before the Commiſſioners of the ſaid Court of Requeſts, holden in the *Guildhall* of the ſaid City, and that the ſaid Commiſſioners, or any three of them or more, ſhall, after ſuch Summons as aforeſaid, have Power and Authority by virtue of this Act, from time to time, to ſet down, or cauſe to be ſet down, ſuch Order or Orders, between ſuch Party or Parties, Plaintiff or Plaintiffs, and his, her or their Debtor or Debtors, Defendant or Defendants, touching ſuch Debts, not exceeding the ſaid Sum of forty Shillings, in Queſtion before them, as they ſhall find to ſtand with Equity and good Conſcience, all ſuch Order or Orders to be regiſtred in a Book as they have been accuſtomed to be; which Order or Orders ſo made, as well the Party Plaintiff, as the Debtor or Defendant, ſhall obſerve, perform and keep in all Points; any thing in any Act contained to the contrary thereof in any wiſe notwithſtanding.

Debts not exceeding 40s. to be recovered in the Court of Requeſts in London.

II. And, for the more effectual eſtabliſhing of the ſaid Court, and the better enforcing the Orders which ſhall be made by the ſaid Commiſſioners, and that the ſaid Commiſſioners may be free and exempt from any Inſult or Abuſes; Be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall from and after the ſaid twenty-fourth Day of *June*, contemptuouſly affront, inſult or abuſe all or any of the Commiſſioners of the ſaid Court, during the Time of their ſitting, that it ſhall and may be lawful to and for the Commiſſioners then ſitting, or any three of them, to certify under their Hands and Seals the Name or Names of the Perſon or Perſons ſo offending as aforeſaid, and the Nature of his, her or their Offence, to the Lord Mayor of the ſaid City of *London* for the time being, who is hereby impowered and required to ſummon, or cauſe to be ſummoned, ſuch Perſon or Perſons ſo offending as aforeſaid, before him, at ſuch Time as ſhall be ſpecified in the ſaid Summons; and upon his, her or their Appearance, and the Fact alledged being proved upon the Oath or Oaths of one or more credible Witneſs or Witneſſes againſt him, her or them, or in Default of his, her or their Appearance; then, and in every ſuch Caſe, the ſaid Lord Mayor ſhall proceed to puniſh the Perſon or Perſons ſo offending as aforeſaid, by Fine or Impriſonment or both; provided that the Fine on any one Perſon do not exceed the Sum of twenty Shillings, and that the Impriſonment be for no longer Time than ten Days.

Penalty on Perſons inſulting the Court.

III. And

How Fines may be recovered.

III. And be it further enacted by the Authority aforeſaid, That upon the Non-payment of the ſaid Fine or Fines ſo to be impoſed or ſet upon every Perſon convicted of offending as aforeſaid, it ſhall and may be lawful for the ſaid Lord Mayor to iſſue a Warrant or Warrants under his Hand and Seal, for levying the ſaid Fine or Fines ſo impoſed on the Goods and Chattels of every Offender, and to cauſe Sale to be made thereof in caſe they ſhall not be redeemed in five Days, rendring to every ſuch Perſon the Overplus (if any there be) upon Demand, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale; which Fine or Fines, when levied or received by virtue of this Act, ſhall be paid over into the Hands of the Churchwardens or Overſeers of the Poor of the Pariſh wherein every ſuch Offender ſhall, at the Time of ſuch Offence committed, inhabit, dwell or ſeek a Livelihood, towards the Support and Maintenance of the Poor of the ſaid Pariſh.

Number of Officers increaſed.

IV. And be it further enacted by the Authority aforeſaid, That for the more expeditious, convenient and beneficial Execution of the Powers veſted in the Commiſſioners of the ſaid Court of Requeſts, in regard to the Benefits accruing to the poor Suitors therein, that the Number of Bedels or Officers to attend the ſaid Court, and be employed in the Execution of the Orders of the ſaid Commiſſioners, may by the Court of Lord Mayor and Aldermen of the City of *London*, from time to time, be enlarged to two Bedels or Officers or more, not exceeding four, as the Increaſe of the Buſineſs of the ſaid Court of Requeſts ſhall render it moſt convenient for the poor Suitors therein, according to the Diſcretion of the ſaid Court of Lord Mayor and Aldermen.

The former Act to remain in Force.

V. Provided always, That the ſaid former Act, and all Proviſoes, Powers, Clauſes, Matters and Things therein contained (not hereby altered or otherwiſe provided for) ſhall continue and be in full Force, and extend to all and every Perſon or Perſons to whom this preſent Act doth or ſhall extend.

Limitation of Actions.

VI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Matter or Thing done or to be done in purſuance of this Act, or the ſaid recited Act, then, and in ſuch Caſe, the Action or Suit ſhall be brought or commenced within ſix Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the City of *London*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit to be brought ſhall and may plead the General Iſſue, and give this, and the ſaid recited Act, and the Special Matter in Evidence at any Trial to be had thereupon, and if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her or their Action or Actions, Suit or Suits, or if upon Verdict or Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover double Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have in any other Caſes by Law.

General Iſſue.

Double Coſts.

Publick Act.

VII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XI.

An Act for ſupplying the City of *Glouceſter* with freſh Water. P R.

Preamble.

'WHEREAS the Inhabitants of the City of *Glouceſter* ſuffer many Inconveniencies for want of being ſupplied with a ſufficient Quantity of good and pure Water for their neceſſary Occaſions, the preſent Method of ſupplying the ſaid City with Water having been found ineffectual: And whereas good and pure Water is capable of being conveyed to the ſaid City, from certain freſh Springs iſſuing out of or near to a Hill called *Matſon's Hill*, otherwiſe *Robin Hood's Hill*, in the Manor and Pariſh of *Matſon*, Part of the Eſtate of *John Selwyn*, Eſquire: And whereas the ſaid *John Selwyn* is willing and conſenting that ſuch Water ſhould be made uſe of for the Purpoſe aforeſaid; and the Mayor, Aldermen, and Common Council of the ſaid City, are deſirous to contract and agree with any Perſon or Perſons willing to undertake ſuch Work, with proper Reſtrictions and Covenants for the due and effectual compleating the ſame: But as ſuch Undertaking cannot be carried on and compleated unleſs Powers neceſſary for that Purpoſe be given by Parliament;' May it pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"Mayor of *Glouceſter*, &c. may contract with any Perſons to convey Water to *Glouceſter* City; and to make Reſervoirs, Conduits, *&c.* and enter and dig in private Grounds to lay Pipes, *&c.* or to repair or alter the ſame. If any Diſputes ariſe, Sheriffs may ſummon a Jury to ſettle the ſame, and give Satisfaction for Damages. Undertakers not to dig in private Grounds till they have ſatisfied the Owners. Undertakers to make good the Ground after laying their Pipes. Penalty on Perſons hindering the Workmen breaking Ground after Satisfaction made."

CAP. XII.

An Act for enlarging the Terms and Powers granted by two Acts of Parliament, *For repairing the Roads leading from* Seven Oaks *to* Woodſgate *and* Tunbridge Wells, *and from* Woodſgate *to* Kipping's Croſs *in the County of* Kent; *and alſo for repairing the Roads from* Kipping's Croſs *aforeſaid, to* Lamberhurſt Pound *and* Pullen's Hill *in the ſaid County*; *and to* Flimwell Vent *in the County of* Suſſex. P R.

The former Acts 8 Ann. and 11 Geo. 1. c. 15. are further continued for 21 Years.

CAP. XIII.

An Act to enlarge the Terms and Powers granted by three ſeveral Acts made in the ninth and twelfth Years of the Reign of her late Majeſty Queen *Anne*, and in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, *For amending the Highways leading from* Royſton, *in the County of* Hertford, *to* Wandsford Bridge, *in the County of* Huntingdon, ſo far as the ſame relates to the Roads lying in the Middle and South Diviſions of the ſaid Highways. P R.

The former Acts are further continued for 21 Years.

CAP. XIV.

An Act to enlarge the Terms and Powers granted by an Act made in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for repairing the Road leading from* Chatteris Ferry (*which divides the Iſle of* Ely *from the County of* Huntingdon) *to* Hammond's Eau, *and from thence to* Somerſham Bridge *at* Somerſham *Town's End in the ſaid County.* P R.

The former Act is further continued for 21 Years.

CAP. XV.

An Act for finiſhing and compleating the Pariſh Church of *Gainſborough* in the County of *Lincoln.* P R.

CAP. XVI.

An Act for enlarging the Term and Powers granted by an Act made in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing the Roads in the Pariſhes of* Kenſington, Chelſea *and* Fulham, *and other Pariſhes therein mentioned, in the County of* Middleſex; and for repairing ſome other Roads in the Pariſh of Saint *George*, *Hanover Square*, and the ſaid Pariſhes of *Kenſington* and *Chelſea.* P R.

The Tolls are further continued for 21 Years.

CAP. XVII.

An Act to prevent Inconveniencies ariſing from Delays of Cauſes after Iſſue joined.

Preamble.

'WHEREAS many great Inconveniencies have ariſen to the Subjects of this Kingdom by Means of delaying the Trials of Cauſes between Party and Party after Iſſue joined;' For Remedy whereof, may it pleaſe your moſt Excellent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That where any Iſſue is or ſhall be joined in any Action or Suit at Law in any of his Majeſty's Courts of Record at *Weſtminſter*, the Court of great Seſſion for the Principality of *Wales*, the Court of great Seſſion for the County Palatine of *Cheſter*, the Court of Common Pleas for the County Palatine of *Lancaſter*, or the Court of Pleas for the County Palatine of *Durham*, and the Plaintiff or Plaintiffs in any ſuch Action or Suit hath or have neglected, or ſhall neglect, to bring ſuch Iſſue on to be tried according to the Courſe and Practice of the ſaid Courts reſpectively, it ſhall and may be lawful for the Judge or Judges of the ſaid Courts reſpectively, at any Time after ſuch Neglect, upon Motion made in open Court (due Notice having been given thereof) to give the like Judgment for the Defendant or Defendants in every ſuch Action or Suit, as in Caſes of Nonſuit, unleſs the ſaid Judge or Judges ſhall upon juſt Cauſe and reaſonable Terms allow any further Time or Times for the Trial of ſuch Iſſue; and if the Plaintiff or Plaintiffs ſhall neglect to try ſuch Iſſue within the Time or Times ſo allowed, then, and in every ſuch Caſe, the ſaid Judge or Judges ſhall proceed to give ſuch Judgment as aforeſaid.

On the Plaintiff's Neglect to bring on an Iſſue to Trial, the Court may give Judgment as in caſe of Nonſuit.

II. Provided always, and be it enacted by the Authority aforeſaid, That all Judgments given by virtue of this Act ſhall be of the like Force and Effect as Judgments upon Nonſuit, and of no other Force or Effect.

Judgment given by this Act to have the like Force as Judgments on Nonſuit.

III. Provided alſo, That the Defendant or Defendants ſhall upon ſuch Judgment be awarded his, her or their Coſts, in any Action or Suit where he, ſhe or they would upon Nonſuit be intituled to the ſame, and in no other Action or Suit whatſoever.

Defendant on ſuch Judgment to have Coſts.

IV. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſeven hundred and forty-one, no Indictment, Information or Cauſe whatſoever ſhall be tried at *Niſi prius* before any Judge or Juſtice of Aſſize or *Niſi prius*, or at the Sittings in *London* or *Weſtminſter*, where the Defendant or Defendants reſide above forty Miles from the ſaid Cities reſpectively, unleſs Notice of Trial in Writing has been given at leaſt ten Days before ſuch intended Trial.

Defendant living 40 Miles off ſhall have 10 Days Notice of Trial.

V. And be it further enacted by the Authority aforeſaid, That in caſe any Party or Parties ſhall have given ſuch Notice of Trial as aforeſaid, and ſhall not afterwards duly countermand the ſame in Writing, at leaſt ſix Days before ſuch intended Trial, every ſuch Party ſhall be obliged to pay unto the Party or Parties to whom ſuch Notice of Trial ſhall have been given as aforeſaid, the like Coſts and Charges as if ſuch Notice of Trial had not been countermanded.

Notice of Trial may be countermanded 6 Days before the Trial intended.

CAP. XVIII.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose. "Persons taking "the Oaths of the Act 1 Geo. 1. and receiving the Sacrament, by 28 Nov. 1741. indemnified and re-"capacitated. But Persons not hereby restored to Places already avoided or filled up. EXP."

CAP. XIX.

An Act for repairing the Roads from a Place called *Red House* near *Doncaster* to *Wakefield*; and through the said Town of *Wakefield*, by *Dewsbury*, *Hightown* and *Lightcliff*, to the Town of *Halifax*, in the West Riding of the County of *York*. PR.

Certain Tolls are granted from 20 *May* 1741, for 21 Years.

CAP. XX.

An Act to amend the Law concerning Common Recoveries, and to explain and amend an Act made in the twenty-ninth Year of the Reign of King CHARLES the Second, intituled, *An Act for Prevention of Frauds and Perjuries*, so far as the same relates to Estates *pur auter Vie*.

Preamble. *For former Laws concerning Recoveries, refer to* 6 *Ed.* 1. *c.* 11. 13 *Ed.* 1. *c.* 4. 7 *H.* 8. *c.* 4. 21 *H.* 8. *c.* 15. 14 *Eliz. c.* 8.

'WHEREAS several Leases have been heretofore, and are hereafter likely to be made, of Honors, Castles, Manors, Lands, Tenements and Hereditaments, for one or more Life or Lives, under particular Rents thereby reserved, and to be reserved: And whereas procuring Surrenders of such Freehold Leases, or the Tenants thereof to join, in order to make Tenants to the Writs of Entry or other Writs for suffering Common Recoveries, frequently occasions great Trouble, Difficulty and Expence to Tenants in Tail, and the same cannot in many Cases be obtained, by reason of the Uncertainty in whom the legal Estate of Freehold under such Leases is vested, and also by reason of the Disabilities and Incapacities of such Lessees, or Persons claiming under them, by Means whereof Purchases and Family Settlements are often delayed, and may be in great Danger of being defeated, if some proper Remedy be not provided:' For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Common Recoveries suffered or to be suffered in his Majesty's Court of *Common Pleas* at *Westminster*, or in any other Court of Record in the Principality of *Wales*, or in any of the Counties Palatine, or in any other Court having Jurisdiction of the same, of any Honors, Castles, Manors, Lands, Tenements or Hereditaments, without any Surrender or Surrenders of such Lease or Leases, or without the Concurrence, or any Conveyance or Assurance from such Lessee or Lessees, or other Person or Persons claiming under such Lessee or Lessees, in order to make good Tenants to the Writs of Entry, or other Writs, whereupon such Recoveries have been or shall be had or suffered, shall be as valid and effectual in Law, to all Intents and Purposes whatsoever, as if such Lessee or Lessees, or any other Person or Persons claiming under him, her or them, had conveyed or joined in conveying, or shall convey or join in conveying, a good Estate of Freehold to such Person or Persons as has or have been, or shall become, Tenant or Tenants to such Writs of Entry, or other Writs, whereupon such Common Recoveries have been or shall be suffered.

Common Recoveries to be valid, without surrender of Freehold Leases.

II. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to make any Common Recoveries valid and effectual in Law, unless the Person or Persons intitled to the first Estate for Life, or other greater Estate (in case there be no such Estate for Life in Being) in Reversion or Remainder next after the Expiration of such Leases has or have by some lawful Act or Means conveyed or assured, or joined in conveying or assuring, or shall by some lawful Act or Means convey or assure, or join in conveying or assuring, an Estate for Life at the least, to such Person or Persons as has or have been, or shall become Tenant or Tenants to the Writs of Entry, or other Writs, whereupon such Common Recoveries have been or shall be suffered.

What shall make Common Recoveries valid.

III. Provided also, That nothing in this Act contained shall be construed to extend to prejudice the Estate of such Lessee or Lessees, or any Person or Persons claiming any Interest under such Lessee or Lessees.

Proviso.

'IV. And whereas, by the Default or Neglect of Persons employed in suffering Common Recoveries, 'it has happened, and may happen, that such Recoveries are not entered on Record, whereby Purchasers for a valuable Consideration may be defeated of their just Rights;' For Remedy thereof, be it further enacted by the Authority aforesaid, That where any Person or Persons hath or have purchased, or shall purchase, for a valuable Consideration, any Estate or Estates in Lands, Tenements or Hereditaments, whereof a Recovery or Recoveries is, are or were necessary to be suffered, in order to compleat the Title, such Person and Persons, and all claiming under him, her or them, having been in Possession of the purchased Estate or Estates from the Time of such Purchase, shall and may, after the End of twenty Years from the Time of such Purchase, produce in Evidence the Deed or Deeds, making a Tenant to the Writ or Writs of Entry, or other Writs for suffering a Common Recovery or Common Recoveries, and declaring the Uses of a Recovery or Recoveries, and the Deed or Deeds so produced (the Execution thereof being duly proved) shall in all Courts of Law and Equity be deemed and taken as a good and sufficient Evidence for such Purchaser and Purchasers, and those claiming under him, her

Evidence to be allowed of Common Recoveries.

or

or them, that such Recovery or Recoveries was or were duly suffered and perfected according to the Purport of such Deed or Deeds, in case no Record can be found of such Recovery or Recoveries, or the same should appear not to be regularly entered on Record: Provided always, that the Person or Persons making such Deed or Deeds as aforesaid, and declaring the Uses of a Common Recovery or Recoveries, had a sufficient Estate and Power to make a Tenant to such Writ or Writs as aforesaid, and to suffer such Common Recovery or Recoveries. Proviso

'V. And whereas it has frequently happened, that the Deeds for making the Tenants to the Writs 'of Entry or other Writs for suffering Common Recoveries, have been lost, or that the Fines or Deeds, 'making the Tenants to the said Writs, have not been levied or executed till after the Judgment given 'in such Recoveries, and the Writ of Seisin awarded, by Reason whereof great Doubts have arisen, whe-'ther such Recoveries, for want of proper Tenants to the Writs, are good and effectual in Law;' To prevent such Doubts for the future, and in order to render Common Recoveries more certain and effectual, be it enacted by the Authority aforesaid, That every Common Recovery already suffered, or hereafter to be suffered, shall, after the Expiration of twenty Years from the Time of the suffering thereof, be deemed good and valid to all Intents and Purposes, if it appears upon the Face of such Recovery, that there was a Tenant to the Writ; and if the Persons joining in such Recovery had a sufficient Estate and Power to suffer the same notwithstanding the Deed or Deeds for making the Tenant to such Writ should be lost or not appear. Common Recoveries not disputed in 20 Years, shall be deem'd valid.

VI. And be it further enacted by the Authority aforesaid, That from and after the Commencement of this Act, every Recovery already suffered, or hereafter to be suffered, shall be deemed good and valid to all Intents and Purposes, notwithstanding the Fine, or Deed or Deeds, making the Tenant to such Writ, should be levied or executed after the Time of the Judgment given in such Recovery, and the Award of the Writ of Seisin as aforesaid, provided the same appear to be levied or executed before the End of the Term, Great Session, Session or Assizes, in which such Recovery was suffered, and the Persons joining in such Recovery had a sufficient Estate and Power to suffer the same as aforesaid. Recovery to be deemed good, though the Deed be executed after the Time.

VII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to make any such Common Recovery heretofore suffered valid and effectual in Law, which has been avoided by any lawful Act or Means, or which shall hereafter be avoided by Entry duly made on or before the sixteenth Day of *January* one thousand seven hundred and forty, or by Judgment or Decree had or obtained upon some Action or Suit at Law or in Equity, commenced or to be commenced on or before the said sixteenth Day of *January*, and prosecuted with due Diligence; but every such Common Recovery shall remain and be of such Force and Effect only, as the same would have been if this Act had never been made, and of no other Force or Effect. What Recoveries not to be made valid.

VIII. Provided, That nothing in this Act contained shall be construed to prejudice or affect any Question of Law, which may arise upon Common Recoveries not remedied or intended to be remedied by this Act; but all such Common Recoveries shall remain and be of such Force and Effect, as the same would have been if this Act had never been made, and of no other Force or Effect. Proviso.

'IX. And whereas by an Act made in the twenty-ninth Year of the Reign of King CHARLES the Second, intituled, *An Act for Prevention of Frauds and Perjuries*, amongst other Things, it is enacted, That 'Estates *pur auter Vie*, whereof no Devise should be made, should, in case there should be no special 'Occupant thereof, go to the Executors or Administrators of the Party that had the Estate thereof by 'virtue of the Grant, and should be Assets in their Hands: And whereas Doubts have arisen, where 'no Devise has been made of such Estates, to whom the Surplus of such Estates, after the Debts of such 'deceased Owners thereof are fully satisfied, shall belong;' Be it enacted by the Authority aforesaid, That such Estates *pur auter Vie*, in case there be no special Occupant thereof, of which no Devise shall have been made according to the said Act for Prevention of Frauds and Perjuries, or so much thereof as shall not have been so devised, shall go, be applied and distributed, in the same Manner as the Personal Estate of the Testator or Intestate. 29 Car. 2. c. 3. 19 Car. 2. c. 6. 9 Ann. c. 18. Surplus of Estates pur auter Vie, how to pass, if not devised.

CAP. XXI.

An Act to indemnify Protestant Purchasers of Estates of Papists, against the Penalties or Forfeitures Papists are liable to, for not having inrolled their Estates, in pursuance of an Act of the third Year of the Reign of his late Majesty King GEORGE the First, for that Purpose. "Further Time given to "inroll Purchases made before 29 *Sept.* 1741, to 25 *March* 1742. Judgments already given not to "be made void." EXP.

CAP. XXII.

An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of seven Years; and for allowing Rock Salt to be used in making of Salt from Sea Water at the Salt Works at *Neath* in the County of *Glamorgan*. "Clause of Loan for 1,200,000 *l.* at "4 *l. per Cent.* Treasury to take an Account of the said Monies raised by Loan or Exchequer Bills, "at *Michaelmas* 1742. Deficiency to be made good out of the next Aids granted after *Michaelmas* "1742, or Sinking Fund, and replaced out of the next Supplies. Surplus to be disposed of by Parliament. EXP.

'XIX. AND whereas by an Act made in the first Year of the Reign of her late Majesty Queen ANNE, it is enacted, That no Rock Salt whatsoever shall be refined or made into White 'Salt in any Place or Places whatsoever within the Kingdom of *England*, Dominion of *Wales*, or Town 'of *Berwick upon Tweed*, except in such Places as are or shall be within ten Miles Distance of the respec- 1 *Ann. st.* 1. c. 21. 2 & 3 *Ann. c.* 14. 4 *Ann. c.* 12. 6 *Ann. c.* 29.

6 *Ann.* c. 12.
9 *Ann.* c. 23.
12 *Ann.* ſt. 2. c. 2.
5 *Geo.* 1. c. 18.
6 *Geo.* 1. c. 11.
8 *Geo.* 1. c. 4 & 16.
11 *Geo.* 1. c. 30.
3 *Geo.* 2. c. 20.
5 *Geo.* 2. c. 6.
8 *Geo.* 2. c. 12.

'tive Pit or Pits from whence ſuch Rock Salt ſhall be taken, or at ſuch Places as on or before the tenth 'Day of *May* one thouſand ſeven hundred and two, ſhall have been uſed for the refining Rock Salt, un- 'der a Penalty therein expreſſed: And whereas there hath been anciently an Houſe or Place in which 'Rock Salt has been refined or made into White Salt before the ſaid tenth Day of *May* one thouſand 'ſeven hundred and two, near the Sea between *Neath* and *Swanzey*, in the County of *Glamorgan*, in 'South Wales, but the ſame is now, and hath been for many Years, covered with Sand, and become 'intirely uſeleſs, and the Country thereabouts (being at a very great Diſtance from any other Salt 'Works) have been thereby deprived of the Benefit of being ſupplied with Salt as formerly: And 'whereas certain Salt Works have been erected at great Charges at *Neath* aforeſaid, about four or five 'Miles Diſtance from the Place before mentioned, for the making of White Salt from Sea Water, and 'upon ſeveral Occaſions Rock Salt would be very uſeful to ſtrengthen the Brine in the ſaid Works, when 'weakened by freſh Water or other Accidents; but the proper Uſe of the ſaid Salt Works not being 'for the refining Rock Salt, it hath been doubted whether Rock Salt might be there uſed: For pre- 'venting ſuch Doubts for the future, be it enacted by the Authority aforeſaid, That Rock Salt may be 'ſo uſed in the making Salt from Sea Water in the ſaid Salt Works at *Neath* aforeſaid; any thing in the 'ſaid Act or in any other Law or Statute to the contrary notwithſtanding, ſo as his Majeſty's Duties for 'all the Salt proceeding as well from the ſaid Rock Salt as from the Sea Water be duly charged, anſwer- 'ed and paid to his Majeſty's Uſe.

Rock Salt may be uſed in making Salt at Neath, ſo as his Majeſty's Duties be ſecured.

See further 26 *Geo.* 2. c. 3 §. 2.

CAP. XXIII.

An Act for repairing the Road from *Wakefield* to *Pontefract*, and from thence to a Place called *Weeland* in the Townſhip of *Henſall*, and from *Pontefract* to *Wentbridge*, in the Townſhip of *Darrington*, in the Weſt Riding of the County of *York*. PR.

Certain Tolls are granted from 10 *May* 1741, for 21 Years, and to the End of the next Seſſion of Parliament.

CAP. XXIV.

An Act for the effectual Draining and Preſervation of *Waterbeach Level* in the County of *Cambridge*, and to eſtabliſh an Agreement made between the Lord of the Manor of *Waterbeach cum Denny*, and the Commoners within the ſaid Manor. PR.

Preamble.

'WHEREAS certain Fen Lands and Low Grounds, lying and being in the ſeveral Pariſhes of 'Waterbeach and *Wicken*, in the County of *Cambridge*, and in *Stretham* and *Thetford*, in the *Iſle of Ely*, and County aforeſaid, commonly called *Waterbeach Level*, containing in the whole four thou- 'ſand five hundred Acres of Land, or thereabouts; two thouſand five hundred Acres whereof, or there- 'abouts, are commonable Lands, and the reſt are Severals; the greateſt Part of which ſaid Lands are 'within the Manor of *Waterbeach cum Denny*, and the reſt are within the Pariſhes of *Wicken*, *Stretham*, 'and *Thetford* aforeſaid, and are bounded as follows, *videlicet*, From the Brewhouſe in *Waterbeach Mid- 'load* Fen, near the Weſt Bank of the River *Grant*, to that Bank, and along the Weſt Side of that Bank 'to *Harrymere* Head, at the old River *Owze*, and from thence by the South Side of the South Bank of 'the ſaid River *Owze*, to *Stretham* Ferry, and from thence by the Eaſt Side of *Stretham* Ferry Bank, to 'Chittering Hill, including the low Lands of *Chittering* Fen, as now ſtaked and meared out; and from 'Chittering Hill to *Denny* Farm Grounds, including all the low Lands thereto adjoining, belonging to 'Denny Farm aforeſaid; and from thence, including all the reſt of the low Lands of *Chittering* Fen 'aforeſaid, as are alſo now ſtaked and meared out, to *Waterbeach Joyſt* Fen; and from thence, includ- 'ing the ſaid *Joyſt* Fen, and all the low Lands belonging to *Denny* Farm aforeſaid, adjoining to the 'ſaid *Joyſt* Fen, and alſo the low Lands lying between *Chittering* Hill and *Joyſt* Fen aforeſaid, to *Wa- 'terbeach* Bannel, or *Denny* Sheep Walk, including all the low Lands belonging to the ſaid Bannel or 'Sheep Walk, as the ſame are now alſo ſtaked and meared out; and from thence by the Weſt Side of 'Midload Fen, including all the Lands called *Drainer's Grounds*, and all the ſaid *Midload* Fen, to the 'Brewhouſe aforeſaid (excluding all the ſaid Banks, and the Ware-dykes thereof) are ſo ſubject to 'Inundations through the Defects of their Outfalls to Sea, that the ſame are but of very little Benefit 'or Advantage to the Owners and Occupiers of thoſe Grounds, or to the Commoners having Right of 'Common on the Commonable Parts thereof, and cannot be preſerved without the Aid of Parliament, 'to enable the ſaid Owners and Commoners to drain and keep the ſame drained for the future; and as 'the ſaid Fen Lands and low Grounds are in their own Nature very rich and fertile, great Benefit and 'Advantage will accrue thereby, not only to the ſaid Owners and Commoners, but to the Publick in 'general: And whereas the Lord of the Manor of *Waterbeach cum Denny* aforeſaid, and the Common- 'ers having Right of Common, as well within the ſaid Level, as in other Parts of the ſaid Manor, 'have entered into Articles of Agreement in Writing, for the ſettling and adjuſting their ſeveral and 'reſpective Rights of Common within the ſaid Manor, and the Number and Stint of Cattle to be kept 'thereon, and for the better Regulation and Government of the ſaid Common for the future; and which 'ſaid Agreement is as follows; (that is to ſay)

'Articles of Agreement had, made, concluded and agreed upon the tenth Day of *November* in the 'fourteenth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of 'Great Britain, *France* and *Ireland*, King, Defender of the Faith, and ſo forth, and in the Year of

'our

'our Lord one thouſand ſeven hundred and forty, between *Peter Standley* of *Long Melford* in the 'County of *Suffolk* Eſquire, Lord of the Manor of *Waterbeach cum Denny* in the County of *Cambridge*, 'of the one Part, and the Owners of the ſeveral and reſpective ancient commonable Meſſuages in '*Waterbeach* aforeſaid, whoſe Names are hereunto ſubſcribed, of the other Part.

'I. Whereas the ſeveral and reſpective Perſons whoſe Names are hereunto ſubſcribed, are Owners 'and Proprietors of the ſeveral and ancient Commonable Meſſuages in *Waterbeach* aforeſaid, and have 'ſeverally a Right of Common in the ſeveral Commonable, Waſte and Fen Grounds in *Waterbeach*, 'without Number or Stint; and for the better regulating and ſtinting the ſame, have come to the fol-'lowing Agreement:

'II. It is hereby covenanted, concluded and agreed between the ſaid Parties, that the ſaid *Peter Stand-'ley* ſhall and will give up and quit Claim all Manner of Right of taking in any Number or Sort of 'Joyſt Cattle into any of the Commonable Waſtes and Fen Grounds in *Waterbeach* aforeſaid; the Own-'ers of the ſaid ſeveral Commonable Meſſuages in *Waterbeach* paying yearly, and every Year, between 'the firſt and tenth Days of *July*, yearly, to the ſaid *Peter Standley*, his Heirs and Aſſigns, at or in the 'capital Manſion-houſe called *Denny Abbey*, in *Waterbeach* aforeſaid, the Sum of two Shillings *per* Houſe 'or Common; and that in caſe of Failure in Payment, it ſhall and may be lawful to and for the ſaid '*Peter Standley*, his Heirs or Aſſigns, Steward or Agent, to drive and take any of the Cattle feeding and 'depaſtured in any of the ſaid Commons, of ſuch Perſon or Perſons as ſhall neglect or refuſe to pay the 'ſame (being demanded) and the ſame to detain, keep and impound by way of Diſtreſs for five Days; 'and that if the ſaid Arrear be not in that Time duly paid, then to ſell and diſpoſe thereof; and after 'Payment and Satisfaction of ſuch Arrears, together with the Charge of maintaining the ſaid Cattle, to 'return the Overplus to the Owner thereof; and if there be no Cattle upon the Common belonging to ſuch 'particular Tenant, ſo neglecting or refuſing Payment, that then the reſt of the Commoners in *Water-'beach* aforeſaid, having Cattle there, ſhall make good and pay ſuch Deficiency on or before the twen-'tieth Day of *July* yearly; and in Default thereof, it ſhall be lawful for the ſaid *Peter Standley* to take 'and diſtrain the Cattle of any other of the ſaid Commoners, having Cattle, and the ſame in like Man-'ner to detain and impound, and in Default of Payment within five Days after ſuch Diſtreſs, the ſame 'to ſell and diſpoſe towards Satisfaction of ſuch Arrear, together with the Charge of maintaining the 'ſame, returning the Overplus to the Owner, and ſo from time to time, as often as it ſhall ſo happen.

'III. That the Fen called *Joyſt Fen* ſhall be freed and cleared of all Manner of Cattle, from *Candle-'mas-day* to the twenty-fifth Day of *March*, yearly, Horſes excepted; and that the Fen called *Midlott*, 'or *Midload*, ſhall be freed and cleared of all Manner of Cattle from *Candlemas-day*, to the firſt Day of '*May*, yearly.

'IV. That for each and every Common, the Owner or Occupier ſhall and may feed fifteen milched 'Cows or dry Neat Cattle, and eight Sheep, or ten Cows and five Mares or Geldings, and no more, and 'to abate a Cow for every Colt, after it is one Year old; and that three Weanling Calves of the firſt Year 'ſhall be deemed as one Cow; and that two yearling Neat Cattle, to be likewiſe deemed as one Cow; 'and that for every four Commons there ſhall be kept by the Owners or Occupiers thereof, one Bull 'yearly, from the firſt Day of *May* to the tenth Day of *October*; and that for every Beaſt fed and depa-'ſtured on the ſaid Commons, contrary to the true Intent and Meaning of theſe Articles, there ſhall be 'forfeited and paid to the Lord of the ſaid Manor for the time being, the Sum of ten Shillings for every 'Time ſuch Offence ſhall be committed, to be levied and recovered by Diſtreſs and Sale as aforeſaid.

'V. And that for the better enforcing the due Obſervance of the ſaid Regulation and Stint, there ſhall 'be yearly choſen on the *Thurſday* next before *Chriſtmas-day*, in the ſaid Pariſh Church, four Fenreeves, 'Commoners and Dwellers in the ſaid Pariſh of *Waterbeach*, by the major Part of the Owners and Oc-'cupiers of the ſaid Commons, then and there for that Purpoſe aſſembled, to continue in the ſaid Office 'for one Year then next enſuing, and no longer, who ſhall ſeverally, within one Week after ſuch Elec-'tion, take upon themſelves the ſaid Office for one Year from the Day of ſuch Election, on Pain of ſe-'verally forfeiting five Pounds apiece to the Lord of the ſaid Manor for the time being, and to be levied 'and recovered by Diſtreſs and Sale, as aforeſaid; and that in ſuch Election, every Occupier of a Com-'mon ſhall have a Vote for every Common he holds.

'VI. That the ſaid Fenreeves ſo to be elected and choſen yearly, ſhall and may, by and with the 'Conſent of the major Part of the Owners or Occupiers of the ſaid Commons in *Waterbeach* aforeſaid, 'upon any Inundation of Water and Floods, by Order or Orders in Writing, take off and diminiſh ſuch 'and ſo many Cattle of the Number above-mentioned, as the Neceſſity of the Caſe in their Judgments 'may require, ſo as ſuch Order or Orders are made to extend equally to all Parties concerned; and pro-'vided ſuch Order or Orders be publiſhed in the Pariſh Church of *Waterbeach* aforeſaid, the *Sunday* 'Morning next following the making thereof, immediately after Divine Service; and that the better to 'enforce a due Obſervation of ſuch Order or Orders ſo to be made as aforeſaid, there ſhall be forfeited 'and paid to the Lord of the ſaid Manor for the time being, ten Shillings for every Beaſt, and for every 'Time that they be taken offending contrary to ſuch Order or Orders, ſo to be made as aforeſaid; and 'that it ſhall and may be lawful for the ſaid Fenreeves, or any or either of them, to take and impound 'the Cattle of ſuch Offender or Offenders, who ſhall preſume to put on and feed contrary to ſuch Or-'der or Orders, and the ſame to detain and keep for five Days; and then if ſuch Penalties and For-'feitures be not paid, to ſell and diſpoſe of ſuch Cattle towards Satisfaction of the ſaid Penalty, render-'ing the Overplus, firſt deducting the Charge of keeping the ſame.

'VII. That if upon any Floods or Inundation of Water, the Fenreeves for the time being ſhall think 'it neceſſary for the better ſecuring the Banks, or ſcouring the Ditches and Drains belonging to the ſaid

'Commonable

'Commonable Fens and Waſte Grounds, that the ſame be done by a common Day-work; and then 'upon publick Notice to be by them given for that Purpoſe, by ſending a Bell about the Town, every 'Owner or Occupier of a Common there, ſhall come in at the Time appointed and do the ſame, or 'ſend a ſufficient able-bodied Man for every Houſe or Common, with proper working Tools, and in De-'fault and Neglect thereof, to forfeit and pay to the ſaid Fenreeves eighteen Pence *per* Day, for every 'Day, for every Houſe or Common, not performed as aforeſaid, to be employed and beſtowed in amend-'ing and repairing the Banks, or ſcouring the Drains as aforeſaid; and that for defraying ſuch like and 'other neceſſary and incident Charges of Gates, Bars, Bridges and other Things, it ſhall and may be 'lawful for the ſaid Fenreeves, or any one of them for the time being, by and with the Conſent of the 'major Part of the Commoners, Inhabitants of *Waterbeach* aforeſaid, who ſhall, upon Notice to be 'given to meet in the Pariſh Church of *Waterbeach* aforeſaid, for that Purpoſe be aſſembled, to make a 'Rate or Rates upon the Occupiers of the ſeveral Commonable Meſſuages or Tenements at *Waterbeach* 'aforeſaid, which Rate or Rates ſhall from that time be allowed and confirmed by one or more Juſtice 'or Juſtices of the Peace for the ſaid County, and to be then levied on ſuch as ſhall neglect or refuſe the 'Payment thereof, by Diſtreſs and Sale as aforeſaid, and ſo from time to time as Occaſion ſhall require. 'Provided, That if any think himſelf or themſelves aggrieved by ſuch Rate or Rates, Appeal may be 'made at the next General Quarter-Seſſions of the Peace to be held for the ſaid County where the ſame 'ſhall be heard and finally determined; and that the ſaid Fenreeves, or ſuch of them as ſhall receive any 'Money, either by Rate or otherwiſe, belonging to the ſaid Office, ſhall within one Week after the 'Year for which he ſhall be ſo choſen and ſerve, make a true, full and perfect Account of all his Receipts 'and Diſburſements in the ſaid Office, and pay the Balance thereof (if any ſhall remain) to the next 'ſucceeding Fenreeves, ſome or one of them; upon Pain of forfeiting to the Lord of the ſaid Manor 'for the time being, five Pounds for every Month ſuch Account ſhall remain unſettled, or the Balance 'thereof (if any) unpaid, to be levied and recovered by Diſtreſs and Sale as aforeſaid; in which Account 'it ſhall be lawful for the ſaid Fenreeves to retain in their reſpective Hands the Sum of twenty Shillings 'for their Care and Pains in the Premiſſes.

'VIII. That the Owner or Occupier of the Rectory of *Waterbeach* for the time being may keep four-'ſcore Sheep in the Town Flock, which fourſcore, as well as thoſe herein before limited and appointed 'to be kept by the Commoners, are only to go, depaſture and feed in ſuch Places, and at ſuch Times 'only, as the Sheep have heretofore uſually done in *Waterbeach* aforeſaid; and that the Flock kept or to 'be kept by the ſaid *Peter Standley*, or his Tenant or Tenants of the Farm now in the Poſſeſſion of *John 'Hemington*, ſhall not exceed four hundred in Number, and ſhall not go or depaſture in *Hill-field* farther 'than *Millway* in *Waterbeach* aforeſaid; and that the *Denny Abbey* Flock ſhall not exceed eight hundred in 'Number, and ſhall not go in *Home Bannold* or *Wingfold*, or any of the Town Fields; and that there 'may be kept in the Town Flock two Sheep for every five Acres of Arable Land in *Waterbeach* aforeſaid, 'by the Owner or Occupier thereof; and that Lambs be deemed Sheep upon the eleventh Day of *No-'vember* yearly.

'IX. That for the better diſtinguiſhing every one's Cattle, the Owner or Owners thereof ſhall yearly, 'before they be put upon the Common, brand them with a pitched Brand, with the firſt Letter of Chri-'ſtian and Surname, and deliver a Copy of ſuch Brand to the Fenreeves, or one of them, on or before 'the firſt Day of *March* yearly; on Pain of forfeiting to the Lord of the ſaid Manor for the time being, 'for every Beaſt not branded as aforeſaid, and for every Time they ſhall be found there not branded as 'aforeſaid, twelve Pence *per* Head, and for neglect or refuſing to deliver a Copy of the Brand as aforeſaid, 'five Shillings *per* Week, ſo long as the ſame ſhall remain undelivered, to be levied and recovered by 'Diſtreſs and Sale aforeſaid.

'X. That for clearing and taking away all future Doubts, it is hereby declared and agreed, That the 'chief Capital Manſion-houſe of the ſaid *Peter Standley*, in *Waterbeach* aforeſaid, called *Denny Abbey*, is 'and ſhall from henceforth always be deemed to be a Commonable Houſe in *Waterbeach* aforeſaid.

'XI. That an Act of Parliament, if it can or may be obtained, for the better eſtabliſhing and better 'enforcing the due Execution of theſe Preſents in ſuch Manner as Counſel ſhall adviſe, ſo as not to en-'large the Number or Stint of Cattle herein before limited. In Witneſs whereof the Parties firſt above-'named to theſe preſent Articles, have hereunto ſet their Hands and Seals the Day and Year firſt above 'written.

Peter Standley, &c.

May it pleaſe Your Majeſty, that it may be enacted, *&c.*

"Commiſſioners may tax the Occupiers of Fen Lands; and may borrow Money on the Tax, and pay "5 *l. per Cent.* Intereſt. Inſpection of Accounts to be had annually by the Commiſſioners. Commiſ-"ſioners for *Waterbeach Level* not to interfere with thoſe of *Bedford Level*. No Works to be made on "the Rivers *Grant* or *Owze*.

CAP. XXV.

An Act for repairing the Road leading from *Ealand* to the Town of *Leeds*, in the Weſt Riding of the County of *York*. P.R.

Certain Tolls are granted from 1 *June* 1741, for 21 Years, and to the End of the next Seſſion of Parliament.

CAP.

CAP. XXVI.

An Act for making a Chapel lately built by *John Coppin* Eſquire, at *Market Street*, in the Pariſh of *Cadington*, in the County of *Hertford*, a perpetual Cure and Benefice; and for other Purpoſes therein mentioned. PR,

CAP. XXVII.

An Act to enable the Pariſhioners of the Pariſh of Saint *Botolph* without *Aldgate*, in the City of *London*, and County of *Middleſex*, to rebuild the Church of the ſaid Pariſh. PR.

'WHEREAS the Church of the Pariſh of Saint *Botolph* without *Aldgate*, in the City of *London*, 'and County of *Middleſex*, is a very ancient Fabrick; and notwithſtanding conſiderable Sums of 'Money have been laid out by the Inhabitants of the ſaid Pariſh, in repairing and ſupporting the ſame, 'Part thereof is in great Danger of falling down, and other Parts in a very ruinous Condition:' Now to the Intent the ſaid Church may be rebuilt for the publick Worſhip of God, and the Inſtruction of the Inhabitants of the ſaid Pariſh in the true Chriſtian Religion as now profeſſed in the Church of *England*; and that the ſaid Steeple may alſo be rebuilt, and that the ſame may be effected in a Manner that may be leaſt burthenſome to the Inhabitants of the ſaid Pariſh, the Churchwardens, Ancients and other Inhabitants of the ſaid Pariſh, do moſt humbly beſeech Your moſt Excellent Majeſty, that it may be enacted, *&c.*

"Truſtees to make Aſſeſſments. No Settlement to be made by paying theſe Rates. Collectors to be "appointed by the Pariſh, on *Thurſday* in every *Eaſter Week*, to pay over the Money to Truſtees. Col-"lector to be excuſed the Office of Scavenger. Truſtees may borrow Money on the Credit of this Act. "Annuities of 8 *l.* 10 *s. per Cent.* Receipts, Payments, *&c.* to be regiſtered in Books."

CAP. XXVIII.

An Act for repairing the Roads from *Doncaſter* through *Ferry-bridge*, to the South Side of *Tadcaſter Croſs*; and alſo from *Ferry-bridge* to *Weatherby*, and from thence to *Borough-bridge*, in the County of *York*. PR.

Certain Tolls are granted from 1 *May* 1741, for 21 Years, *&c.*

CAP. XXIX.

An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing and widening the Road from* Horſley Upright Gate, *leading down* Bowden Hill, *in the County of* Wilts, *to the Top of* Kingſdown Hill *in the Pariſh of* Box *in the ſaid County*. PR.

The Act is further continued for 21 Years.

CAP. XXX.

An Act for appointing new Commiſſioners and Truſtees for putting in Execution an Act paſſed in the eighth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for veſting the Eſtate and Effects of* John Coggs *and* John Dan, *Goldſmiths and Co-partners, in Truſtees, for the ſpeedier Payment of their Creditors, and for determining Differences thereupon.* PR.

CAP. XXXI.

An Act for repairing the Road from *Doncaſter*, through the Pariſh of *Peniſton*, in the County of *York*, to *Salter's Brook*, in the County of *Cheſter*; and alſo the Road from *Rotherham*, in the ſaid County of *York*, to *Hartcliffe Hill*, in the ſaid Pariſh of *Peniſton*. PR.

Certain Tolls are granted from 12 *May* 1741, for 21 Years.

CAP. XXXII.

An Act for repairing and enlarging the Roads from the Town of *Selby*, in the Weſt Riding of the County of *York*, to the Town of *Leeds*; and from thence, in two ſeveral Branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibſey*, to the Town of *Halifax*, in the ſame Riding. PR.

Certain Tolls are granted from 12 May 1741, for 21 Years. 24 Geo. 2. c. 22. 25 Geo. 2. c. 55.

CAP. XXXIII.

An Act to ſupply ſome Defects in the Laws for repairing and rebuilding County Bridges, for repairing, enlarging, erecting and providing Houſes of Correction, and for paſſing Rogues and Vagabonds.

'WHEREAS it does and may happen, that when County Bridges are to be rebuilt or repaired, a Preamble, reciting the Act 13 Geo. 2. c. 29.
'Piece or Parcel of Ground thereto adjoining may be of great Uſe or Service, either for enlarg-
'ing

'ing such Bridges, or more commodiously rebuilding them: And whereas there is no Power given by 'the Laws in Being for the rebuilding or repairing of County Bridges to the Justices of the Peace, to 'purchase any such Pieces or Parcels of Ground: And whereas by an Act made in the thirteenth Year of 'the Reign of his present Majesty, intituled, *An Act for the amending and enforcing the Laws relating to 'Rogues, Vagabonds and other idle and disorderly Persons, and for reducing the same into one Act of Parlia-'ment; and also for amending the Laws for erecting, providing and regulating Houses of Correction*; it is '(amongst other Things) enacted, That upon the Presentment of the Grand Jury at the Assizes, Great 'Session, or General Gaol Delivery, held for any County or Liberty, that there is no House of Cor-'rection, and that it will be necessary to provide one or more House or Houses of Correction in such 'County or Liberty, or that the House or Houses of Correction in any such County or Liberty is or are 'not sufficient, and want to be enlarged; the Justices of the Peace at their General or Quarter-Sessions 'shall have Power to build, erect or enlarge one or more fit or convenient House or Houses of Correc-'tion, or to purchase one or more convenient House or Houses for that Purpose, or to purchase Land 'to erect such House or Houses of Correction upon, and to make a convenient Backside or Backsides, 'Outlet or Outlets thereto: And whereas in some Counties and Liberties, where it is necessary to have 'a House or Houses of Correction, there is or may be no Assize, Great Session, or General Gaol De-'livery, and in Consequence there can be no Presentment of such Grand Jury, so that in such Cases the 'said Act is rendered ineffectual:' Therefore for the better repairing and rebuilding County Bridges, and for supplying the Defects of the said recited Act, so far as the same relates to the repairing, enlarg-ing, building and providing Houses of Correction, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-one, the Justices of the Peace of any County, City, Riding, Liberty or Division, at their General Sessions, or General Quarter-Sessions assembled, or the major Part of them, shall have Power, and are hereby authorized, to purchase of, or agree or contract with, any Person or Persons, Bodies Politick or Corporate for any Piece or Parcel of Land adjoining or near to any County Bridge within the Limits of their respective Commissions, for the more commodious enlarging or convenient rebuilding the same; which Pieces or Parcels of Land shall not exceed one Acre in the Whole for any such Bridge, and shall from time to time be paid for by the respective County Treasurers out of any Monies raised or to be raised by virtue of an Act made in the twelfth Year of the Reign of his present Majesty, intituled, *An Act for the more easy assessing, collecting and levying of County Rates*; such Treasurers being thereunto authorized, by Orders under the Hands and Seals of the respec-tive Justices of the Peace at their General Sessions, or General Quarter-Sessions, or the major Part of them; which Lands so purchased, shall be conveyed to such Person or Persons as the said Justices of the Peace at their General Sessions, or General Quarter-Sessions, or the major Part of them shall respectively appoint, in Trust, and for the Uses and Purposes of enlarging or rebuilding such Bridges respectively.

Justices at their Quarter-Sessions may purchase Lands to build County Bridges, *Concerning Bridges see further* 29 *Geo.* 2. *c.* 40.

31 *Geo.* 2. *c.* 20.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-one, the Justices of the Peace of any County, City, Riding, Liberty or Division, at their General Sessions, or General Quarter-Sessions assembled, or the major Part of them, where there shall be no Assizes, Great Session, or General Gaol-Delivery held, upon the Presentment of the Grand Jury to such Justices at their General Sessions, or General Quarter-Sessions, shall have as full Power and Authority to repair or enlarge any House or Houses of Correction already built, or to purchase any House or Houses for a House or Houses of Correction, or to build or erect any House or Houses of Correction, or to purchase Land to erect such House or Houses of Correction upon, and to make a convenient Backside or Backsides, Outlet or Outlets thereto, as if such Presentment had been made at the Assizes, Great Session or General Gaol-Delivery, in such Manner as is directed, and by the same Ways and Means as are provided in and by the said recited Act made in the thirteenth Year of the Reign of his present Majesty; any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

and have Power to enlarge Houses of Correction.

39 *Eliz.* *c.* 17.
7 *Jac.* 1. *c.* 4.
11 & 12 *W.* 3. *c.* 18.
1 *Ann. stat.* 2. *c.* 13.
5 *Ann.* *c.* 32.
6 *Geo.* 1. *c.* 19.

'III. And whereas it is enacted in and by the said Act made in the thirteenth Year of the Reign of 'his present Majesty, That the Justice or Justices of the Peace, who shall make any Pass for conveying 'any Rogue, Vagabond or incorrigible Rogue, shall at the same Time cause to be delivered to the Con-'stable a Certificate, ascertaining the Manner of conveying such Rogue, Vagabond or incorrigible Rogue; 'and that when the Place to which the Person or Persons apprehended are to be sent, lies remote, and 'there be one or more Counties, Ridings or Divisions intervening, the Constable or other Officer, to 'whom such Pass and Certificate shall be given, shall forthwith cause the Person or Persons therein named 'to be conveyed to the next House of Correction in the same County, Riding or Division, where he or 'they shall dwell: And whereas it has been sometimes found inconvenient, and has created an extra-'ordinary Expence, to send the Person or Persons apprehended, who was or were to be immediately 'passed to some distant County, Riding or Division, by such Justice or Justices, to the House of Correc-'tion in the same County, Riding or Division, where he or they dwell, such House of Correction often 'lying out of the direct Way to the Place where such Person or Persons was or were to be passed;' For Remedy whereof, be it further enacted by the Authority aforesaid, That from and after the said twen-ty-fourth Day of *June* one thousand seven hundred and forty-one, it shall and may be lawful for any Justice or Justices of the Peace, to send any Person or Persons who shall be apprehended as a Rogue, Vagabond or incorrigible Rogue, to the House of Correction in the County, Riding or Division, where he or they dwell, or to any other House of Correction in the same County, Riding or Division, as shall be

Justices of the Peace may send Vagabonds to the most convenient House of Correction, &c.

be moſt convenient for the paſſing ſuch Perſon or Perſons; any thing in the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding.

Farther concerning Vagrants, ſee 17 Geo. 2. c. 5. 26 Geo. 2. c. 34.

25 *Geo.* 2. *c.* 36.

CAP. XXXIV.

An Act to continue an Act for Relief of Debtors, with reſpect to the Impriſonment of their Perſons, and two ſubſequent Acts for explaining and amending the ſame; and alſo to continue an Act for the free Importation of Cochineal and Indico.

Preamble.

'WHEREAS the Laws herein after mentioned are found to be uſeful and beneficial to the Publick, and are ſo near expiring, that it is fit they ſhould now be continued;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons*; which Act was to continue in Force for five Years, and from thence to the End of the then next Seſſion of Parliament, and no longer; and alſo an Act made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for explaining and amending an Act made in the laſt Seſſion of Parliament, intituled*, An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons; and alſo an Act made in the Eighth Year of the Reign of his preſent Majeſty, intituled, *An Act to explain and amend an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, intituled*, An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons; which ſaid Acts were to continue in Force until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty, and from thence to the End of the then next Seſſion of Parliament, and no longer; ſhall, with the ſeveral Articles and Clauſes therein contained (except the Clauſe in the ſaid laſt mentioned Act for ſetting mutual Debts one againſt the other, which by the ſaid Act is made perpetual) be and are hereby further continued from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament, and no longer.

Act 2 Geo. 2. c. 22.

3 Geo. 2. c. 27. and 8 Geo. 2. c. 24. for Relief of Debtors,

continued for 7 Years longer. Continued by 21 Geo. 2. c. 33.

See farther 32 *Geo.* 2. *c.* 28.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the ſeventh Year of the Reign of his preſent Majeſty, intituled, *An Act for the Revival of an Act made in the thirteenth Year of the Reign of his late Majeſty King* GEORGE *the Firſt, intituled*, Act Act for the free Importation of Cochineal during the Time therein limited, and alſo for the free Importation of Indico; which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, and no longer, ſhall be and is hereby further continued from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament, and no longer.

Act 7 Geo. 2. c. 18. for importing Cochineal,

continued for 7 Years longer. Continued by 27 Geo. 2. c. 18. *And farther by* 33 *Geo.* 2. *c.* 16.

CAP. XXXV.

An Act for continuing an Act paſſed in the ſeventh Year of the Reign of his preſent Majeſty, *To explain and amend a former Act paſſed in the eleventh Year of the Reign of his late Majeſty King* GEORGE *the Firſt, For the better regulating the Manufacture of Cloth in the Weſt Riding of the County of* York, and for making the ſaid Acts more effectual.

Preamble, reciting the Act 7 Geo. 2. c. 25. *For former Laws refer to* 4 *Ed.* 4. *c.* 1. 1 *R.* 3. *c.* 8. 3 *H.* 7. *c.* 11. 3 *H.* 8. *c.* 7. 5 *H.* 8. *c.* 2. 6 *H.* 8. *c.* 8 & 9. 14 & 15 *H.* 8. *c.* 11. 25 *H.* 8. *c.* 18. 27 *H.* 8. *c.* 12 & 13. 33 *H.* 8. *c.* 3. 3 & 4 *Ed.* 6. *c.* 2. 5 & 6 *Ed.* 6. *c.* 6 & 22. 1 *M. ſt.* 3. *c.* 7. 2 & 3 *P.* & *M.* *c.* 12. 4 & 5 *P.* & *M.* *c.* 5. 1 *El.* *c.* 14. 1 *Jac.* 1. *c.* 25. 12 *Car.* 2. *c.* 32. 11 & 12 *W.* 3. *c.* 20.

'WHEREAS by an Act of Parliament made and paſſed in the ſeventh Year of the Reign of his preſent Majeſty King GEORGE the Second, intituled, *An Act to explain and amend an Act paſſed in the eleventh Year of the Reign of his late Majeſty King* GEORGE *the Firſt intituled*, An Act for the better regulating the Manufacture of Cloth in the Weſt Riding of the County of *York*; it was enacted, That if any Owner, Maſter, Occupier or Millman, of any Fulling-mills in the ſaid Weſt Riding, ſhould, after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and thirty-four, neglect or refuſe to ſtamp on ſuch Seal of Lead, as is therein mentioned, before ſuch Cloth ſhould be carried from the Mill, in Figures plainly to be ſeen and known, the true Length and Breadth of ſuch Cloth, and alſo his Name, or Part thereof, upon the Rivet of the ſaid Seal, and be thereof lawfully convicted, upon the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the ſaid Weſt Riding, or of any Corporation within the ſame (ſuch Juſtice or Juſtices not being a Merchant or Trader in the Woollen Manufacture) ſuch Owner, Maſter, Occupier or Mill-man, ſhould forfeit for every ſuch Offence, the Sum of twenty Shillings, to be recovered and diſtributed as is therein directed: And whereas the ſaid Act of the ſeventh Year of his preſent Majeſty hath in general been of great Uſe and Benefit to all Perſons concerned in the Cloth Trade in the ſaid Weſt Riding; but as ſeveral of the Directions and Proviſions in the ſaid Act have not proved effectual to anſwer the Purpoſes thereby intended, and as the ſame Act being made temporary will expire at the End of this preſent Seſſion of Parliament;' Wherefore, for continuing ſo much of the ſaid Act as hath already been found beneficial, and for explaining and amending the ſame ſo far as to make the Law more effectual for the Preſervation of a Trade ſo advantageous and beneficial to the Kingdom; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Juſtices of the Peace for the ſaid

Juſtices to chooſe Meaſurers and Searchers of Cloth,

said West Riding of the said County of *York*, not being Dealers in Woollen Cloth, or being Owners, Farmers or Occupiers of any Fulling-mill, at their next Quarter-Sessions of the Peace to be holden for the said Riding, next after *Midsummer* one thousand seven hundred and forty-one, or at some Adjournment of the same, and at their General Quarter-Sessions of the Peace to be holden next after *Easter* yearly, shall and may, and they are hereby authorized and required to choose and appoint so many Men of good Character and Repute within the said Riding, being Persons following, or having been brought up in the Trade or Occupation of a Maker or Dresser of Woollen Broad Cloth in the said Riding, as they shall think convenient, to be Measurers and Searchers of Cloth at the Mills in the said Riding, over and above such Persons as are or may be appointed Searchers by virtue of the said former Acts, or either of them, and to appoint and station the Measurers and Searchers so to be chosen, at such Mills, and in such Manner, as to the said Justices at their General or Adjourned Sessions shall seem meet and convenient; and shall and may assign, allow and appoint to the said Measurers so to be appointed, such yearly Salaries not exceeding the yearly Sum of twenty-five Pounds to each of them, as the said Justices at the said General or Adjourned Sessions, or the major Part of them, shall think proper.

and appoint their yearly Salaries.

On Searcher's Death, or Incapacity, the next Justice may choose another,

II. Provided always, and be it further enacted, That if any Person who shall be so appointed to be a Searcher of such Cloth, shall happen to die during the Year which he is so appointed to be a Searcher, or shall by Sickness, or any other Accident, be rendered incapable of executing the said Office; that then and in such Case it shall and may be lawful for any one such Justice of the Peace as aforesaid, living near to the Place where such Searcher did or shall reside, to appoint some other proper Person qualified as aforesaid, to supply the Place of such Searcher, until the next *Easter* Sessions, to be there by the major Part of such Justices present confirmed, or another Person appointed in his Place; and the Person so confirmed or appointed, shall take the same Oath, and be invested with the same Powers, and liable to the same Penalties for any Breach or Neglect of Duty, as the Searchers elected or to be elected at the *Easter* Session by virtue of this Act are or ought to be.

to be approved by the Justices at the next Easter Sessions.

Duty of Measurers.

III. And it is hereby further enacted, That the said Measurers so to be appointed shall and may, and they are authorized and directed, at the respective Fulling-mills where they shall respectively be stationed or placed, jointly and together with the Mill-men of the said Mills respectively, measure all the Whole Cloths and Ends which shall be there milled respectively, at the respective Times, and in Manner herein after mentioned; that is to say, Such Cloths or Ends as shall be streamed or washed in the Goit or Mill-stream of the said Mills respectively, shall be measured within six, and not sooner than four Hours, after the same shall be so streamed or washed; and such Cloths or Ends as shall not be so streamed and washed, shall be measured within four Hours after the same shall come out of the Stock.

IV. And it is hereby further enacted, That no Cloth-maker shall take away his Cloth from any such Fulling-mill, before the same has lain four Hours after it has been streamed or washed; or before the same has lain four Hours after it has come out of the Stock (in case it shall not be so washed or streamed) unless the same shall be sooner measured and stamped in Manner herein after mentioned by the Searcher, jointly with the respective Mill-men at whose Mills such Cloth shall respectively be milled or fulled: And if any Cloth-maker shall take away his Cloth from the Mill before the same shall be so measured and stamped, every Person so offending, and being thereof convicted upon the Oath of the Mill-man or Measurer at the Mill where such Cloth was so fulled, before one or more Justice or Justices of the Peace for the said Riding, or any Corporation within the same (such Justice or Justices not being Traders or Dealers in the Woollen Manufacture, or Owners, Farmers or Occupiers of any Fulling-mill) every Person so offending, shall for every such Offence forfeit and pay the Sum of twenty Shillings, to be levied and recovered in such Manner as the Penalties inflicted and directed to be levied by the said Act of the seventh Year of his present Majesty are directed and appointed to be levied and recovered, and to be applied and disposed of in Manner following; that is to say, One Moiety thereof to the Informer, and the other Moiety to the Treasurer of the West Riding of the County of *York*.

Penalty on the Cloth-maker offending against this Act.

Fuller and Searcher to take an Oath before a Justice,

V. And it is hereby further enacted, That every Mill-man who shall have the Care of any Fulling-mill at the Time of passing this Act, on or before the first Day of *May* one thousand seven hundred and forty-one, and every Mill-man hereafter to be appointed to and employed as a Mill-man at any such Fulling-mill, in the said Riding, within ten Days after he shall be so first appointed and employed, and every Measurer and Searcher, at the Time he shall be appointed to the said Office, shall respectively, and they are hereby required to take an Oath before some Justice of the Peace for the said Riding, or any Corporation within the same, that they will well and truly perform such Measuring and Stamping, according to the Intent and Meaning of this Act; which Oath such Justice of the Peace is hereby authorized and required to administer, and to give such Mill-man and Searcher respectively a Certificate of such Oath's having been administred and taken.

and have a Certificate of such Oath.

Fuller and Searcher to fix a Seal at each End of the Cloth;

VI. And it is hereby further enacted, That the Fuller or Mill-man who shall full or mill such Cloth, and the Measurer or Searcher who shall measure the same, shall affix or cause to be affixed on every such Cloth, before it shall be carried from the Mill, two Seals of Lead, to be furnished by the Clothier; one of which Seals shall be fixed at one End of such Cloth by the Fuller or Mill-man, and the other of the said Seals to be fixed by such Searcher or Measurer at the other End of such Cloth; and such Searcher or Measurer, and Fuller or Mill-man respectively, shall rivet the Seals by them respectively to be affixed on every such Cloth, and each of them stamp his Name, or Part thereof, upon the said Seal or Rivet; and likewise shall, in Figures plainly to be seen and distinguished, stamp the Length and Breadth of every such Cloth; and immediately after the said Cloth shall be measured, sealed and stamped as aforesaid, the Searcher stamping the same shall enter in a Book to be provided by the Treasurer, and kept at the Fulling-mill for that Purpose, the Name and Place of Abode of the Maker of every such Cloth, and the Colour or Sort of the same Cloth, and the Length and Breadth, on such Seals by such Fuller or Mill-man

and enter a Description of the Cloth in a Book, and the Maker's Name and Place of Abode.

Mill-man and Searcher ſo marked and impreſſed; for which Seals ſo to be fixed, there ſhall be paid by the Owner of ſuch Cloth to ſuch Mill-man the reſpective Sums following; *videlicet*, For the Seals of every whole or long Cloth, the Sum of four Pence; and for the Seals of every End or Half Cloth, the Sum of two Pence; three fourth Parts whereof ſhall be accounted for and paid by ſuch Mill-man to the Treaſurer of the ſaid Weſt Riding for the time being, to be applied for ſuch Purpoſes as are herein after directed, and the other fourth Part thereof to ſuch Fuller or Mill-man, to and for his own Uſe and Benefit; and that no other Duty ſhall be paid for meaſuring or ſtamping of Cloth by virtue of this or the ſaid former Acts, or either of them. Price of fixing the Seals.

VII. And it is hereby further enacted, That the Length and Number of Yards ſo ſtamped on ſuch Seals as aforeſaid ſhall be the Rule of Payment for ſuch Cloth by the Buyer of the ſame. The Stamps on the Seals to ſhew the Length of the Cloth.

VIII. Provided always, and it is hereby enacted and declared, That in caſe any Long or Whole Cloth, or End or Half Cloth, after it is fully milled, and ſhall have lain four Hours as aforeſaid, ſhall be under the Breadth of one Yard thirteen Inches and half, for above one fifth Part of the Length thereof, then, and in ſuch Caſe, upon Information thereof made before one or more Juſtice or Juſtices of the Peace (ſuch Juſtice or Juſtices not being Traders or Dealers in the Woollen Manufacture, or Owners, Farmers or Occupiers of any Fulling-mill) and upon Proof thereof upon Oath by one or more credible Witneſs or Witneſſes, the Maker or Owner of ſuch Cloth ſhall forfeit and pay for every ſuch Defect in Breadth in ſuch Whole Cloth or End, the ſeveral Penalties herein after mentioned; that is to ſay, For the firſt Inch ſuch Cloth ſhall be under the Breadth of one Yard thirteen Inches and half, the Sum of two Shillings and ſix Pence; for the ſecond Inch, the Sum of five Shillings; and for every other Inch ſuch Cloth ſhall be under the Breadth aforeſaid, the Sum of fifteen Shillings; the ſaid Penalties, after deducting thereout the Coſts and Charges that the ſaid Informer ſhall ſuſtain and be put unto in ſuch Proſecution and Conviction, ſhall be paid and applied as follows; *videlicet*, One Moiety thereof to the Informer, and the other Moiety to the Treaſurer of the ſaid Weſt Riding, and ſhall be recovered and levied in ſuch Manner, as the other Penalties are to be recovered and levied by virtue of this Act. Penalty for the Cloth being under Breadth.

IX. Provided always, That no Clothier, or Maker of Woollen Broad Cloth, ſhall, after the ſaid firſt Day of *May*, forfeit or incur, or be liable to, any Penalty for making Cloth under the Breadth herein before deſcribed and directed, other than the Penalties inflicted and directed to be levied by this preſent Act in the Caſe herein before mentioned; any former Law or Statute to the contrary notwithſtanding. No other Penalties to be paid than the before mentioned.

X. Provided, That if it ſhall happen, that after any Cloth ſhall have been milled, ſealed and ſtamped as aforeſaid, any Part thereof ſhall by any Accident be damaged and taken off, ſuch Part thereof as ſhall not be damaged ſhall be again meaſured, ſealed and ſtamped by a Searcher to be ſent for for that Purpoſe, who ſhall affix a new Seal to the ſaid Cloth in Manner herein before directed, which Seal ſhall then be a Rule of Payment for ſuch Cloth. Cloths being damaged and ſhortened, ſhall be meaſured and ſealed again.

XI. And it is hereby further enacted by the Authority aforeſaid, That if the Owner of any ſuch Cloth ſhall, when the Cloth ſhall be brought Home from the Fulling-mill, and upon his meaſuring the ſame, find ſuch Cloth to be of leſs Length, or of leſs Breadth for above one fifth Part of the Length thereof, than the ſame is by ſuch Stamps or Seals denoted or expreſſed to contain, and ſhall, before the ſame has been expoſed to Sale, make Oath thereof before one or more Juſtice or Juſtices of the Peace as aforeſaid; and ſhall alſo at the ſame Time make Oath, that the ſaid Admeaſurement was made by him, before the ſaid Cloth had been above four Hours in his Cuſtody at Home, and of the true Length and Breadth he found the ſame to be upon ſuch his Admeaſurement; then, and in ſuch Caſe, the Fuller or Mill-man, and Searcher, who meaſured and ſtamped the Cloth ſo complained of being convicted by ſuch Oath of the Clothier as aforeſaid, ſhall, for every ſuch Offence, jointly forfeit and pay the reſpective Penalties and Sums following; that is to ſay, For the firſt Inch in Breadth, or half a Yard in Length, that ſuch Cloth ſhall fall ſhort of the Meaſure ſtamped and marked on the ſame, the Sum of five Shillings; and for every other Inch in Breadth, or half-yard in Length, ſo over-ſtamped, the Sum of ten Shillings; the ſaid Penalties, after deducting thereout the Coſts and Charges of ſuch Proſecution and Conviction, to be paid and applied as follows; *videlicet*, One Moiety to the Informer, and the other Moiety to the Treaſurer of the ſaid Weſt Riding, for the Purpoſes herein after mentioned. Penalty on Frauds committed by the Fuller and Searcher.

XII. And it is hereby enacted and declared, That it ſhall and may be lawful to and for the ſaid Treaſurer to deduct and retain the Sums of Money to be forfeited by the Meaſurers and Searchers reſpectively, out of the yearly Salaries of ſuch Meaſurers and Searchers reſpectively, as ſuch Salaries reſpectively ſhall become due and payable. Treaſurer to deduct the Penalties out of the Salaries of the Searchers, &c.

XIII. And it is hereby further enacted and declared, That the ſeveral Juſtices of the Peace before whom any Conviction ſhall be made by virtue of this Act, as alſo the ſeveral Meaſurers and Searchers ſo to be appointed, ſhall, and they are hereby required, four Times in every Year at the leaſt, to return and tranſmit to the Treaſurer of the ſaid Weſt Riding for the time being, a true and perfect Account in Writing of all the Convictions to be made purſuant to this Act, or either of the former Acts, that ſhall happen within their Knowledge, and of all the Penalties and Forfeitures inflicted or levied by Means or on Account thereof, which by virtue of this Act, or either of the ſaid former Acts, are made payable to the ſaid Treaſurer for the Time being, to the Intent he may take Order for the Receipt and Payment of the ſaid Penalties and Forfeitures, according to the Tenor and true Meaning, and for the Purpoſes of this Act. Juſtices and Searchers to give Account to the Treaſurer 4 Times a Year of all Convictions.

XIV. Provided always, That no Mill-man or Searcher ſhall, after the ſaid firſt Day of *May*, forfeit or incur, or be liable to, any Penalty, for falſly or fraudulently meaſuring, ſealing or ſtamping any Cloth, other than the Penalties by this preſent Act in the Caſe herein before mentioned; any former Law or Statute to the contrary notwithſtanding. Proviſo.

Directions in case of a Profecution.

XV. And it is hereby further enacted, That from and after the ſaid firſt Day of *May*, in caſe any Cloth-maker, Searcher, Mill-man or any other Perſon, ſhall be proſecuted for any of the Offences mentioned in this or either of the ſaid former Acts, after the Cloth, relating to which ſuch Proſecution ſhall be commenced, ſhall be ſold to the Merchant or Cloth-buyer, every ſuch Merchant or Cloth-buyer ſhall, and he is hereby required and obliged, on Demand of the Perſon ſo proſecuted, to produce ſuch Cloth, unleſs it ſhall appear on the Oath of ſuch Merchant or Buyer, or the Perſon who packed the ſame, to be made before one or more Juſtice or Juſtices of the ſaid Riding, or any Corporation within the ſame (which Oath ſuch Juſtice or Juſtices is and are hereby required to adminiſter *gratis*) that ſuch Cloth was then dreſſed, preſſed and packed up, in order to be ſent away from ſuch Merchant or Buyer, to the Intent that the ſame, and the Matter of ſuch Complaint, may be inſpected, inquired into and examined; and in caſe the Merchant, Buyer or Owner of ſuch Cloth ſhall refuſe to produce the ſame as aforeſaid, ſuch Merchant, Buyer or Owner ſhall forfeit and pay, for every ſuch Offence, the Sum of five Pounds, to be levied, recovered and applied as aforeſaid.

Extent of this Act.

XVI. And be it further enacted by the Authority aforeſaid, That this Act, and all the Penalties and Clauſes therein contained, ſhall extend to all Woollen Broad Cloth which ſhall be made, milled, dreſſed or expoſed to Sale in the Weſt Riding of the County of *York*, except White Cloth, after the ſame ſhall be put into hot Water in order to be died.

Informations to be made within 5 Days.

XVII. And it is hereby further enacted by the Authority aforeſaid, That all Informations on which any Conviction ſhall be made of any Offence by virtue of this Act, ſhall be made within five Days next after the Diſcovery of the ſame Offence, and not otherwiſe.

'XVIII. And whereas there is now in the Hands of the Treaſurer of the Weſt Riding of the County 'of *York*, a conſiderable Sum of Money, which hath ariſen by and out of the Duties granted by the 'ſaid former Acts, for the ſtamping and meaſuring of Broad Cloth;' Now it is hereby further enacted by the Authority aforeſaid, That the Treaſurer of the ſaid Weſt Riding for the Time being, ſhall out of the Money remaining in his Hands, and which ſhall hereafter be received by him on Account of the ſaid Duties, and of the Duties and Penalties herein before directed to be paid to ſuch Treaſurer as aforeſaid, in the firſt Place pay the Charges and Expences attending the paſſing this Act, and ſhall afterwards pay and apply the ſaid Duties and Penalties, as the ſame ſhall come in and be received, to ſuch Uſes and Purpoſes as the ſame are directed to be paid and applied by virtue of this or the ſaid two former Acts, or either of them.

Application of the Duties and Penalties.

Juſtices to ſettle the Duties.

XIX. And it is hereby further enacted by the Authority aforeſaid, That after all the Money to be expended in and about the obtaining this Act ſhall be totally paid off and diſcharged, it ſhall and may be lawful to and for the Juſtices of the Peace for the ſaid Weſt Riding, at their General Quarter-Seſſions held next after *Eaſter*, to make Orders for the increaſing or diminiſhing the Rates and Duties to be paid for meaſuring, ſtamping and ſealing of Cloth, ſo as the ſame ſhall never exceed four Pence for a Whole Cloth, and two Pence for an End or Half Cloth.

This Act made perpetual.
11 Geo. 1. c. 24.
7 Geo. 2. c. 25.

XX. And it is hereby further enacted, That this preſent Act, and all the Clauſes, Proviſoes, Matters and Things contained in the ſaid Act of the eleventh Year of his late Majeſty King GEORGE the Firſt, and the ſaid Act of the ſeventh Year of his preſent Majeſty, or either of them, which were to continue in Force to the End of this preſent Seſſion of Parliament, other than and except ſuch of them as are hereby revoked, repealed, altered or otherwiſe explained, ſhall be and are hereby made perpetual: And

Publick Act.

alſo, that this Act ſhall be taken and deemed to be a Publick Act, and all Judges, Juſtices and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. XXXVI.

An Act for opening a Trade to and from *Perſia* through *Ruſſia*.

Preamble, reciting the Patent of 1 & 2 Philip and Mary,

'WHEREAS by Letters Patent, dated at *Weſtminſter* the twenty-ſixth Day of *February* in the 'firſt and ſecond Years of the Reign of King PHILIP and Queen MARY, their Majeſties did 'give and grant to certain Perſons therein mentioned, by the Name of *Merchants Adventurers of* England, '*for the Diſcovery of Lands, Territories, Iſles, Dominions and Seigniories unknown, and not before their late* '*Adventure or Enterprize, by Seas or Navigation commonly frequented*, the ſole Privilege of trading to the 'Dominions and Territories of the Emperor of *Ruſſia*: And whereas the Liberties, Powers and Privi-'leges granted by the ſaid Letters Patent, were afterwards by an Act of Parliament made in the eighth 'Year of the Reing of Queen ELIZABETH, confirmed to the ſaid Merchants, and their Succeſſors, 'by the Name of *The Fellowſhip of* Engliſh *Merchants, for Diſcovery of new Trades* (now commonly call-'ed *The* Ruſſia *Company*) by which the ſaid Fellowſhip are to have the ſole Privilege of trading to and 'from the Dominions and Territories of the Emperor of *Ruſſia*, lying Northwards, North-eaſtwards, 'and North-weſtwards, from the City of *London*; as alſo to the Countries of *Armenia Major* or *Minor*, '*Media*, *Hyrcania*, *Perſia* or the *Caſpian Sea*: And whereas by an Act made in the tenth and eleventh 'Years of the Reign of King WILLIAM the Third to enlarge the Trade to *Ruſſia*, any Subject of this 'Realm hath a Right to be made free of the ſaid Fellowſhip, paying for ſuch his Admiſſion five 'Pounds, and no more: And whereas by an Act of Parliament paſſed in the twelfth Year of the 'Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for encouraging and increaſing* '*Shipping and Navigation*, it is (amongſt other Things) enacted, That no Goods of foreign Growth, 'Production and Manufacture, which by the ſaid Act are to be brought into *England*, *Ireland*, *Wales*, 'the Iſlands of *Guernſey* or *Jerſey*, or Town of *Berwick* upon *Tweed*, in *Engliſh* or other Shipping na-'vigated in ſuch Manner as therein is mentioned, ſhall be ſhipped or brought from any other Place

and the Act 8 Eliz. not printed,

and 10 & 11 Will. 3. c. 6.

and 12 Car. 2. c. 18.

'or Places, Country or Countries, but only from those of the said Growth, Production, or Manufacture, 'or from those Ports where the said Goods and Commodities could only, or were, or usually had been 'first shipped for Transportation, and from none other Places or Countries, under the Penalties of the 'Forfeiture of all such Goods, as also the Ship in which they are imported, with all her Guns, Furni-'ture, Ammunition, Tackle and Apparel, to be divided and recovered as in the said Act is directed, 'with Proviso that the said Act shall not extend or be meant to restrain and prohibit the importing of 'any of the Commodities of the *Streights* or *Levant Seas*, in *English* built Shipping, and navigated as 'therein is directed, from the usual Ports or Places for lading them within the said *Streights* or *Le-'vant Seas*, or the importing any *East-India* Commodities, loaden in the like Shipping, and so navigated, 'from the usual Place or Places for lading of them, in any Part of those Seas to the Southward and 'Eastward of *Cape bona Speranza*, although the said Commodities be not of the very Growth of the said 'Ports or Places respectively: And whereas at the Time of passing the said Act last-mentioned, it was 'not usual to bring to this Kingdom Raw Silk and other Goods and Commodities of the Growth, Pro-'duce or Manufacture of *Persia*, through the Dominions and Territories of the Emperor of *Russia*: 'And whereas it may be of great Advantage to this Kingdom, to open a Trade to and from *Persia* 'through *Russia*, by promoting the Consumption of the Woollen and other Manufactures, Goods and 'ommodities thereof, if Raw Silk, and other the Goods and Commodities of the Growth, Produce and 'Manufacture of *Persia* be permitted to be imported into this Kingdom from *Russia*, in Return for such 'Woollen and other Manufactures as shall be exported from hence into *Russia*, and from thence carried 'into *Persia*, and not otherwise;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-one, it shall and may be lawful to and for any Person or Persons free or to be free of the said Fellowship of *English* Merchants for Discovery of new Trades, commonly called *The* Russia *Company*, exclusive of all others, to bring and import into this Kingdom, in *British* built Shipping navigated according to Law, from any Port or Place of or belonging to the Czar or Emperor of *Russia*, Raw Silk, or any other Goods or Commodities of the Growth, Produce or Manufacture of *Persia* (provided such Manufacture be made of the Growth or Produce of *Persia*) being purchased by Barter with Woollen or other Manufactures, Goods or Commodities, exported from *Great Britain* to *Russia*, and from thence carried into *Persia* (Gold and Silver in Coin or Bullion excepted) or with the Produce arising from the Sales of such Manufactures, Goods or Commodities, so exported to *Russia* and carried into *Persia* as aforesaid, and not otherwise, upon paying or securing the Customs and other Duties now payable for the same by any Law now in Force, according to such Rules, Methods and Directions, and in the same Manner and Form, and with such Allowances, Abatements, Discounts and Drawbacks, and under such Penalties, Forfeitures and Disabilities, as are by Law prescribed and practised on the Importation of the like Goods of the Growth, Produce or Manufacture of *Persia*, imported into this Kingdom from any Port or Place in the *Levant Seas*, by any Person or Persons free of the *Levant* or *Turkey* Company; any thing in the said recited Act made in the twelfth Year of the Reign of King CHARLES the Second to the contrary thereof in any wise notwithstanding.

The Russia Company may import Persian Commodities,

being purchased by Barter, with British Manufactures,

or with the Produce of such Manufactures exported to Russia,

II. And be it further enacted by the Authority aforesaid, That no Silk or other Produce, Commodities or Manufactures of *Persia*, shall be imported into *Great Britain* through *Russia* by virtue of this Act, unless the Importer or Importers thereof do take an Oath, or being of the People called *Quakers*, a solemn Affirmation, before the Collector, Customer or Comptroller of his Majesty's Customs (who are hereby impowered to administer the same) at the Port or Place of Importation, that to the best of his or their Knowledge and Belief, the Silk, and other the Produce, Commodities and Manufactures of *Persia*, contained in his or their Entry or Entries, was or were really and truly purchased by Barter with Woollen or other Manufactures, Goods or Commodities, exported from *Great Britain* to *Russia*, and from thence carried into *Persia* (not being Gold or Silver in Coin or Bullion) or with the Produce arising from the Sales of such Woollen or other Manufactures, Goods or Commodities, so exported as aforesaid, and not otherwise; and in Default of taking such Oath or Affirmation, all such Silk, or other the Produce, Commodities or Manufactures of *Persia*, so imported from *Russia*, shall be liable to be seized and forfeited, in like Manner as if the same had been imported contrary to the said Act made in the twelfth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for encouraging and increasing of Shipping and Navigation.*

on Oath of the Importer.

III. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to the permitting the using or wearing in this Kingdom any wrought Silks, or other the Goods or Commodities of the Manufacture of *Persia*, mentioned in the Act passed in the eleventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom*, which may be imported by virtue hereof through *Russia*; but the same Act, and every Clause therein contained, so far as the same relates to the importing the said Goods into the Port of *London* only, and to the Entry thereof, and Payment of the Duties, and putting the same into proper Warehouses, and exporting them on Security, and to the seizing and prosecuting those Goods, and dividing the Produce of such Seizures, and keeping proper Accounts thereof, and subjecting the Persons concerned to Penalties and Disabilities for Breach of the said Act, shall be practised, and be of full Force and Effect for the Purposes aforesaid, as if the said Act, and the several Clauses therein contained, were particularly and at large repeated and set down in the Body of this Act.

Persian Manufactures not to be worn in England.

11 Will. 3. c. 20.

but shall be exported again on Security.

IV. And be it further enacted by the Authority aforesaid, That if any Question, Dispute or Doubt shall arise, whether any of the Goods or Commodities to be imported by virtue of this Act be of the Growth,

On Seizure, the Proof of their being Persian Goods, or not, shall be on the Importer.

Growth, Produce or Manufacture of *Perſia*, or not, or were imported contrary to the true Intent and Meaning of this Act, and the ſame ſhall for that Reaſon be ſeized as forfeited; the Proof thereof ſhall be incumbent on the Importer or Claimer, and not upon the Officer or Informer; and the Commiſſioners of the Cuſtoms, if they ſee ſufficient Cauſe, ſhall and may direct the Officer of the Cuſtoms who made the Seizure, to proceed in the Proſecution thereof, or not; and Judgment thereupon ſhall be given for Recovery of the Forfeiture.

General Iſſue.

V. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act, and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as Defendants have in other Caſes by Law.

Treble Coſts.

This Act not to affect the Eaſt India Company.

VI. Provided alſo, That any thing in this Act contained ſhall not extend, or be conſtrued to extend, to hinder or deprive the Corporation of the United Company of Merchants of *England* trading to the *Eaſt Indies*, from having and enjoying all and every ſuch Powers, Privileges, Franchiſes, Benefits, Matters or Things, as do or ſhall belong to them, or which they could or might enjoy in any Manner of wiſe, if this Act had not been made; any thing in this Act to the contrary notwithſtanding.

See further 23 *Geo.* 2. *c.* 34.

VII. And be it further enacted by the Authority aforeſaid, That this ſhall be adjudged and deemed to be a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices and other Perſons, without ſpecially pleading the ſame.

CAP. XXXVII.

An Act for reſtraining and preventing ſeveral unwarrantable Schemes and Undertakings in his Majeſty's Colonies and Plantations in *America*.

Preamble, reciting the Act 6 Geo. 1. c. 18.

'WHEREAS in and by an Act made in the ſixth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better ſecuring certain Powers and Privileges intended to be granted by his Majeſty by two Charters, for Aſſurance of Ships and Merchandizes at Sea, and for lending Money upon Bottomry, and for reſtraining ſeveral extravagant and unwarrantable Practices therein mentioned, for ſuppreſſing the miſchievous and dangerous Undertakings and Attempts therein mentioned and deſcribed, and preventing the like for the future*; it was enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty, all and every the Undertakings and Attempts therein before deſcribed, and all other publick Undertakings and Attempts tending to the common Grievance, Prejudice and Inconvenience of his Majeſty's Subjects, or great Numbers of them, in their Trade, Commerce or other lawful Affairs, and all publick Subſcriptions, Receipts, Payments, Aſſignments, Transfers, pretended Aſſignments and Transfers, and all other Matters and Things whatſoever, for furthering, countenancing or proceeding in any ſuch Undertaking or Attempt, and more particularly the acting or preſuming to act as a corporate Body or Bodies, the raiſing or pretending to raiſe transferrable Stock or Stocks, the transferring or pretending to transfer or aſſign any Share or Shares in ſuch Stock or Stocks without legal Authority, either by Act of Parliament or by any Charter from the Crown, to warrant ſuch acting as a Body Corporate, or to raiſe ſuch transferrable Stock or Stocks, or to transfer Shares therein; and all acting or pretending to act under any Charter, formerly granted from the Crown for particular or ſpecial Purpoſes therein expreſſed, by Perſons who did or ſhould uſe, or endeavour to uſe, the ſame Charters for raiſing a Capital Stock, or for making Transfers or Aſſignments, or pretended Transfers or Aſſignments of ſuch Stock, not intended or deſigned by ſuch Charter to be raiſed or transferred; and all acting or pretending to act under any obſolete Charter, become void or voidable by Nonuſer or Abuſer, or for want of making lawful Elections which were neceſſary to continue the Corporation thereby intended, ſhould, as to all or any ſuch Acts, Matters and Things as ſhould be acted, done, attempted, endeavoured or proceeded upon after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and twenty, for ever be deemed to be illegal and void, and ſhould not be practiſed, or in any wiſe put in Execution: And it was further enacted, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and twenty, all ſuch unlawful Undertakings and Attempts ſo tending to the common Grievance, Prejudice and Inconvenience of his Majeſty's Subjects, or a great Number of them, in their Trade, Commerce or other lawful Affairs, and the making or taking of any Subſcriptions for that Purpoſe, the receiving or paying of any Money upon ſuch Subſcriptions, the making or accepting of any Aſſignment or Transfer, or pretended Aſſignment or Transfer, of any Share or Shares upon any ſuch Subſcription; and all and every other Matter and Thing whatſoever, for furthering, countenancing or proceeding in any ſuch unlawful Undertaking or Attempt, and more particularly the preſuming or pretending to act as a corporate Body, or to raiſe a transferrable Stock or Stocks, or to make Transfers or Aſſignments of any Share or Shares therein, without ſuch legal Authority as aforeſaid; and all acting, or pretending to act, under any Charter formerly granted from the Crown for any particular or ſpecial Purpoſes therein expreſſed, by Perſons making or endeavouring to make uſe of ſuch Charter for any ſuch other Purpoſe not thereby intended, and all acting or pretending to act under any ſuch obſolete Charter as

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'was before described, and every of them, as to all or any such Acts, Matters or Things as should be 'so acted, done, attempted, endeavoured or proceeded upon after the said twenty-fourth Day of *June* 'one thousand seven hundred and twenty, should be deemed to be a publick Nusance and Nusances, and 'the same, and all Causes, Matters and Things relating thereto, and every of them, should for ever 'thereafter be examined, heard, tried and determined, as common Nusances were to be examined, heard, 'tried and determined by or according to the Laws of this Realm; and all Offenders therein, being 'thereof lawfully convicted upon Information or Indictment in any of his Majesty's Courts of Record 'at *Westminster*, or in *Edinburgh*, or in *Dublin*, should be liable to such Fines, Penalties and Punishments, 'whereunto Persons convicted for common and publick Nusances were by any of the Laws and Statutes 'of this Realm subject and liable, and moreover should incur and sustain any further Pains, Penalties 'and Forfeitures, as were ordained and provided by the Statute of Provision and *Premunire*, made in 'the sixteenth Year of the Reign of King RICHARD the Second: And it was further enacted, That if any 'Merchant or Trader at any Time after the said twenty-fourth Day of *June* one thousand seven hundred 'and twenty, should suffer any particular Damage in his, her or their Trade, Commerce or other lawful 'Affairs, by Occasion or Means of any Undertaking or Attempt, Matter or Thing, by the said Act de- 'clared to be unlawful, and would sue to be relieved therein; then and in every such Case such Merchant 'or Trader should and might have his and their Remedy for the same by an Action or Actions to be 'grounded upon that Statute, against the Persons, Societies or Partnerships, or any of them, who con- 'trary to that Act should be engaged or interested in any such unlawful Undertaking or Attempt; and 'every such Action and Actions should be heard and determined in any of his Majesty's Courts of Re- 'cord aforesaid, wherein no Essoin, Protection, Wager of Law or more than one Imparlance should be 'granted or allowed; and in every such Action the Plaintiff should or might recover Treble Damages 'with Full Costs of Suit: And whereas Persons have presumed to publish in *America* a Scheme for sup- 'plying a pretended Want of a Medium in Trade, by setting up a Bank on Land Security, the Stock 'of such Bank to be raised by publick Subscriptions for large Sums of Money, whereof small Sums 'were from time to time to be paid in and by the particular Subscribers, and to be managed by Direc- 'tors, Treasurer and other Officers, and Dividends to be made as therein mentioned; and the said 'Company of Subscribers were to promise to receive the Bills which they should issue for and as so much 'lawful Money as should be therein respectively mentioned in all Payments, Trade and Business; and 'after the Expiration of twenty Years, to pay the Possessor the Value thereof in Manufactures; and 'sundry other Schemes, Societies, Partnerships or Companies, have been and may be set on Foot in '*America*, for the Purpose of raising publick Stocks or Banks, and unlawfully issuing large Quantities 'of Notes or Bills there, contrary to the true Intent and Meaning of the said recited Act: And whereas 'Doubts have arisen, whether the said recited Act doth extend to, or can be executed in, his Majesty's 'Dominions, Colonies and Plantations in *America*, in Regard that the Information or Indictment against 'the Offenders therein mentioned, and likewise the Actions to be grounded upon that Act, and thereby 'given to the Merchant or Trader who should suffer any particular Damage, were appointed to be heard 'and determined in some of his Majesty's Courts of Record at *Westminster*, or in *Edinburgh*, or in *Dub- 'lin*, so that the said Act without further Explanation and Amendment may not be sufficient to sup- 'press and prevent in *America* the mischievous and dangerous Undertakings and Attempts therein 'mentioned, and thereby designed to be prevented and suppressed:' For Remedy whereof, may it please Your most Excellent Majesty, that it may be declared and enacted; and be it declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and singular the Paragraphs, Clauses, Sentences and Expressions therein contained, for suppressing, restraining or punishing the extravagant or unwarrantable Practices therein mentioned, did, do and shall extend to all and every the publick, extravagant and unwarrantable Practices herein before mentioned or described, and did, do and shall extend to, and are and shall be in Force, and carried into Execution, in all and every his Majesty's Dominions, Colonies and Plantations in *America*; and that all and every the Undertakings, Attempts, Matters and Things in the said recited Act mentioned or described, and prohibited to be acted, done, attempted, endeavoured or proceeded upon, within the City of *London*, and other Parts of this Kingdom, as also in *Ireland*, and other his Majesty's Dominions; and all other the Undertakings, Attempts, Matters and Things herein before mentioned or described, are and shall be deemed to be illegal and void in his Majesty's Dominions, Colonies and Plantations in *America* also, and shall not there be practised, or in any wise put in Execution; and that all Offenders against the said recited or this present Act, being thereof lawfully convicted upon Information or Indictment in any of his Majesty's Courts of Record in any of his Majesty's Dominions, Colonies or Plantations in *America*, shall be liable to such and the like Fines, Penalties and Punishments, whereunto Persons convicted in *Great Britain* for common and publick Nusances are by any of the Laws or Statutes of this Realm subject or liable; and moreover shall incur and sustain any further Pains, Penalties and Forfeitures, as were ordained and provided by the said Statute of Provision and *Premunire*, made in the sixteenth Year of the Reign of the said King RICHARD the Second; and that if any Merchant, Trader or other Person hath suffered or shall suffer any particular Damage in his, her or their Trade, Commerce, Exchange or other lawful Affairs, by Occasion or Means of any Undertaking or Attempt, Matter or Thing carried on, attempted or done in *America*, and by this Act, or the said recited Act, declared to be illegal, and will sue to be relieved therein; then and in every such Case such Merchant, Trader or other Person, shall and may have his, her and their Remedy for the same, by any Action or Suit grounded upon this Act, against the respective

Act 6 Geo. 1. enlarged and strengthened.

The said Act to extend to America.

Fines and Penalties on Offenders.

Sufferers here to be relieved.

ſpective Perſons, Societies or Partnerſhips, or againſt any one or more of the Perſons, who contrary to this Act have or hath been or ſhall be engaged or intereſted in any ſuch unlawful Undertaking or Attempt; and every ſuch Action and Suit (for what hath been or ſhall be ſo undertaken, carried on, attempted or done in *America*) ſhall be heard and determined in any of his Majeſty's Courts of Record within any of his Majeſty's Dominions, Colonies or Plantations in *America*; and in every ſuch Action and Suit the Plaintiff (in caſe he or ſhe recover) may and ſhall recover Treble Damages, with Full Coſts of Suit.

Treble Damages and Full Coſts.

Notes of American Societies proſecuted in any Court of Record, ſhall be paid immediately.

II. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, who ſhall be poſſeſſed or of or intitled to any Promiſſory Note or Notes, Bill or Bills, which have been or ſhall be iſſued by any ſuch Societies, Partnerſhips or Companies of Perſons in *America*, ſhall and are hereby impowered to commence or bring at any Time hereafter, his, her or their Action or Suit, in any Court of Record in any of his Majeſty's Dominions, Colonies or Plantations in *America*, againſt the reſpective Perſons, Societies, Partnerſhips and Companies, who have or ſhall iſſue ſuch Notes or Bills, or againſt any one or more of the Perſons who have been within the Space of ſix Years laſt paſt, or ſhall be hereafter engaged or intereſted in any ſuch unlawful Undertaking or Attempt, or who ſhall have ſigned ſuch Note or Notes, Bill or Bills, in order to recover preſent Payment in lawful Money of the full Sum mentioned or expreſſed in ſuch Note or Bill, to which Payment every ſuch Perſon is hereby declared to be perſonally liable; and in ſuch Actions or Suits, the Plaintiff or Plaintiffs ſhall recover and have Judgment for immediate Payment by the Defendant or Defendants in lawful Money, of the full Sum mentioned in ſuch Note or Bill, together with lawful Intereſt for the ſame from the Day of the Date of ſuch Note or Bill, with Full Coſts of Suit, although the Time limited for Payment according to the Tenor of ſuch Note or Bill ſhall not then be come or paſt.

with lawful Intereſt and Full Coſts.

Proviſo.

III. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to inflict any of the Fines, Pains, Penalties, Forfeitures, Puniſhments or Treble Damages aforeſaid, upon any Perſon or Perſons whatſoever, who have or hath attempted, promoted, undertaken, aſſiſted or carried on in *America* any of the Matters or Things declared to be illegal and void by this or the ſaid recited Act, if ſuch Perſon or Perſons does or do within ten Days after Demand made, pay and diſcharge ſuch Sum or Sums of Money reſpectively, as ſhall be ſecured or made payable by ſuch Note or Notes, Bill or Bills; and deſiſt from, give up, relinquiſh and wholly forbear to act further in any Sort, directly or indirectly, in any ſuch Matter or Thing, on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-one; any thing herein contained to the contrary notwithſtanding.

Concerning Plantations, ſee farther 15 *Geo.* 2. *c.* 31 & 33. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

CAP XXXVIII.

An Act for the Encouragement and Increaſe of Seamen, and for the better and ſpeedier Manning his Majeſty's Fleet.

Preamble. 13 *Geo.* 2. *c.* 3. & 17.

'WHEREAS the Welfare and Proſperity of his Majeſty's Dominions are greatly concerned in 'giving all due Encouragement to Mariners and Seamen to enter voluntarily into the Ships of the 'Royal Navy, for the Service and Defence of their Country;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-one, every able Seaman who ſhall, on or before the firſt Day of *May* one thouſand ſeven hundred and forty-one, voluntarily enter himſelf to ſerve on Board any of his Majeſty's Ships of War, ſhall receive and be intitled to a Bounty of five Pounds, over and above his Wages; and every ordinary Seaman who ſhall, on or before the firſt Day of *May* one thouſand ſeven hundred and forty-one, voluntarily enter himſelf to ſerve on Board any of his Majeſty's Ships of War, ſhall receive and be intitled to a Bounty of three Pounds, over and above his Wages.

Bounty-money increaſed.

Widows of Seamen killed in the Service, to receive a Year's Pay as Bounty.

II. And it is hereby further enacted, That if any Seaman, under the Degree of a Warrant or a Commiſſion Officer, entering voluntarily into the Service of his Majeſty, his Heirs and Succeſſors, ſhall be killed or drowned in the ſaid Service, and ſhall leave a Widow, to whom he was lawfully married; every ſuch Widow ſending or producing to the Commiſſioners of the Navy a Certificate under the Hands of the Miniſter, Churchwardens and Overſeers of the Poor of the Pariſh wherein ſhe reſides, that ſhe is the real Widow of the ſaid Seaman ſo killed or drowned, ſhall receive ſuch Sum of Money, by way of Bounty, as ſhall amount to, and be equivalent with, one Year's Pay or Wages of ſuch Seaman, computing the ſame according to the Rate of the Monthly Wages or Pay he ſerved for, or was intitled to, at the Time of his Death: And the Commiſſioners of the Navy for the time being are hereby authorized and required, upon producing ſuch Certificate at the Navy Office, to order and direct the Payment of ſuch Bounty-money accordingly.

Act 1 Geo. 2. c. 14. recited.

'III. And whereas by an Act of Parliament made and paſſed in the firſt Year of the Reign of 'his preſent Majeſty, intituled, *An Act for encouraging Seamen to enter into his Majeſty's Service*, it was 'enacted, That no Perſon whatſoever, who ſhould liſt and enter himſelf to ſerve his Majeſty as a 'Seaman on Board any of his Majeſty's Ships or Veſſels, ſhould be liable to be taken out of his 'Majeſty's Service by any Proceſs or Execution whatſoever (other than for ſome criminal Matter) un-

'leſs

'less for a real Debt, or other just Cause of Action, and unless before taking out such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the Sum justly due and owing to the said Plaintiff or Plaintiffs, from the Defendant or Defendants in the Action, or Cause of Action, on which such Process should issue, or the Debt or Damages and Costs for which such Execution should be issued out, amounted to the Value of twenty Pounds at the least, a Memorandum of which Oath should be marked on the Back of such Process or Writ, for which Memorandum or Oath no Fee should be taken: And that if any Person should be arrested contrary to the Intent of the said Act, it should be lawful for one or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer or Officers, to examine into the same by the Oath of the Parties or otherwise, and by Warrant under his or their Hands and Seals to discharge such Seaman so arrested contrary to the Intent of the said Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Seaman so arrested was actually belonging to one of his Majesty's Ships or Vessels, and arrested contrary to the Intent of the said Act; and also to award to the Party so complaining such Costs as such Judge or Judges should think reasonable; for the Recovery whereof, he shall have the like Remedy that the Person who took out the said Execution might have had for his Costs, or the Plaintiff in the said Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action: And it was thereby further enacted, That it should and might be lawful for any Plaintiff and Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Seaman or Seamen in his Majesty's Service, or left at his or their last Place of Residence before his entering into his Majesty's Service, to file a common Appearance in any Action to be brought for or upon Account of any Debt whatsoever, so as to intitle such Plaintiff or Plaintiffs to proceed therein to Judgment and Outlawry; and to have an Execution thereupon, other than against the Body or Bodies of him or them so actually belonging to one of his Majesty's Ships as aforesaid: Now it is hereby further enacted, That so much of the said Act of the first Year of his present Majesty, as relates to the preventing and prohibiting any Seaman from being taken out of the Service of his Majesty, his Heirs or Successors, or to any other of the Matters and Things herein before recited, shall, from the twenty-fifth Day of *March* one thousand seven hundred and forty-one, be exercised, executed, take Effect, and be of Force within the Kingdom of *Ireland*.

This Act to extend to Ireland.

'IV. And whereas Mariners and Seafaring Men, taking Advantage of the present War with *Spain*, 'have insisted on very extravagant Wages, by which the Trade of the Nation, and the Manning of the 'Royal Navy, is put under great Difficulties;' For Remedy whereof, be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and forty-one, until the first Day of *March* following, no Person or Persons, Bodies Politick or Corporate, shall by themselves, or by any other Person or Persons, directly or indirectly, by way of Gift, Loan, Premium, Deposit, or by any other Means, Device or Contrivance whatsoever, give or pay, or agree to give or pay, to any common Seaman, Mariner or Seafaring Man, or any Person employed or to be employed as such, on Board any Merchant Ship or Vessel; nor shall any such Seaman, Mariner or Seafaring Man, or other Person as aforesaid, directly or indirectly, by any the Means aforesaid, take or receive more Wages, Pay or Hire, than after the Rate of thirty-five Shillings *per* Month, and in the same Proportion for any greater or lesser Time than a Month, for his Service during the Whole or any Part of the Voyage he shall be bound for or go upon, excepting what shall be paid or received by virtue of, and according to, such Contracts in Writing, which have been, or shall be, made on or before the eleventh Day of *March* one thousand seven hundred and forty, really and *bona fide*, according to the Method, and in the Manner, prescribed in and by an Act of Parliament of the second Year of his present Majesty's Reign, intituled, *An Act for the better Regulation and Government of Seamen in the Merchants Ships*; and all Contracts, Agreements, Bonds, Notes, Writings, Instruments and Securities, of what Nature or Kind soever, for the paying or receiving more or greater Wages, Pay or Hire than as aforesaid, contrary to the true Intent and Meaning of this Act, if made or entered into after the twenty-fifth Day of *March* one thousand seven hundred and forty-one, and before the first Day of *March* following, are hereby declared to be, and shall be absolutely void to all Intents and Purposes whatsoever; and if made or entered into after the eleventh Day of *March* in the Year one thousand seven hundred and forty, and on or before the twenty-fifth Day of the same Month, shall be void only as to so much of the Wages, Pay or Hire thereby agreed for, as shall exceed the Rate and Proportion of thirty-five Shillings *per* Month, according to the true Intent and Meaning of this Act; and if any Person or Persons, or Bodies Politick or Corporate, shall give or pay, or agree to give or pay, to any Seaman or other Person, any more or greater Wages or Hire than as aforesaid, contrary to the true Intent and Meaning of this Act, such Person or Persons, or Bodies Politick or Corporate, shall, for every such Offence, forfeit treble the Sum or Value so given or paid, or agreed to be given or paid, as aforesaid, for the whole Voyage on which such Ship or Vessel is or shall be bound, the said Penalty to be divided and paid in Moieties; one Moiety thereof to the Use of the King's Majesty, his Heirs and Successors, and the other Moiety to the Informer; and to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, and in the Court of *Exchequer* in that Part of *Great Britain* called *Scotland*. EXP.

Seamen in Merchants Service, not to be paid more than 35s. per Month, except such Contracts as were made before March 11, 1740. EXP.

Act 2 Geo. 2. c. 36.

Penalty on giving greater Wages.

Proviſo. V. Provided, That nothing in this Act ſhall be conſtrued to extend to any Contracts or Agreements for the Hire of any Seaman, or Perſons employed as ſuch, in Voyages from any Parts beyond the Seas, to any other Parts beyond the Seas, or to *Great Britain*.

Concerning Seamen, ſee farther 17 *Geo.* 2. *c.* 34. 18 *Geo.* 2. *c.* 31. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47. 31 *Geo.* 2. *c.* 10.

CAP. XXXIX.

An Act for ſurveying the Chief Ports and Head Lands on the Coaſts of *Great Britain* and *Ireland*, and the Iſlands and Plantations thereto belonging, in order to the more exact Determination of the Longitude and Latitude thereof.

Preamble, reciting the Act 12 Annæ, ſt. 2. c. 15.

'WHEREAS by an Act of Parliament made in the twelfth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for providing a Publick Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea*, the Commiſſioners therein named, or any five or more of them, have full Power to hear and receive any Propoſal or Propoſals that ſhall be made to them, for diſcovering the ſaid Longitude; and in caſe the ſaid Commiſſioners, or any five or more of them, ſhall be ſo far ſatisfied of the Probability of any ſuch Diſcovery, as to think proper to make Experiment thereof, they ſhall certify the ſame under their Hands and Seals to the Commiſſioners of the Navy for the time being, together with the Perſons Names who are Authors of ſuch Propoſals; and upon producing ſuch Certificate, the ſaid Commiſſioners are thereby authorized and required to make out a Bill or Bills for any Sum of Money, not exceeding two thouſand Pounds, as the ſaid Commiſſioners for the Diſcovery of the Longitude, or any Five or more of them, ſhall think neceſſary for making the Experiments, payable by the Treaſurer of the Navy to ſuch Perſon or Perſons as ſhall be appointed by the Commiſſioners for Diſcovery of the Longitude, to make thoſe Experiments: And for a due and ſufficient Encouragement to any ſuch Perſon or Perſons as ſhall diſcover a proper Method for finding the ſaid Longitude, it is thereby further enacted, That the Authors or Diſcoverers of any ſuch Method ſhall be intitled to the reſpective Sums therein mentioned, if it determines the ſaid Longitude according to the reſpective Degrees of Exactneſs in the ſaid Act deſcribed; and that a Moiety of ſuch Reward or Sum ſhall be due and paid, when the ſaid Commiſſioners, or the major Part of them, agree that ſuch Method extends to the Security of Ships within eighty Geographical Miles of the Shores, which are Places of the greateſt Danger: And whereas it is abſolutely neceſſary for making ſuch Diſcovery uſeful at Sea, and for the Security of Ships approaching near the Shores, that the Chief Ports and Head Lands on the Coaſts of *Great Britain* and *Ireland*, and the Iſlands and Plantations thereto belonging, ſhould be firſt ſurveyed, and the Longitude and Latitude of ſuch Places determined more exactly than has hitherto been done: And whereas ſome doubts have ariſen, whether by the Words of the ſaid Act of Parliament the ſaid Sum of two thouſand Pounds appointed for making ſuch Experiments, or any Part thereof, can be applied for ſuch Survey, or fixing the Longitude or Latitude of ſuch Places;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Commiſſioners for diſcovering the Longitude, or any five or more of them, ſhall have full Power to apply ſuch Part of the ſaid Sum of two thouſand Pounds mentioned in the ſaid Act, as has not already been laid out in Experiments, as they ſhall think neceſſary, for the making ſuch Survey, and determining the Longitude and Latitude of the Chief Ports and Head Lands, on the Coaſts of *Great Britain* and *Ireland*, and the Iſlands and Plantations thereto belonging; and that ſuch Sum or Sums, Part of the ſaid two thouſand Pounds, which the ſaid Commiſſioners, or any five or more of them ſhall think neceſſary, ſhall be paid immediately by the Treaſurer of the Navy, to ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners for the Diſcovery of the Longitude, to make ſuch Survey, and determine ſuch Longitude and Latitude, out of the Money that ſhall be in the Hands of ſuch Treaſurer, unapplied, for the Uſe of the Navy.

See farther 26 *Geo.* 2. *c.* 25. & 2 *Geo.* 3. *c.* 18.

CAP. XL.

9 *Geo.* 2. *c.* 29. 10 *Geo.* 2. *c.* 16. 11 *Geo.* 2. *c.* 25. 12 *Geo.* 2. *c.* 33. 13 *Geo.* 2. *c.* 16.

An Act to enable the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore in the County of *Surrey*, to raiſe a further Sum of Money towards finiſhing the ſaid Bridge, and to perform the other Truſts repoſed in them, and for exchanging of Tickets unclaimed in the *Weſtminſter Bridge* Lottery of the twelfth Year of his preſent Majeſty's Reign, and for making Proviſion for Tickets in the ſaid Lottery, loſt, burnt, or otherwiſe deſtroyed. P R.

'WHEREAS the Money already raiſed for and towards building a Bridge croſs the River *Thames*, from the *Woolſtaple* or thereabouts, in the Pariſh of *Saint Margaret* in the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surrey*, by virtue of ſeveral Acts of Parliament made in the Reign of his preſent Majeſty, will not be ſufficient to anſwer and defray the Expences of finiſhing and compleating the Building of the ſaid intended Bridge, and the ſeveral other neceſſary Works by the ſaid Acts of Parliament directed to be done and performed;' Therefore may it pleaſe your Majeſty that it may enacted, &c.

"275,000 *l.*

" 275,000 *l.* to be advanced by 5 *l.* Lottery Tickets. Adventurers allowed 2 *l.* 10 *s.* for every 50 Tickets " they ſubſcribe for. Directors of the former Lottery continued. 15 *l. per Cent.* for every Prize, " amounting in the whole to 41,250 *l.* to be deducted. Reſidue of the Monies to be applied to the build- " ing the Bridge. Penalty on ſelling Chances of Tickets for leſs than the whole Time of drawing. " 500 *l.* Penalty on ſelling Intereſts in Tickets not in the Perſon's Poſſeſſion. Commiſſioners may pur- " chaſe Lands, *&c.* to make new Ways."

See farther
15 *Geo.* 2. *c.* 26.
17 *Geo.* 2. *c.* 32.
18 *Geo.* 2. *c.* 29.
29 *Geo.* 2. *c.* 38.
30 *Geo.* 2. *c.* 34.

CAP. XLI.

An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, and for applying other Sums therein mentioned, for the Service of the Year one thouſand ſeven hundred and forty-one; and for allowing a Drawback of the Duties upon Coals uſed in Fire Engines for draining Tin and Copper Mines in the County of *Cornwall*; and for appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders, loſt, burnt, or otherwiſe deſtroyed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

Moſt Gracious Sovereign,

Preamble.

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous not only to raiſe ſuch Supplies as are neceſſary to enable your Majeſty to carry on the preſent War with Succeſs, but alſo to uſe ſuch Ways and Means therein, as that your Majeſty may have the better and more ſpeedy Effect of the ſaid Supplies, have reſolved to give and grant unto your Majeſty the Sum of one million, out of the Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*, towards the Supply granted to your Majeſty for the Service of the Year one thouſand ſeven hundred and forty-one; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from time to time be and remain in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called the *Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued, and applied a Sum not exceeding the ſaid Sum of one million, for and towards the Supply granted to his Majeſty, for the Service of the ſaid Year one thouſand ſeven hundred and forty-one; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

Treaſury to iſſue out of the Sinking Fund, 1,000,000 l.

II. And be it further enacted by the Authority aforeſaid, That the Sum of thirty-nine thouſand five hundred eighty-eight Pounds ten Shillings and ten Pence three Farthings, now remaining in the Receipt of his Majeſty's Exchequer, granted for the Service of the Year one thouſand ſeven hundred and forty, but not applied for the Service of that Year; and alſo the Sum of eleven thouſand four hundred thirty-four Pounds and four Shillings, remaining in his Majeſty's Exchequer, reſerved to be diſpoſed of by the Authority of Parliament, ſhall and may be iſſued and applied as Part of his Majeſty's Supply granted for the Service of the Year one thouſand ſeven hundred and forty-one; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding.

Other Sums appropriated to the Service of the preſent Year.

' III. And whereas for many Years paſt there have been no conſiderable new Loads or Veins of Tin ' and Copper diſcovered, and the greateſt and moſt conſiderable Mines of Tin and Copper within the ' County of *Cornwall* are become ſo deep, that all Means for the draining Water out of them have al- ' ready proved ineffectual; and it hath been found by Experience, that under the preſent Duties upon ' Coals the Application of Fire Engines to the draining the Waters out of the Mines in the ſaid County ' of *Cornwall* hath been impracticable, from the great Expence attending the ſame;' Therefore for the Encouragement of ſuch valuable Works, wherein a great Number of Tinners, Labourers and Adventurers are employed, and ſubſiſt thereby; Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-one, for all Coals which ſhall be uſed in Fire Engines, for the draining Water out of the Mines of Tin and Copper, within the ſaid County of *Cornwall*, and for which Duties have been firſt anſwered and paid, a Drawback ſhall be allowed and made of all ſuch Duties, upon Proof by Oath made before the Cuſtomer or Collector of the ſaid Duties (which Oath he is hereby impowered and required to adminiſter) that ſuch Coals have been ſo uſed and applied, which Drawback of all the ſaid Duties ſhall be returned and paid by the Collector of the ſaid Duties to ſuch Perſon ſo making Proof as aforeſaid.

For Duties on Coals refer to 9 & 10 *W.* 3. *c.* 13. 10 & 11 *W.* 3. *c.* 21. 8 *Ann. c.* 4. 9 *Ann. c.* 6. & 22. 12 *Ann. ſt.* 2. *c.* 9. 5 *Geo.* 1. *c.* 9. 6 *Geo.* 1. *c.* 4.

Coals uſed in the Tin-works in *Cornwall* ſhall be allowed a Drawback of all the Duties.

For Duty on Coals ſee farther 22 *Geo.* 2. *c.* 37. 30 *Geo.* 2. *c.* 19. §. 28.

' IV. And whereas it may ſo happen, that there may be a want of Money for carrying on the cur- ' rent Service of the ſaid Year one thouſand ſeven hundred and forty-one, before Monies ſufficient ' may have ariſen into the Exchequer from the ſaid Surpluſſes, to ſatisfy and pay the ſaid Sum of one ' million by this Act granted;' In ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any

Money to be borrowed on the Sinking Fund at 3 l. 10 s. per Cent. Intereſt.

three or more of the Commiſſioners of the Treaſury for the time being, by Warrant under their Hands to permit and ſuffer any Perſon or Perſons, Body or Bodies Politick or Corporate, to advance and lend to his Majeſty at the Receipt of his Exchequer, ſo much Money as together with the Monies then remaining in the ſaid Exchequer of the ſaid Surpluſſes, Exceſſes or Overplus Monies commonly called *The Sinking Fund*, ſhall be wanting to compleat the ſaid Sum of one Million, upon Credit of the growing Produce of the ſaid Surpluſſes, Exceſſes or Overplus Monies, and to be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with an Intereſt for the Forbearance thereof in the mean Time, after a Rate not exceeding three Pounds ten Shillings *per Centum per Annum*; any thing herein before contained to the contrary notwithſtanding.

Application of the Supplies.

Land Tax.

V. Provided always, and be it further enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-one*, and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and forty-one*, and ſo much Money (if any ſuch be) of the Duties thereby granted and as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſeven Years, and for allowing Rock Salt to be uſed in making Salt from Sea Water at the Salt Works at* Meath *in the County of* Glamorgan; and ſo much Money (if any ſuch be) of the Duties thereby granted and continued, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo the Sum of thirty-nine thouſand five hundred eighty-eight Pounds ten Shillings and ten Pence three farthings, granted for the Service of the Year one thouſand ſeven hundred and forty, but not applied for the Service of that Year; and the Sum of eleven thouſand four hundred and thirty-four Pounds four Shillings, remaining in the Receipt of his Majeſty's Exchequer, reſerved to be diſpoſed of by Authority of Parliament; and the Sum of one million by this Act granted as aforeſaid, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein after expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as are herein after preſcribed; that is to ſay,

Malt Tax.

Salt Tax.

Money remaining in the Exchequer.

2,264,691 l. 10 s. 10 d. for Naval Services.

VI. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two millions two hundred ſixty-four thouſand ſix hundred ninety-one Pounds ten ſhillings and ten Pence, for or towards the naval Services herein after more particularly expreſſed; (that is to ſay) For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed.

105,275 l. 18 s. 8 d. for Tranſports to carry the Forces to America.

124,564 l. 8 s. and 3 Farthings, for Victuals for the Forces in America.

VII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred and five thouſand two hundred ſeventy-five Pounds eighteen Shillings and eight Pence, for or towards the Charge of Tranſports hired to carry the Forces to *America*; and any Sum or Sums of Money not exceeding one hundred twenty-four thouſand five hundred ſixty-four Pounds, eight Shillings and three Farthings, for the Expence of Victuals provided for the Soldiers employed in the Expeditions in *America*.

10,000 l. to Greenwich Hoſpital.

VIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, for or towards the Support of the Royal Hoſpital at *Greenwich*, and for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

191,296 l. 4 s. and 11 d. to the Office of Ordnance.

IX. And it is alſo hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred ninety-one thouſand two hundred ninety-ſix Pounds four Shillings and eleven Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services, not provided for by Parliament.

124,052 l. 5 s. for the Marines.

X. And it is alſo hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred twenty-four thouſand fifty-two Pounds, and five Shillings, for defraying the Charge of ſix thouſand nine hundred and thirty Marines, Commiſſion and Non-commiſſion Officers included, for the Service of the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding

ninety

ninety thouſand two hundred and one Pounds ten Shillings for raiſing and maintaining four thouſand ſix hundred and twenty additional Marines, Commiſſion and Non-commiſſion Officers included, for the Service of the Year one thouſand ſeven hundred and forty one. 90,201 l. 10 s. for maintaining additional Marines.

XI. And it is hereby likewiſe enacted, that out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million ſeven hundred and three thouſand one hundred ninety-four Pounds ſix Shillings, and two Pence three Farthings, for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding eight hundred eighty-three thouſand one hundred eighty-nine Pounds, two Shillings and ſix Pence, for defraying the Charge of twenty-nine thouſand and thirty-three effective Men, Commiſſion and Non-commiſſion Officers included; and alſo including two Regiments of Foot employed on the Expedition under the late Lord *Cathcart*, and two thouſand three hundred twenty-two Invalinds; for Guards, Gariſons, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, for the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding one hundred ſixteen thouſand three hundred twenty-two Pounds four Shillings and two Pence, for raiſing and maintaining five thouſand ſeven hundred and five additional Land Forces, Commiſſion and Non-commiſſion Officers included, for the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding two hundred ſixty-ſix thouſand five hundred and twelve Pounds ſixteen Shillings and five Pence Halfpenny, for maintaining his Majeſty's Forces and Gariſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Gariſons at *Annapolis Royal*, *Canſo*, *Placentia*, *Gibraltar* and *Georgia*, for the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding four thouſand nine hundred forty-eight Pounds eighteen Shillings and four Pence, upon Account, for the Out-Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding thirty-ſix thouſand one hundred fifty-ſeven Pounds nineteen Shillings and one Penny Halfpenny, for defraying ſeveral extraordinary Expences and Services incurred in the Year one thouſand ſeven hundred and forty, and not provided for by Parliament; and any Sum or Sums of Money not exceeding fifty-three thouſand nine hundred ninety-five Pounds thirteen Shillings and four Pence, four maintaining a Regiment of Foot raiſed in *America*, for his Majeſty's Service, conſiſting of thirty-ſix Companies, for the Service of the Year one thouſand ſeven hundred and forty-one, commencing the twenty-fifth Day of *December* one thouſand ſeven hundred and forty inclusive; and any Sum or Sums of Money not exceeding eleven thouſand ſix hundred and eleven Pounds thirteen Shillings and four Pence, for maintaining the Charge of ſeveral Officers appointed by his Majeſty to go with the Forces on board the Fleet in the Expedition under the Command of the late Lord *Cathcart*, for the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money, not exceeding one thouſand two hundred ſeventy-ſeven Pounds ten Shillings, for maintaining the Charge of the Staff Officers, appointed by his Majeſty, to attend the Hoſpital eſtabliſhed for the Service of the Expedition under the Command of the late Lord *Cathcart*, for the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding ſeventy-five thouſand nine hundred fifty-two Pounds ſeven Shillings and four Pence Farthing, for defraying the Expence of ſix thouſand *Heſſians*, taken into his Majeſty's Pay, from the twenty-fifth Day of *March* excluſive, to the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-one, inclusive, being two hundred ſeventy-five Days; as alſo the Sum of thirty thouſand two hundred and five Pounds fourteen Shillings and ſeven Pence, for what remains unpaid for Levy-money for the ſaid Forces, purſuant to a Treaty dated the ninth Day of *May* one thouſand ſeven hundred and forty; and the Sum of forty-nine thouſand ſix hundred and eight Pounds ſix Shillings and one Penny, for what remains payable of the Subſidy for the ſix thouſand *Heſſians* taken into his Majeſty's Pay, to the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-one, purſuant to a Treaty dated the ſaid ninth Day of *May* one thouſand ſeven hundred and forty; and any Sum or Sums of Money not exceeding ſixty-nine thouſand eight hundred forty-one Pounds, five Shillings, and four Pence Halfpenny, for defraying the Expence of ſix thouſand *Danes* taken into his Majeſty's Pay, from the twenty-fifth Day of *March* excluſive, to the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-one, inclusive, being two hundred ſeventy-five Days; as alſo the Sum of twenty-five thouſand eight hundred ſeventy-five Pounds, for what remains unpaid for the Levy-money for the ſaid Forces, purſuant to a Treaty dated the fourteenth Day of *March* one thouſand ſeven hundred and thirty-nine, New Stile; and alſo the Sum of forty-four thouſand five hundred ſixty-nine Pounds eight Shillings and one Penny, for what remains payable of the Subſidy for the ſix thouſand *Danes* taken into his Majeſty's Pay, to the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-one, purſuant to the ſaid Treaty dated the fourteenth Day of *March* one thouſand ſeven hundred and thirty-nine, New Stile; and any Sum or Sums of Money not exceeding twenty-nine thouſand three hundred Pounds ſeven Shillings and ſix Pence, upon Account of Halfpay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and forty-one, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding four thouſand one hundred twenty-ſix Pounds, for paying of Penſions to Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and forty-one; which ſaid Sum of four thouſand one hundred twenty-ſix Pounds ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over

1,703,194 l. 6 s. 2 d. 3 Farthings, for maintaining the Land Forces, for the Uſes following, viz,

883,189 l. 2 s. 6 d. for Guards and Garriſons.

116,322 l. 4 s. 2 d. for 5705 additional Land Forces.

266,512 l. 16 s. 5 d. Halfpenny for Garriſons at Minorca, Gibraltar, &c.

4,948 l. 18 s. 4 d. for Out-penſioners of Chelſea Hoſpital.

36,157 l. 19 s. 1 d. Halfpenny for extraordinary Expences in the Year 1740.

53,995 l. 13 s. 4 d. for a Regiment of Foot in America.

11,611 l. 13 s. 4 d. for Officers attending the Forces for Lord Cathcart's Expedition on board the Fleet.

1,277 l. 10 s. for Staff Officers to attend the Hoſpital eſtabliſhed for the ſaid Expedition.

75,952 l. 7 s. 4 d. Farthing for 6000 Heſſians.

30,205 l. 14 s. 7 d. unpaid of the Levy-money to the ſaid Forces.

49,608 l. 6 s. 1 d. of the Subſidy for Heſſians.

69,841 l. 5 s. 4 d. Halfpenny, for 6000 Danes.

25,875 l. unpaid of the Levy-money.

44,569 l. 8s. 1d. payable of the Subſidy.

29,300 l. 7 s. 6 d. for Half-pay Officers.

4126 l. for Penſions to reduced Officers Widows.

to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, or other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint.

300,000 l. to ſupport the Queen of Hungary.

XII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding three hundred thouſand Pounds, for the further enabling his Majeſty in the moſt effectual Manner to ſupport the Queen of *Hungary*, for preventing the Subverſion of the Houſe of *Auſtria*, and for the maintaining the Pragmatick Sanction, and ſupporting the Liberties and Balance of Power in *Europe*.

5,021 l. 10 s. 1 d. Halfpenny to make good the Deficiency of the additional Stamp Duties.

XIII. And it is alſo hereby enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding five thouſand twenty-one Pounds ten Shillings and one Penny Halfpenny to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and thirty-nine, purſuant to a Clauſe in an Act of Parliament paſſed in the fourth Year of his Majeſty's Reign, for raiſing one million two hundred thouſand Pounds by Annuities and a Lottery for the Service of the Year one thouſand ſeven hundred and thirty-one; and any Sum or Sums of Money, not exceeding twenty thouſand Pounds, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame to the Governor and Company of the Bank of *England* for one Year's Intereſt due on or before the eighth Day of *September* one thouſand ſeven hundred and forty, being after the Rate of four Pounds *per Centum* on the principal Sum of five hundred thouſand Pounds by them lent on the Credit of the Salt Duties, towards the Supply of the Year one thouſand ſeven hundred and thirty-five, purſuant to a Clauſe in an Act of Parliament paſſed in the eighth Year of his Majeſty's Reign, for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of four Years; and any Sum or Sums of Money not exceeding twenty-three thouſand ſeven hundred and eleven Pounds eight Shillings and ſix Pence, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of twelve Shillings *per* Barrel on Sweets or Wines made from *Britiſh* or Foreign Fruits, or Sugar, at *Midſummer* one thouſand ſeven hundred and thirty-nine, at three Pounds *per Centum per Annum* Intereſt on five hundred thouſand Pounds charged thereon; and any Sum or Sums of Money not exceeding four thouſand Pounds, towards the repairing and finiſhing the Collegiate Church of *Saint Peter*, *Weſtminſter*; and to enable the Dean and Chapter of the ſaid Collegiate Church to purchaſe three Leaſehold Houſes now ſtanding on the North Side of the ſaid Church, and to pull down the ſame, in order to lay open the whole North Side of the ſaid Church; and any Sum or Sums of Money not exceeding ten thouſand Pounds, towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coaſt of *Africa*; and there ſhall and may be iſſued to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, any Sum or Sums of Money, not exceeding ten thouſand Pounds, by them to be applied for the further ſettling and improving the ſaid Colony; and any Sum or Sums of Money, not exceeding twenty thouſand Pounds, for the re-ſettling and re-eſtabliſhing the unhappy Sufferers of the Province of *Carolina*, in the late dreadful Fire at *Charles Town*; and any Sum or Sums of Money, not exceeding ſix thouſand two hundred forty-nine Pounds ſixteen Shillings and four Pence three Farthings, to make good the Loſs ſuſtained by ſeveral Merchants, and by the Officers commanding the ſix new raiſed Independent Companies of Foot in the Iſland of *Jamaica*, by the Failure of Maſter *Henry Popple*, appointed by his Majeſty, Agent to the ſaid Companies; and any Sum or Sums of Money, not exceeding one thouſand eight hundred and ſixteen Pounds ſeventeen Shillings and four Pence three Farthings, to make good the Loſs ſuſtained by *Richard Fitzwilliam* Eſquire, Captain of an Independent Company of Foot in the Iſland of *New Providence*, on Account of the Pay of the Company under his Command, by the Failure of the ſaid *Henry Popple*, appointed by his Majeſty, Agent to the ſaid Company; and any Sum or Sums of Money, not exceeding ſix hundred and fifty Pounds, to make good a Loſs ſuſtained by the Receiver General of *Scotland*, by the Failure of the ſaid *Henry Popple*.

23,711 l. 8 s. 6 d. more to the Sinking Fund.

4000 l. to the repairing Weſtminſter Abbey.

10,000 l. towards maintaining the African Forts.

10,000 l. to the Colony of Georgia.

20,000 l. to the Sufferers at Charles Town Carolina.

6,249 l. 16 s. 4 d. 3 Farthings, for Sums loſt by the Failure of Henry Popple.

alſo 1816 l. 17 s. 4 d. 3 Farthings.

alſo 650 l.

20,000 l. to the Sinking Fund.

2625 l. 4 s. 3 d. 3 Farthings, to make good the Deficiency of the General Fund.

XIV. And it is alſo hereby enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two thouſand ſix hundred twenty-five Pounds four Shillings and three Pence three Farthings, for making good the Deficiency of the General Fund for the Year ended at *Michaelmas* one thouſand ſeven hundred and forty.

Rules for the Application of Half-pay.

See 15 *Geo.* 2. *c.* 19.

XV. And be it further enacted, That the ſaid Aids or Supplies provided as aforeſaid ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout, by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament; and as to the ſaid Sum of twenty-nine thouſand three hundred Pounds ſeven Shillings and ſix Pence by this Act appropriated on Account of Half-pay as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Gariſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who hath

reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*: 'And 'whereas by an Act of Parliament made in the thirteenth Year of his Majeſty's Reign, intituled, Act 13 Geo. 2. c. 23. '*An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund for the Service of the* 'Year one thouſand ſeven hundred and forty; *and for enabling his Majeſty to raiſe the further Sum of two* 'hundred thouſand Pounds *out of the growing Produce of the ſaid Fund; and for granting to his Majeſty the* 'Sum of twenty-one thouſand Pounds one Shilling and eight Pence Halfpenny, *remaining in the Receipt of his* 'Majeſty's Exchequer, *ariſen by Sale of Lands in the Iſland of* Saint Chriſtophers, *and for the further appro-* 'priating the Supplies granted in this Seſſion of Parliament; ſeveral Supplies which had been granted to his 'Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, 'amongſt which, any Sum or Sums of Money not exceeding thirty-four thouſand five hundred eighty-'ſeven Pounds, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and 'Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as 'in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and de-'clared by the Authority aforeſaid, That ſo much of the ſaid Sum of thirty-four thouſand five hundred The Overplus of laſt Year's Half-pay how to be applied. 'eighty-ſeven Pounds, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according 'to the Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch 'Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act to the contrary notwithſtanding.

"Proviſion for loſt Exchequer Bills, Lottery Tickets, *&c.* Further Time given to Clerks and Ap-"prentices. E X P.

C A P. XLII.

An Act for the Preſervation of the publick Roads in that Part of *Great Britain* called *England*.

'WHEREAS the Highways of this Kingdom are greatly damaged and made ruinous by the ex-'ceſſive Weights carried thereon;' For preventing thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-one, it ſhall and may be lawful to and for all Truſtees appointed, or who ſhall hereafter be appointed, by any Act or Acts of Parliament for the Repairs of any Highway or Highways within that Part of *Great Britain* called *England*, or for any five of them, at any or as many Gate or Gates, Bar or Bars, as they have erected, or ſhall erect, for the receiving of any Toll or Tolls, to order and cauſe to be built or erected any Crane, Machine or Engine, which they ſhall judge proper, for the weighing of Carts, Waggons, or other Carriages, for the conveying of any Goods or Merchandize whatſoever, and by Writing ſigned by them, or any five of them, to order all and every or any ſuch Carriage or Carriages, which ſhall paſs through any ſuch Gate or Bar, to be weighed, together with the Loading thereof; and for them, or any five of them, or for any Perſon or Perſons impowered by them, or any five of them, to receive and take, over and above the Toll already granted, or hereafter to be granted, the Sum of twenty Shillings a hundred Weight for every hundred Weight which every ſuch Cart, Waggon or Carriage, together with the Loading thereof, ſhall weigh, over and above the Weight of ſixty hundred; and that the Money ariſing from ſuch additional Duty of twenty Shillings the hundred, ſhall be applied to the Repair of ſuch Highway or Highways where ſuch Gate or Gates, Bar or Bars, are or ſhall be placed.

13 *Ed.* 1. *ſt.* 2. c. 5. Preamble. Amended by 21 Geo. 2. c. 28. Truſtees appointed to repair the Roads, may cauſe Weighing engines to be erected at the Toll-gates; *Farther provided for by* 24 *Geo.* 2. *c.* 43. §. 6. and ſhall weigh Carriages and Goods; and take 20 s. a Hundred for all above 6000 Weight, to be applied to mending the Roads.

II. Provided always, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-one, it ſhall and may be lawful for any Farmer or other Perſon to carry Goods for Hire, from the fifteenth Day of *April* to the twenty-ninth Day of *September*, in Carriages drawn on Wheels bound with Streaks or Tire of any Breadth; any Law or Statute to the contrary in any wiſe notwithſtanding. Farmers may carry Goods for Hire, &c.

III. And be it further enacted, That in caſe any Perſon ſhall neglect or refuſe to pay ſuch additional Duty of twenty Shillings the hundred as aforeſaid, it ſhall and may be lawful to and for the ſaid Truſtees, or any five of them, or any Perſon or Perſons impowered by them or any five of them, to levy the ſame by Diſtreſs and Sale of Goods of the Perſon or Perſons ſo neglecting or refuſing, in ſuch Manner as they are impowered to levy any other Toll or Duty which is or ſhall be given by any other Statute or Statutes for Repair of ſuch Highway or Highways, where ſuch Cranes, Machines or other Engines ſhall be placed. Collectors may ſeize for the additional Duty.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall or do hinder, or with Force, or otherwiſe attempt to hinder or obſtruct the weighing any ſuch Cart, Waggon or Carriage as aforeſaid, or the ſeizing, diſtraining or carrying away any ſuch Diſtreſs, or any Matter or Thing which ſhall be ſeized, diſtrained or taken for Default of Payment of the ſaid additional Toll or Duty of twenty Shillings the hundred; or ſhall reſcue the ſame, or uſe any Violence to any Perſon Penalty on Perſons oppoſing the Collectors in their Duty.

Perſon or Perſons concerned in ſuch Weighing, Diſtraining or Seizure; every ſuch Perſon ſhall, on Oath thereof made by one Witneſs before a Juſtice of the Peace of the County or Place where ſuch Offence ſhall be committed, or ſuch Offender ſhall dwell, be ſent to the common Gaol of ſuch County or Place for three Months, and ſhall forfeit the Sum of ten Pounds; Half thereof to be paid to the Informer, and the other Half to be employed in the Repair of the ſaid Highways; which Penalty ſhall be levied on the Goods of ſuch Perſon ſo offending as aforeſaid, by a Warrant from ſuch Juſtice; and if the Penalty be not paid in three Days after Diſtreſs made, the Perſon who ſhall be authorized by the ſaid Warrant to make ſuch Diſtreſs, may ſell the ſaid Goods, and detain out of the Money ariſing from ſuch Sale the ſaid Penalty of ten Pounds, returning the Overplus (if any) to the Owner of the ſaid Goods.

What Carriages ſhall not be weighed.

V. Provided always, That nothing in this Act ſhall be deemed or conſtrued to extend to Carts, Waggons, or other Carriages employed only about Husbandry, or carrying of only Cheeſe, Butter, Hay, Straw, Corn unthreſhed, or Chalk, or any one Stone, Block of Marble or Piece of Timber, nor to Caravans, or the covered Carriages of Noblemen and Gentlemen for their private Uſe, or ſuch Timber, Ammunition or Artillery as ſhall be for his Majeſty's Service.

'VI. And whereas and Act was made in the fifth Year of the Reign of his late Majeſty King 'GEORGE the firſt, intituled, *An Act for making more effectual the ſeveral Acts paſſed for repairing and 'amending the Highways of this Kingdom*; which hath proved inſufficient for that Purpoſe, by reaſon that 'the ſaid Act extends to ſuch Waggons and Carts only as travel for Hire, and by reaſon of many Dif-'ficulties in the Manner of convicting and puniſhing the Offenders againſt the ſame;' For Remedy whereof, be it enacted by the Authority aforeſaid, That the ſaid Act, and all and ſingular the Clauſes, Penalties and Forfeitures therein contained, ſhall extend, and be conſtrued to extend to all Waggons and Carts, and to the Owners and Drivers thereof, his and their Horſes, with the Geers, Bridles, Halters and Accoutrements, whether travelling for Hire, or not for Hire, or in any Manner whatſoever; and that all and every Perſon and Perſons who ſhall offend againſt the ſaid Act, or this preſent Act, ſhall for every ſuch Offence (being thereof convicted upon Oath within the Space of three Days next after ſuch Offence before any one or more Juſtice or Juſtices of the Peace of the County, City, Liberty or Diviſion, where ſuch Offence ſhall be committed, or where ſuch Offender or Offenders ſhall happen to be) ſeverally forfeit, be ſubject and liable to, the reſpective Penalties and Forfeitures in the ſaid Act contained; to be levied, recovered and applied in ſuch Manner, and to ſuch Uſes, as in and by the ſaid Act is mentioned and directed; and his and their Horſes, with the Geers, Bridles, Halters and Accoutrements, ſhall for the Space of three Days next after ſuch Offence be and remain, ſubject and liable to ſuch Seizures and Diſtreſſes, and for the Uſe and Benefit of ſuch Perſon and Perſons, as they would or might have been, had they been ſeized or diſtrained in the Fact, during the Commiſſion of ſuch Offence.

Act 5 Geo. 1. c. 12. ſtrengthened, and made more extenſive. In part repealed by 15 Geo. 2. c. 2.

General Iſſue.

VII. And be it further enacted, That if any Action or Actions ſhall at any Time or Times hereafter be brought againſt any Perſon or Perſons whatſoever, for any Matter or Thing which he, ſhe or they ſhall do, or cauſe to be done by virtue or in Execution of this Act, that in ſuch Caſe the Defendant or Defendants in every ſuch Action or Actions ſhall and may plead the General Iſſue, and give this Act, and the ſpecial Matter in Evidence on any Trial or Trials to be hereafter had in ſuch Action or Actions; and that if the Plaintiff or Plaintiffs in any ſuch Action or Actions ſhall diſcontinue ſuch Action or Actions, or become nonſuit, or if Judgment ſhall be given againſt ſuch Plaintiff or Plaintiffs in ſuch Action or Actions, that then the Defendant or Defendants in every ſuch Action or Actions ſhall recover his or their Treble Coſts of Suit; any Law, Cuſtom or Uſage whatſoever to the contrary in any wiſe notwithſtanding.

Treble Coſts. *Concerning Highways ſee farther* 26 *Geo.* 2. *c.* 29. 18 *Geo.* 2. *c.* 33.

21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP. XLIII.

An Act to enable *Thomas Smith*, Eſq; Lord of the Manor of *Farlington* in the County of *Southampton*, to ſupply the Town of *Portſmouth*, and Parts adjacent, with good and wholeſome Water, at his own proper Coſts and Charges. P R.

'WHEREAS the conveying good and wholeſome Water to the Town of *Portſmouth* in the 'County of *Southampton*, and the Parts adjacent, will be very deſirable, and of great Uſe and 'Benefit to the Inhabitants thereof, as well as for the Gariſon, the publick Offices, and Shipping;' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, *&c.*

"Freſh Water to be brought to *Portſmouth*, from Springs in *Farlington*. Pipes to be laid through the "King's Roads, and private Eſtates, paying for all Damages. Damages to be ſettled by a Jury. Ver-"dicts to be inrolled by the Clerk of the Peace, which ſhall be binding, and not removed to another "Court. Ground ſhall not be entered on, till Satisfaction paid. Pipes may be laid through the Streets, "*&c.* of *Portſmouth*. Not to damage the Fortifications. Proviſo, in Behalf of other Springs.

Anno

Anno decimo quinto GEORGII II. Regis.

'AT the Parliament begun and holden at *Weſtminſter*, the firſt Day of *December*, *Anno Dom.* 1741, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c. being the firſt Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*; for the Service of the Year one thouſand ſeven hundred and forty-two. EXP. *See* 20 *Geo.* 2. *c.* 5.

And the better to enable the Officers for the Duties upon Malt, to diſcover whether all ſuch Malt made for Exportation, and that has been locked up and ſecured in any Storehouſe, or other Place or Places, to be exported, has been really exported; Be it enacted by the Authority aforeſaid, That all and every ſuch Malſter or Malſters, Maker or Makers of Malt, that on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two, ſhall have any Quantity of Malt locked up and ſecured in any Storehouſe, or in any other Place or Places, as is before directed, to be exported, ſhall, within fifteen Months next after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two, remove and clear out of his Storehouſe, or other Place or Places, all and every Part and Parcel thereof, that at any Time after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two ſhall be locked up and ſecured in ſuch Storehouſe, or other Place, in order to be exported; and ſhall always, from Time to Time, in every fifteen Months, remove and clear out of ſuch Storehouſe, or other Place or Places, in order to be exported, all and every Part and Parcel of Malt, that at any Time within every fifteen Months after the laſt clearing ſhall be locked up and ſecured in any Storehouſe, or in any other Place or Places that ſhall be made uſe of by him, her, or them, for the keeping of Malt for Exportation, on Pain of forfeiting and loſing the Sum of fifty Pounds.

Malſters on 24 June 1742, to clear out of their Warehouſes all Malt within fifteen Months.

CAP. II.

An Act to repeal ſo much of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the Preſervation of the Publick Roads in that Part of* Great Britain *called* England, as obliges Perſons not travelling for Hire to make uſe of Waggons with Wheels bound with Streaks or Tyre of a certain Breadth, or the ſaid Streaks to be faſtened with Nails of a certain Size.

'WHEREAS by an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the Preſervation of the Publick Roads in that Part of* Great Britain *called* England, reciting, That whereas an Act was made in the fifth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for making more effectual the ſeveral Acts paſſed for repairing and amending the Highways of this Kingdom*, which had proved inſufficient for that Purpoſe, by reaſon that the ſaid Act extended to ſuch Waggons and Carts only as travelled for Hire, and by reaſon of many Difficulties in the Manner of convicting and puniſhing the Offenders againſt the ſame; it was enacted, That the ſaid Act, and all and ſingular the Clauſes, Penalties, and Forfeitures therein contained, ſhould extend, and be conſtrued to extend to all Waggons and Carts, and to the Owners and Drivers thereof, his and their Horſes, with the Geers, Bridles, Halters, and Accoutrements, whether travelling for Hire or not for Hire, or in any Manner whatſoever, and that all and every Perſon and Perſons who ſhould offend againſt either of the ſaid Acts, ſhould for every ſuch Offence (being thereof convicted as therein is mentioned) ſeverally forfeit, be ſubject and liable to the reſpective Penalties and Forfeitures in the ſaid Act of the fifth Year of his late Majeſty contained, to be levied, recovered, and applied in ſuch Manner, and to ſuch Uſes, as in and by the ſaid Act is mentioned and directed, and his and their Horſes, with the Geers, Bridles, and Accoutrements, ſhould, for the Space of three Days next after ſuch Offence, be and remain ſubject and liable to ſuch Seizures and Diſtreſſes, and for the Uſe and Benefit of ſuch Perſon and Perſons, as they would or might have been, had they been ſeized or diſtrained in the Fact during the Commiſſion of ſuch Offence: And whereas the extending ſuch Part of the ſaid Act as relates to the Breadth of the Streaks or Tire with which the Wheels of Waggons are to be bound, or to the Nails with which they are to be ſet or faſtened on to ſuch Waggons as do not travel for Hire, or to the Owners or Drivers thereof, has been found inconvenient to Farmers and others, and highly detrimental to the Markets of this Kingdom;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Act of the laſt Seſſion of Parliament, as tends to extend ſuch Part of the ſaid Act of the fifth Year of his late Majeſty, as relates to the Breadth of the Streaks or Tire, or to the Nails with which they are to be ſet or faſtened on to ſuch Waggons as do not travel for Hire, or to the Owners or Drivers thereof, ſhall, from and after the tenth Day of *February* one thouſand ſeven hundred and forty-one, be and is hereby repealed to all Intents and Purpoſes whatſoever.

Preamble, reciting the Acts 14 Geo. 2. c. 42. §. 6. and 5 Geo. 1. c. 12.

Concerning Highways ſee further 16 *Geo.* 2. *c.* 29. 18 *Geo.* 2. *c.* 33. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo* 2 *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP. III.

An Act for granting to his Majesty a certain Sum out of the Sinking Fund, towards the Supply for the Year one thousand seven hundred and forty-two.

Preamble.

MOST Gracious Sovereign: We your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, being desirous not only to raise such Supplies as are necessary to enable your Majesty to carry on the present War with Vigour, but also to use such Ways and Means therein, as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of one million out of the Surpluses, Excesses, and Overplus Monies commonly called *The Sinking Fund*, towards the Supply granted to your Majesty for the Service of the Year one thousand seven hundred and forty-two; and to that End and Purpose do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are or shall from time to time be and remain in the Receipt of the Exchequer, of the said Surpluses, Excesses, or Overplus Monies, commonly called *The Sinking Fund* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued and applied a Sum not exceeding the said Sum of one million, for and towards the Supply granted to his Majesty for the Service of the said Year one thousand seven hundred and forty-two, and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly.

A Million to be raised for the Service of the Year 1742.

Clause of Credit,

II. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them, or the High Treasurer for the time being, shall think it adviseable to raise the said Sum of one million, or any Part thereof, by Loans or Exchequer Bills, in Manner hereafter mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of one million, upon the Credit of the said Surpluses, Excesses, and Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding three Pounds ten Shillings *per Centum per Annum*, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover that no Money so to be lent upon the Security of this Act shall be rated or assessed to any Tax or Assessment whatsoever.

at 3 l. 10 s. per Cent.

Tallies to be struck, and Orders for Repayment with Interest as above.

III. And be it further enacted, That all and every Person and Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her, or their Repayment, bearing the same Date with his, her, or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, not exceeding the said Rate of three Pounds ten Shillings *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent shall be registred in Course according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registred in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her, or their Executors, Administrators, or Assigns, who shall have his, her, or their Order or Orders first entred in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surpluses, Excesses, and overplus Monies; and he, she, and they, who shall have his, her, or their Order or Orders next entred, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in of or for the said Surpluses, Excesses, and Overplus Monies, commonly called *The Sinking Fund*, as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors or Assigns respectively, without undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever (other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf as aforesaid;) and that no Fee, Reward or Gratuity directly or indirectly shall be demanded or taken of any of his Majesty's Subjects for providing or making of any such Books or Registers, or any Entries, Views, or Searches in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt with full Costs of Suit to the Party grieved, and shall be forejudged of his Office or Place; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Office or Place; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Tellers make Payment upon such Order, according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and

To be paid in Course.

Officers to take no Fees.

Penalty for taking Fees, and for undue Preference.

and the reſpective Deputies and Clerks therein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe granted or allowed. Penalties how to be recovered.

IV. Provided always, and it is hereby declared, That if it ſhall happen that ſeveral Tallies of Loan or Orders for Payment as aforeſaid, bear Date or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference which of thoſe be entred firſt, ſo as he enters them all the ſame Day. No undue Preference.

V. Provided alſo, That it ſhall not be interpreted an undue Preference, to incur any Penalty, in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders, to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe; ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them, Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them. Subſequent Orders may be paid when due and apply'd for, if Money be left to pay precedent Orders when demanded.

VI. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtred by virtue of this Act, after Order entred in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators, or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his, her or their Order, may aſſign or tranſfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame or any the Monies thereby due, or any Part thereof. Transfers allowed.

VII. And to the end there may be no Want or Failure of a certain Sum, not to exceed in the whole the ſaid Sum of one million, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of one million, or any Part thereof, by Exchequer Bills inſtead of ſuch Loans as aforeſaid; that then they reſpectively are hereby authorized and impowered at any Time or Times to prepare and make, or cauſe to be prepared and made, at the Exchequer any Number of new Exchequer Bills for any Sum or Sums of Money, not exceeding in the whole the ſaid Sum of one million, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form, or Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of Parliament for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and forty-two, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſaid Act. Treaſury may raiſe the Sum by Exchequer Bills, to be made out according to the Rules of the Malt Act,

VIII. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities contained in the ſaid laſt-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Duties or Impoſitions granted or continued by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſaid Exchequer Bills had been originally authorized by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act. and carry the ſame Powers, &c.

IX. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills which ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate and Charges incident to, or attending the ſame, ſhall be and are hereby charged and chargeable upon and ſhall be repaid and born by or out of the growing Produce of the ſaid Surpluſſes, Exceſſes, and Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for or towards paying off, cancelling, and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate, and Charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof. The Exchequer Bills to be paid out of the Sinking Fund.

CAP. IV.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. V.

An Act for continuing and making more effectual an Act made in the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Road from* Wendover *to the Town of* Buckingham *in the County of* Bucks; and for building a Bridge at *Padbury*, and making it a County Bridge. PR.

The Tolls altered, and continued for 21 Years.

CAP. VI.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, one of the eighth Year of the Reign of her late Majesty Queen *Anne*, and the other of the ninth Year of the Reign of his late Majesty King *George* the First, for repairing the Highways between the House commonly called *The Horshoe House*, in the Parish of *Stoke Goldington* in the County of *Bucks*, and the Town of *Northampton*, and the Road from the North Bridge of *Newport Pagnel* in the County of *Bucks*, to the *Horshoe House*. P R.

The two Acts continued for 21 Years.

CAP. VII.

An Act for enlarging the Term and Powers granted by an Act passed in the thirteenth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for repairing the Roads leading from the Town of* Bromsgrove *to the Town of* Dudley *in the County of* Worcester; *and from the said Town of* Bromsgrove *to the Town of* Birmingham *in the County of* Warwick; so far as the said Act relates to repairing the Roads leading from the Town of *Dudley* to the Town of *Bromsgrove* in the County of *Worcester*; and for making the same more effectual. P R.

Continuance for 21 Years.

CAP. VIII.

An Act for laying a Duty of two Pennies *Scots*, or one sixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer which shall be brewed for Sale, brought into, tapped, or sold within the Town of *Kirkcaldy*, and Liberties thereof. P R.

CAP. IX.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, one of the first, and the other of the twelfth Year of the Reign of his late Majesty King *George* the First, for repairing the Highways between *Tyburn* and *Uxbridge* in the County of *Middlesex*; and for amending the Road leading from *Brent-Bridge*, over *Hanwell-Heath*, through the Parishes of *Hanwell*, *New-Brentford*, and *Ealing*, to the great Western Road in the said County. P R.

The Acts continued for 21 Years.

CAP. X.

An Act for explaining, amending, and making more effectual two Acts of Parliament, one passed in the ninth and tenth Years of the Reign of his late Majesty King *William* the Third, for erecting Workhouses, and Houses of Correction, in the Town of *Kingston upon Hull*, for the Employment and Maintenance of the Poor there; and the other passed in the eighth Year of the Reign of her late Majesty Queen *Anne*, for the more effectual Provision of the Poor of the said Town. P R.

CAP. XI.

An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and forty-two. EXP. 4 s. in the Pound.

CAP. XII.

An Act to explain and amend an Act passed in the twelfth Year of his present Majesty's Reign, intituled, *An Act to enable the Parishioners of* Saint Catherine Coleman, *in* Fenchurch Street, *in the City of* London, *to rebuild the Church of the said Parish*; and for making the said Act more effectual for the Purposes thereby intended. P R.

CAP. XIII.

An Act for establishing an Agreement with the Governor and Company of the Bank of *England*, for advancing the Sum of one million six hundred thousand Pounds, towards the Supply for the Service of the Year one thousand seven hundred and forty-two.

Preamble, reciting the Acts 7 Anne, c. 7.

'WHEREAS by an Act of Parliament made and passed in the seventh Year of the Reign of her late Majesty Queen ANNE (intituled, *An Act for enlarging the Capital Stock of the Bank of England, and for raising a further Supply to her Majesty, for the Service of the Year one thousand seven hundred and nine)* it was declared and enacted, That the said Governor and Company of the Bank of *England*, and their Successors for ever, should continue and be one Body Corporate and Politick, and should for ever have, receive, and enjoy the entire yearly Fund of one hundred thousand Pounds therein mentioned, out of certain Rates and Duties of Excise therein described, and such Abilities, Capacities, Powers, Authorities, Franchises, Exemptions, Privileges, Profits, and Advantages, as are therein expressed; subject nevertheless to a Power and Condition of Redemption in that Act contained in that Behalf; and it was thereby provided and enacted, That at any Time upon twelve Months Notice after the first Day of *August*, which should be in the Year of our Lord one thousand seven hundred and thirty-two, and not before, and upon Repayment by Parliament to the said Governor and Company of the Bank of *England*, or their Successors, of the several Sums amounting to one million six hundred thousand Pounds therein mentioned, without any Deduction, Discount, or Abatement whatsoever to be made out of the said Sum of one million six hundred thousand Pounds, or any Part thereof, and upon Payment to the said Governor and Company, and their Successors, of all Arrears of the said one hundred thousand Pounds *per Annum*, and all the Principal and Interest Money which should be owing unto them upon all such Tallies, Exchequer

'chequer Orders, or Parliamentary Funds, which the ſaid Governor and Company, or their Succeſſors, 'ſhould have remaining in their Hands, or be intitled to, at the Time of ſuch Notice to be given as afore- 'ſaid; (ſuch Funds, for Redemption whereof other Proviſion was made in the ſame Act, only excepted) 'then, or in ſuch Caſe, and not till then, the ſaid yearly Fund of one hundred thouſand Pounds, ſhould 'ceaſe and determine; as by the ſaid Act (Relation being thereunto had) may more plainly appear: And 'whereas by an Act of Parliament made and paſſed in the twelfth Year of her ſaid late Majeſty's Reign, and 12 Anne, '(intituled, *An Act to raiſe one million two hundred thouſand Pounds for publick Uſes, by circulating a further* ſt. 1. c. 11. '*Sum in Exchequer Bills, and for enabling her Majeſty to raiſe five hundred thouſand Pounds on the Revenues 'appointed for the Uſes of her Civil Government, to be applied for or towards Payment of ſuch Debts and Ar- 'rears owing to her Servants, Tradeſmen, and others, as are therein mentioned)* it is, amongſt other Things, 'declared and enacted, That the before recited Proviſo or Condition for determining the ſaid yearly Fund 'of one hundred thouſand Pounds, upon twelve Months Notice, after the ſaid firſt Day of *Auguſt* one 'thouſand ſeven hundred and thirty-two, upon ſuch Payments as aforeſaid, ſhould be and was thereby re- 'pealed and made void; and that the ſaid Governor and Company of the Bank of *England*, and their Suc- 'ceſſors, for ever, ſhould remain, continue, and be one Body Corporate and Politick, by the Name of '*The Governor and Company of the Bank of* England, and ſhould for ever have, receive, and enjoy the ſaid 'entire yearly Fund of one hundred thouſand Pounds out of the ſaid Rates and Duties of Exciſe, 'together with a perpetual Succeſſion, and all Abilities, Capacities, Powers, Authorities, Franchiſes, Ex- 'emptions, Privileges, Profits, and Advantages whatſoever, whereunto the Governor and Company of 'the Bank of *England* are, or before the making of the ſaid Act were intitled by any Act or Acts of Par- 'liament, Grants, or Charters then in Force, ſubject nevertheleſs to ſuch Reſtrictions, Rules, Directions, 'Agreements, Matters, and Things, as in the ſaid Acts and Charters, or any of them, then in Force, 'were contained or preſcribed; and it was thereby alſo further provided and enacted, That at any Time, 'upon twelve Months Notice, after the firſt Day of *Auguſt*, which ſhould be in the Year of our Lord one 'thouſand ſeven hundred and forty-two, and not before, and upon Repayment by Parliament to the ſaid 'Governor and Company of the Bank of *England*, or their Succeſſors, of the ſaid Sum of one million ſix 'hundred thouſand Pounds, without any Deduction, Diſcount, or Abatement whatſoever, and upon Pay- 'ment to the ſaid Governor and Company, and their Succeſſors, of all Arrears of the ſaid one hundred 'thouſand Pounds *per Annum*, and all the Principal and Intereſt Money which ſhould be owing to them 'upon all ſuch Tallies, Exchequer Orders, or Parliamentary Funds, which the ſaid Governor and Com- 'pany, or their Succeſſors, ſhould have remaining in their Hands, or be entitled to, at the Time of ſuch No- 'tice to be given, as aforeſaid; (ſuch Funds, for Redemption whereof other Proviſion is made in the ſaid 'former Acts, or any of them, or in the ſaid recited Act, always excepted) then, and in ſuch Caſe, and 'not till then, the ſaid yearly Fund of one hundred thouſand Pounds ſhould ceaſe and determine; and it 'is alſo further provided and enacted, That from and after ſuch Redemption of the ſaid one hundred 'thouſand Pounds *per Annum*, and from and after Redemption ſhould be made by Parliament of the Annuity 'of one hundred and ſix thouſand five hundred and one Pounds thirteen Shillings and five Pence, by the 'ſaid recited Act of the ſeventh Year of her ſaid late Majeſty's Reign, ſettled and payable to the ſaid Go- 'vernor and Company, in the Manner therein mentioned, and from and after Redemption ſhould likewiſe 'be made of the Fund eſtabliſhed by the ſaid recited Act, in relation to the ſaid Exchequer Bills; then, 'and not till then, the ſaid Corporation of the Governor and Company of the Bank of *England* ſhould 'ceaſe and determine; but till then the ſaid Governor and Company ſhould continue a Corporation, and 'ſhould have and enjoy all the Powers and Privileges they were entitled to, as aforeſaid, as by the ſame Act '(Relation being thereunto had) may more fully appear: And whereas the ſaid Governor and Company of 'the Bank of *England*, in regard the common Intereſt for Money is very much leſſened under your Majeſty's 'moſt auſpicious Government, are willing and contented to advance and pay into the Receipt of your Ma- 'jeſty's Exchequer, towards the Supply granted to your Majeſty for the Service of the Year one thouſand 'ſeven hundred and forty-two, the further Sum of one million ſix hundred thouſand Pounds, upon their 'preſent yearly Fund of one hundred thouſand Pounds, being allowed a Diſcount after the Rate of three 'Pounds *per Centum per Annum* for the ſame, from the reſpective Time or Times of advancing or paying 'the ſaid Sum of one million ſix hundred thouſand Pounds, or any Part thereof, into the Exchequer, as 'aforeſaid, to the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-three, over and above the ſaid 'yearly Fund of one hundred thouſand Pounds, and the ſaid Governor and Company of the Bank of '*England* are alſo willing to accept of an Annuity of ninety-ſix thouſand Pounds from the ſaid firſt Day 'of *Auguſt* one thouſand ſeven hundred and forty-three, being after the Rate of three Pounds *per Centum* 'per Annum, upon the whole Principal Sum of three million two hundred thouſand Pounds, together with 'the Allowance of four thouſand Pounds *per Annum*, hitherto granted them towards their Charges of Ma- 'nagement, ſubject to ſuch Conditions and Power of Redemption as are herein-after mentioned; provided 'that the preſent yearly Fund of one hundred thouſand Pounds payable to the ſaid Governor and Com- 'pany, in reſpect of their ſaid Original Capital of one million ſix hundred thouſand Pounds, be continued 'unto them until the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and forty-three, and that the 'Privilege of excluſive banking, and all other the Abilities, Capacities, Powers, Authorities, Franchiſes, 'Exemptions, Privileges, Profits, and Advantages in this Act, or any former Act mentioned or contained, 'be granted and confirmed to the ſaid Governor and Company:' Now we your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, being deſirous, not only to raiſe the neceſſary Supplies with as much Eaſe as is poſſible to your Majeſty's Subjects, for the carrying on the preſent War with Vigour, but alſo to uſe ſuch Ways and Means in doing thereof, as that your Majeſty may have the better and more ſpeedy Effect of the ſaid Supplies, and to encourage the ſaid Governor and Company to advance the ſaid Sum of one million ſix hundred thouſand Pounds in the Manner herein after- mentioned, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's

moſt

most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Governor and Company of the Bank of *England*, and their Successors, shall advance and pay into the said Receipt of his Majesty's Exchequer for his Majesty's Use, the full Sum of one million six hundred thousand Pounds, on or before the twenty-fifth Day of *December* one thousand seven hundred and forty-two, at such Times, and in such Proportions, as the Commissioners of his Majesty's Treasury, or any three or more of them, or the High Treasurer for the Time being, shall think fit to direct and appoint, so as the said Governor and Company be not obliged to pay more than four hundred thousand Pounds at any one Time, nor without having one Month's Notice before each respective Time of Payment.

Bank to advance 1,600,000 l. for the present Year.

Each Payment not to be less than 400,000 l. at a Month's Notice.

II. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That out of the said Sum of one million six hundred thousand Pounds, the said Governor and Company shall have and receive back by way of Discount, so much as the Interest at the Rate of three Pounds *per Centum per Annum* for each Sum of Money which shall be actually advanced and paid, for or upon Account of the said Sum of one million six hundred thousand Pounds shall amount unto, from the Day of the actual Payment thereof, until the first Day of *August* one thousand seven hundred and forty-three; and in case the said Governor and Company of the Bank of *England* shall make Failure in any of the said Payments so by this Act appointed to be made into his Majesty's Exchequer, as aforesaid, at or before the respective Days or Times before limited in that Behalf, the Money whereof such Failure in Payment shall be made, shall and may be recovered to his Majesty's Use, by Action of Debt, or upon the Case, Bill, Suit, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law, shall be allowed, or any more than one Imparlance; in which Action, Bill, Suit, or Information, it shall be lawful to declare, that the said Governor and Company of the Bank of *England* are indebted to his Majesty the Monies of which they shall have made Default in Payment, according to the Form of this Statute, and have not paid the same, which shall be sufficient; and in or upon such Action, Bill, Suit, or Information there shall be further recovered to his Majesty's Use against the said Governor and Company of the said Bank of *England*, Damages, after the Rate of twelve Pounds *per Centum* for the Monies so unpaid contrary to this Act, besides full Costs of Suit, and the said Governor and Company of the Bank of *England*, and their Successors, and their said Stock and Funds, shall be, and are hereby made subject and liable thereunto.

Three per Cent. to be discounted.

The Bank, on Failure of Payment, to forfeit 12 l. per Cent. with Costs, and their Stock liable.

III. And for the Encouragement of the said Governor and Company of the Bank of *England* to advance and pay the said Sum of one million six hundred thousand Pounds, with such Discount out of the same as aforesaid; and to the end the said Governor and Company, and their Successors, may have a competent Recompence and Consideration for so doing; it is hereby declared and enacted by the Authority aforesaid, That the said several and respective Provisoes contained in the said recited Acts of the seventh and twelfth Years of the Reign of her late Majesty Queen ANNE, and each of them, and all other Provisoes contained in any other Act or Acts of Parliament for determining the said Fund of one hundred thousand Pounds *per Annum*, and the said Corporation of the Governor and Company of the Bank of *England*, upon the respective Notices and Payments in the same respective Acts mentioned, shall be and are hereby repealed and made void; and that the said Governor and Company of the Bank of *England* so enlarged as aforesaid, and their Successors for ever shall remain, continue, and be one Body Corporate and Politick, by the Name aforesaid, and shall for ever have, receive, and enjoy the said entire yearly Fund of one hundred thousand Pounds, out of the said Rates and Duties of Excise, together with a perpetual Succession, and Privilege of exclusive banking, as herein after is mentioned; and all other Abilities, Capacities, Powers, Authorities, Franchises, Exemptions, Privileges, Profits, and Advantages whatsoever, whereunto the Governor and Company of the Bank of *England* are, or before the making this Act were, intitled by the said Acts of the seventh and twelfth Years of the Reign of her said late Majesty Queen ANNE, or either of them, or by any other Act or Acts of Parliament, Grants, or Charters whatsoever now in Force, all which are by this Act ratified and confirmed to the said Governor and Company, and their Successors, freed and discharged of and from the said Provisoes and Conditions of Redemption hereby repealed, or intended to be repealed as aforesaid, and all other Provisoes, Powers, Acts, Matters, and Things whatsoever, heretofore had, made, done, or committed, for redeeming, determining, or making void the said Corporation, or yearly Fund of one hundred thousand Pounds, and the said Privilege of exclusive banking, and all other their Abilities, Capacities, Powers, Authorities, Franchises, Exemptions, Privileges, Profits and Advantages, or any of them; subject nevertheless to such Restrictions, Rules and Directions, and also to such other Agreements, Matters and Things, as in the said Acts and Charters, or any of them now in Force are contained or prescribed, and also subject to the Power and Condition of Redemption, hereafter in this Act contained in this Behalf.

Provisoes of Redemption in the Acts 7 and 12 Annæ, repealed.

Privileges of perpetual Succession, and exclusive banking confirmed,

IV. Provided always, and it is hereby further enacted by the Authority aforesaid, That at any Time upon twelve Months Notice after the first Day of *August*, which shall be in the Year of our Lord one thousand seven hundred and sixty-four, and not before, and upon Repayment by Parliament to the said Governor and Company of the Bank of *England*, or their Successors, as well of the said Sum of one million six hundred thousand Pounds formerly advanced, as of the Sum of one million six hundred thousand Pounds before mentioned, now to be advanced, amounting in the Whole to the Sum of three million two hundred thousand Pounds, without any Deduction, Discount, or Abatement whatsoever to be made out of the said Sum of three million two hundred thousand Pounds, or any Part thereof; and upon Payment to the said Governor and Company, and their Successors, of all the Arrears of the said one hundred thousand Pounds *per Annum*, and all the Principal and Interest Money which shall be owing unto them upon all such Tallies, Exchequer Orders, Exchequer Bills, or Parliamentary Funds, which the said Governor and Company, or their Successors, shall have remaining in their Hands, or be intitled to at the Time of such Notice to be given, as aforesaid; such Funds for Redemption whereof other Provision is made in 8 Geo. 1. c. 21. and by one Act of Parliament made and passed in the eighth Year of the Reign of his late Majesty King GEORGE

till August 1, 1764.

GEORGE the First, intituled, *An Act to enable the* South Sea *Company to diſpoſe of the Effects in their Hands by way of Lottery or Subſcription, or to ſell Part of their Fund or Annuity, payable at the Exchequer, in order to pay the Debts of the ſaid Company; and for Relief of ſuch who were intended to have the Benefit of a late Act touching Payment of ten Pounds* per Centum *therein mentioned*; and in and by one other Act of Parliament made and paſſed in the firſt of Year of his preſent Majeſty's Reign, intituled, *An Act for granting an Aid to his Majeſty by Sale of Annuities to the Bank of* England *at four Pounds* per Centum *redeemable by Parliament, and charged upon the Duties on Coals and Culm; and for further applying the Produce of the Sinking Fund; and for enlarging the Time for exchanging* Nevis *and Saint* Chriſtopher's *Debentures, for Annuities of three Pounds* per Centum; *and for applying the Arrears of his late Majeſty's Civil Liſt Revenues*; and by one other Act of Parliament made and paſſed in the Second Year of the Reign of his ſaid preſent Majeſty, intituled, *An Act for raiſing a Sum of one million two hundred and fifty thouſand Pounds by Sale of Annuities to the Bank of* England, *after the Rate four Pounds* per Centum per Annum *redeemable by Parliament; and for applying the Produce of the Sinking Fund*; always and only excepted; then, and in ſuch Caſe, and not till then, the ſaid Yearly Fund of one hundred thouſand Pounds ſhall ceaſe and determine. 1 Geo. 2. c. 8. 2 Geo. 2. c. 3.

V. And to prevent any Doubts that may ariſe concerning the Privilege or Power given by former Acts of Parliament to the ſaid Gove nor and Company of excluſive banking, and alſo in regard to the erecting any other Bank or Banks by Parliament, or reſtraining other Perſons from banking during the Continuance of the ſaid Privilege granted to the Governor and Company of the Bank of *England*, as before recited; it is hereby further enacted and declared by the Authority aforeſaid, That it is the true Intent and Meaning of this Act, that no other Bank ſhall be erected, eſtabliſhed or allowed by Parliament, and that it ſhall not be lawful for any Body Politick or Corporate whatſoever, erected or to be erected, or for any other Perſons whatſoever, united or to be united in Covenants or Partnerſhip, exceeding the Number of ſix Perſons, in that Part of *Great Britain* called *England*, to borrow, owe, or take up, any Sum or Sums of Money on their Bills or Notes payable at Demand, or at any leſs Time than ſix Months from the borrowing thereof, during the Continuance of ſuch ſaid Privilege to the ſaid Governor and Company, who are hereby declared to be and remain a Corporation, with the Privilege of excluſive banking as before recited, ſubject to Redemption on the Terms and Conditions before mentioned; that is to ſay, on one Year's Notice after the firſt Day of *Auguſt* one thouſand ſeven hundred and ſixty-four, and Repayment of the three million two hundred thouſand Pounds, and all Arrears of the one hundred thouſand Pounds *per Annum*, and all the Principal and Intereſt Money that ſhall be owing them on all ſuch Tallies, Exchequer Orders, Exchequer Bills, or Parliamentary Funds (ſuch Funds as are before-mentioned only and always excepted) which the ſaid Governor and Company, or their Succeſſors, ſhall have remaining in their Hands, or be intitled to at the Time of ſuch Notice, to be given as aforeſaid, and not otherwiſe; any thing in this Act, or any former Act or Acts of Parliament to the contrary in any wiſe notwithſtanding. No other Bank to be erected in Partnerſhip of more than ſix Perſons, during the Continuance of this Act.

'VI. And whereas by the ſaid recited Act of Parliament made and paſſed in the twelfth Year of the 'Reign of her late Majeſty Queen ANNE, it is, amongſt other Things enacted, That it ſhall and may be 'lawful for the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, for th ir ne-'ceſſary Occaſions, to call in, or direct to be paid to the ſaid Governor and Company, and their Succeſ-'ſors, by the reſpective Members of th ſaid Company for the time being, proportionably to their reſpec-'tive Intereſts in the Fund or Capital Stock of the ſaid Governor and Company, any Sum or Sums of 'Money which the ſaid Governor and Company in a general Court from time to time ſhould think ne-'ceſſary, which Monies ſhould be called in on ſuch Notices, and in ſuch Manner, and under ſuch Penal-'ties, as in the ſaid recited Act are preſcribed; and that it ſhould be lawful for the ſaid Governor and 'Company, from time to time, in a General Court, to declare the ſaid Money ſo called in, or any Part 'thereof, and from ſuch Time as ſuch General Court ſhould direct, to be added to the Capital Stock of 'ſaid Governor and Company, and that from thenceforth ſuch Monies ſhould be deemed and taken as Part of 'the Capital Stock of the ſaid Governor and Company, and that the Capital Stock of the ſaid Governor 'and Company ſhould be proportionably enlarged thereby; but no Power is given them by that or any 'other Act to increaſe their Capital Stock, by admitting or taking in Subſcriptions from any other Perſon 'or Perſons than the Proprietors: And whereas it is neceſſary that the ſaid Governor and Company ſhould 'be enabled to ſerve the Public in ſuch way and Manner as ſhall be moſt ſafe and convenient for them;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, in caſe they ſhall think fit, and not otherwiſe, to admit and take in Subſcriptions from ſuch Perſon or Perſons, and upon ſuch Terms and Conditions, and at ſuch Times as they ſhall think proper for enlarging their preſent Capital to any Sum not exceeding the further Sum of one million ſix hundred thouſand Pounds additional Stock, and from time to time in a general Court to declare, order, and make the ſame or any Part thereof, and from ſuch Time or Times as ſuch General Court ſhall order and direct, to be added to the preſent Capital Stock of the ſaid Governor and Company, and that then and from thenceforth, ſuch Monies ſhall be deemed and taken to all Intents and Purpoſes, as and for Part of the Capital Stock of the ſaid Governor and Company, and the Capital Stock of the ſaid Governor and Company ſhall be proportionably enlarged thereby, and that all and every the Perſon and Perſons, Natives and Foreigners, who ſhall ſubſcribe any Sum or Sums of Money, or for whom any Sum or Sums of Money ſhall have been ſubſcribed towards the making up the ſaid further Sum of one million ſix hundred thouſand Pounds Stock, or ſuch Part thereof, for which the ſaid Governor and Company ſhall take in Subſcriptions, and who ſhall have paid to the ſaid Governor and Company the Sum ſo ſubſcribed, and the Executors, Adminiſtrators, and Aſſigns of ſuch Perſon and Perſons reſpectively, ſhall be, and be deemed and reputed to be, Members of, and united to, and incorporated with the ſaid Governor and Company of the Bank of *England*, and ſhall at all Times, together with the other Members of the ſaid Corporation, and Body Politick, and their Succeſſors reſpectively be, and be adjudged, conſtrued, reputed, accepted, and taken to be one Body Politick and Corporate, by the Name of Power to enlarge the Capital of the Bank.

The Governor and Company of the Bank of England, ſubject to the ſame Rules, Orders, and Regulations, and intitled to the ſame Privileges, Advantages and Immunities, with the preſent Members of the ſaid Corporation; any Law, Statute, or Proviſion to the contrary thereof, in any wiſe notwithſtanding.

Bank may transfer their new Stock.

VII. And it is hereby enacted by the Authority aforeſaid, That the Capital Stock of the ſaid Governor and Company of the Bank of *England*, ſo increaſed as aforeſaid, ſhall be aſſignable and transferrable in the ſame Manner as the Original Capital Stock of the ſaid Governor and Company was aſſignable and transferrable before the making of this Act; and together with the Produce thereof, ſhall be free from Parliamentary Taxes, Charges and Impoſitions, and all other Taxes, Charges and Impoſitions whatſoever; and the Transfers or Aſſignments of Stock or additional Stock in the Books of the ſaid Company, ſhall not hereafter be or be made liable to any higher or greater Stamp, or other Duties than are now payable for the Transfers or Aſſignments of their preſent Stock, or any Part thereof; any thing in this Act contained, or in any other Act or Acts of Parliament to the contrary in any wiſe notwithſtanding.

Being Governor, &c. of the Bank, to create no Diſability.

VIII. And it is hereby further enacted by the Authority aforeſaid, That no Perſon in reſpect of his being Governor, Deputy Governor, Director, Manager or Member of the ſaid Company, or for having any Stock or Share therein, or for any Matter or Thing to be by him done or performed in the Affairs of the ſaid Corporation, ſhall be now or at any Time hereafter diſabled from being or continuing, or from being elected, or ſerving as a Member of Parliament, or be liable, or ſubject to any Penalty, Forfeiture or Diſability preſcribed by any other Act or Acts of Parliament, for not qualifying himſelf to execute his Truſt with reſpect to the Affairs of the ſaid Corporation, as Perſons who ſhall take or execute any Office or Place of Profit or Truſt are ſubject and liable unto, by any Law now in Force, or be adjudged liable to be a Bankrupt, within the Intent or Meaning of all or any the Statutes made againſt or concerning Bankrupts; any Law, Statute or Proviſion to the contrary thereof in any wiſe notwithſtanding.

Proviſo.

IX. Provided always, and it is hereby enacted and declared by the Authority aforeſaid, That it is the true Intent and Meaning of this Act, that the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall have, receive and enjoy the ſaid Annuity of one hundred thouſand Pounds now payable to them, in reſpect of their ſaid Original Capital Stock of one million ſix hundred thouſand Pounds, until the ſaid firſt Day of *Auguſt* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-three, over and above the Intereſt of the ſaid Sum of one million ſix hundred thouſand Pounds to be advanced, as aforeſaid; which Intereſt the ſaid Governor and Company are to receive back by way of Diſcount in the Manner herein before mentioned; any thing in this Act, or any former Act or Acts of Parliament to the contrary in any wiſe notwithſtanding.

What ſhall be a Notice to the Bank within the Meaning of this Act.

X. And it is hereby alſo enacted and declared by the Authority aforeſaid, That any Vote or Reſolution of the Houſe of Commons ſignified by the Speaker of the ſaid Houſe in Writing, and delivered at the public Office of the ſaid Governor and Company, or their Succeſſors, ſhall be deemed and adjudged to be a ſufficient Notice within the Words or Meaning of this Act; any thing herein contained to the contrary notwithſtanding.

Perſons counterfeiting, or altering Bank Notes, &c. to ſuffer Death.

XI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall forge, counterfeit or alter any Bank Note, Bank Bill of Exchange, Dividend Warrant, or any Bond or Obligation under the Common Seal of the ſaid Company, or any Indorſement thereon, or ſhall offer or diſpoſe of or put away any ſuch forged, counterfeit or altered Note, Bill, Dividend Warrant, Bond or Obligation, or the Indorſement thereon, or demand the Money therein contained or pretended to be due thereon, or any Part thereof, of the ſaid Company, or any their Officers or Servants, knowing ſuch Note, Bill, Dividend Warrant, Bond or Obligation, or the Indorſement thereon, to be forged, counterfeited or altered, with Intent to defraud the ſaid Company, or their Succeſſors, or any other Perſon or Perſons whatſoever; every Perſon or Perſons ſo offending, and being thereof convicted in due Form of Law, ſhall be deemed guilty of Felony, and ſhall ſuffer Death as a Felon without Benefit of Clergy.

Servants breaking their Truſt to the Company, ſhall ſuffer Death.

XII. And be it further enacted by the Authority aforeſaid, That if any Officer or Servant of the ſaid Company being entruſted with any Note, Bill, Dividend Warrant, Bond, Deed, or any Security, Money or other Effects belonging to the ſaid Company, or having any Bill, Dividend Warrant, Bond, Deed or any Security or Effects of any other Perſon or Perſons lodged or depoſited with the ſaid Company, or with him as an Officer or Servant of the ſaid Company, ſhall ſecrete, imbezil or run away with any ſuch Note, Bill, Dividend Warrant, Bond, Deed, Security, Money or Effects, or any Part of them; every Officer or Servant ſo offending, and being thereof convicted in due Form of Law, ſhall be deemed guilty of Felony, and ſhall ſuffer Death as a Felon without Benefit of Clergy.

Conſtitution of the Company.

'XIII. And whereas by the Charter or Conſtitution of the ſaid Company, it is ordained, appointed 'and declared, That there ſhall be from time to time for ever of the Members of the ſaid Company a Go-'vernor, Deputy Governor and twenty-four Directors, of and in the ſaid Corporation; which Governor, 'Deputy Governor and Directors, or any thirteen or more of them (of which the Governor or Deputy 'Governor to be always one) ſhall be, and be called a Court of Directors for the ordering, managing 'and directing the Affairs of the ſaid Corporation, and ſhall have ſuch Powers or Privileges as are therein 'mentioned: And whereas by the above mentioned Limitation it may ſo happen that a Court of Directors 'cannot be held by reaſon of the unavoidable Abſence, or otherwiſe, of the Governor and Deputy Go-'vernor for the time being, to the great Damage and Hindrance of the Buſineſs of the ſaid Corporation:' Be it therefore enacted by the Authority aforeſaid, That whenever a Court of Directors is ſummoned or appointed to be held, and the Directors ſhall be met according to ſuch Summons or Appointment, if it ſhall ſo happen, that the Governor and Deputy Governor for the time being, ſhall be abſent for the Space of two Hours after the uſual Time of proceeding to Buſineſs; it ſhall and may be lawful for the Directors, who ſhall be then met (of whom there ſhall be always thirteen or more) or the major Part of them, to chooſe a Chairman for that Time, and to proceed to Buſineſs, and that the Proceedings and Acts of the

Directors may chooſe a Chairman to ſupply the Abſence of the Governor at any Meeting.

ſaid

ſaid Court of Directors, ſhall be as valid and effectual to all Intents and Purpoſes, as if the ſaid Governor or Deputy Governor had been preſent; any Thing in their Charter to the contrary notwithſtanding.

XIV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a publick Act, and be judicially taken Notice of by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame.

Publick Act. *Concerning Bank ſee farther* 19 *Geo.* 2. *c.* 6. 24 *Geo.* 2. *c.* 4.

CAP. XIV.

An Act to explain and amend two Acts of Parliament, one made in the ninth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for repairing the Highways from* Sheet Bridge *in the Pariſh of* Petersfield, *to the Town of* Portſmouth *in the County of* Southampton; and another Act made in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, for enlarging the Term in and by the ſaid Act granted, and for other Purpoſes therein mentioned, and for enlarging the Term and Powers by the ſaid laſt mentioned Act granted. PR.

CAP. XV.

An Act for enlarging the Term and Powers granted by an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Roads leading from* Cirencester *Town's End to* Saint John's *Bridge in the County of* Glouceſter. P. R.

The Act continued for 21 Years.

CAP. XVI.

An Act for continuing the Powers granted by three ſeveral Acts of Parliament (one for repairing the Road from *Stump-croſs* to *Newmarket-heath*, and the Town of *Cambridge*; another for repairing the Road from *Foulmire* to *Cambridge*; and the third for explaining, amending and rendring more effectual the ſaid two former Acts); and for enlarging the Terms granted by the ſaid two former Acts. PR.

The former Acts continued for 21 Years.

CAP. XVII.

An Act for enlarging the Term and Powers granted by an Act paſſed in the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the ſeveral Roads leading from the Town of *Ledbury* in the County of *Hereford*, to the ſeveral Places therein mentioned; and for making the ſaid Act more effectual. PR.

The former Act continued for 21 Years.

CAP. XVIII.

An Act to render more effectual an Act made in the ninth and tenth Years of the Reign of his late Majeſty King *William* the Third, intituled, *An Act for erecting Hoſpitals and Workhouſes within the Town of* Colcheſter *in the County of* Eſſex, *for the better employing and maintaining the Poor thereof.* PR.

CAP. XIX.

An Act for granting to his Majeſty the Sum of eight hundred thouſand Pounds, to be raiſed by Annuities transferrable at the Bank of *England*; and for aſcertaining the Cuſtoms and Duties upon Quickſilver taken as Prize during the preſent War; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

Moſt Gracious Sovereign,

Preamble.

WE your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have chearfully granted to your Majeſty, in the eaſieſt Manner we are able for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majeſty the Sum of eight hundred thouſand Pounds, to be raiſed in ſuch Manner and Form as is herein after directed; and to that End do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Annuites which by this Act ſhall be granted and made payable, in reſpect of the ſaid principal Sum of eight hundred thouſand Pounds, until Redemption thereof by Parliament in Manner herein after mentioned, ſhall, from and after the Feaſt Day of the Nativity of Saint *John the Baptiſt* in the Year of our Lord one thouſand ſeven hundred and forty-two, be charged and chargeable upon, and payable out of the Monies which from and after the ſaid Feaſt Day ſhall from Time to Time ariſe and be remaining in the Receipt of his Majeſty's Exchequer, of or for the Surpluſſes, Exceſſes or Overplus Monies of the Fund commonly called the *Sinking Fund*, and the ſaid Surpluſſes, Exceſſes or Overplus Monies are hereby appropriated for that Purpoſe accordingly.

The Sinking Fund appropriated to pay the Annuities.

II. And for or towards raiſing the Sum or Sums of Money, not exceeding in the whole the ſaid Sum of eight hundred thouſand Pounds for the Purpoſes aforeſaid, Be it further enacted by the Authority afore-

ubſcription Money to be paid at the Bank.

ſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay to the firſt or Chief Caſhier or Caſhiers of the Governor and Company of the Bank of *England* for the Time being, at or before the reſpective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money not exceeding in the whole the ſaid Sum of eight hundred thouſand Pounds for the Purchaſe of any Annuity or Annuities, to commence from the ſaid Feaſt of the Nativity of Saint *John the Baptiſt* in the Year of our Lord one thouſand ſeven hundred and forty-two, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, until the ſame ſhall be redeemed according to the Tenor or true Meaning of the Proviſo or Condition herein after mentioned in that Behalf; ſo as ſuch Caſhier or Caſhiers do firſt give Security to the good liking of any three or more of the Commiſſioners of his Majeſty's Treaſury now being, or of the High Treaſurer or Commiſſioners of the Treaſury for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer for the publick Uſe, the Monies ſo to be advanced or contributed and to account duly for the ſame; which Annuities before mentioned ſhall be computed at the Rate of three Pounds *per Centum per Annum* for every one hundred Pounds, and proportionably for any greater Sum ſo to be advanced or paid; and the Purchaſe Money for every ſuch Annuity at the Rate aforeſaid, is hereby appointed to be paid to the ſaid Caſhier or Caſhiers as aforeſaid, at or before the reſpective Days and Times herein after limited; that is to ſay, One fourth Part thereof on or before the ſixth Day of *July* in the Year of our Lord one thouſand ſeven hundred and forty-two; and one other fourth Part thereof on or before the ſixth Day of *September* then next enſuing; and one other fourth Part thereof on or before the ſixth Day of *November* then next enſuing; and the remaining fourth Part thereof on or before the ſixth Day of *December* then next following; all which Annuities ſo to be purchaſed ſhall not exceed in the whole the Sum of twenty-four thouſand Pounds *per Annum*, and ſhall be paid and payable at two of the moſt uſual Feaſt or Days of Payment in the Year; that is to ſay, the Feaſts of the Birth of our Lord Chriſt, and the Nativity of Saint *John the Baptiſt*, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be due at the ſaid Feaſt of the Birth of our Lord Chriſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-two, or within ſix Days after the ſaid Feaſt Day; nevertheleſs the ſaid Annuities ſhall be redeemable according to the Purport and true Meaning of a Proviſo or Condition herein after contained in that Behalf and not otherwiſe; and the ſaid Caſher or Caſhiers of the ſaid Governor and Company for the Time being, is hereby authorized and required, upon the advancing and paying to him any ſuch Sum or Sums of Money as aforeſaid, forthwith to give a Receipt in Writing, ſigned by himſelf, for each Payment, to the Contributor or Payer thereof; and from Time to Time to pay into the Receipt of his Majeſty's Exchequer all the Monies which he ſhall receive of or for the ſaid Sum, not exceeding eight hundred thouſand Pounds, as faſt as he ſhall receive the ſame or any Part thereof, or within five Days at the fartheſt, and to account for all the Monies ſo to be advanced and paid to him in his Majeſty's Court of Exchequer, according to the due Courſe thereof; in which Account the ſaid Caſhier or Caſhiers ſhall have juſt Allowance of all Monies which he ſhall have paid for prompt Payment, purſuant to this Act.

Caſhier of the Bank to give Security.

Annuities to be 3 per Cent.

Times of paying the Subſcription Money.

Times of paying the Annuities.

Annuities to be redeemable.

Caſhier to give Receipts,

and pay the Money into the Exchequer.

III. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entred the Names of all who ſhall be Contributors for ſuch Annuities, after the Rate of three Pounds *per Centum per Annum* as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sum ſo paid; to which Book or Books it ſhall be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, from Time to Time, to have reſort at all ſeaſonable Times, and to inſpect the ſame without Fee or Charge; and the ſaid Accomptant General for the Time being, ſhall on or before the twenty-fifth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-three, tranſmit an atteſted Duplicate, fairly written on Paper of the ſaid Book or Books, into the Office of the Auditor of the Receipt of his Majeſty's Exchequer there to remain for ever.

Contributors Names to be entred in Books at the Bank.

Duplicate Books to be tranſmitted to the Exchequer.

IV. And it is hereby enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act, duly paying the Conſideration or Purchaſe Money at the Rate aforeſaid, at or before the reſpective Days and Times in this Act before limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint, his, her or their reſpective Executors, Adminiſtrators, Succeſſors or Aſſigns, ſhall have, receive and enjoy, and be intitled by Virtue of this Act to have, receive and enjoy the reſpective Annuity and Annuities ſo to be purchaſed out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid, and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption in this Act afterwards contained concerning the ſame; and that all the ſaid Annuities to be purchaſed on this Act, and the Principal Monies paid for the ſame, and every of them during the Continuance thereof, ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

Annuities to be paid free of Charges.

V. And for the more eaſy and ſure Payment of the ſaid Annuities to be purchaſed as aforeſaid, according to the true Meaning of this preſent Act; it is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall from Time to Time, until the ſaid Annuities ſhall be redeemed by Parliament according to this Act, appoint and employ one ſufficient Perſon within their Office in the City of *London*, to be their chief or firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office, to be their Accomptant General; and that ſo much of the Monies of the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund, commonly called *The Sinking Fund*, which ſhall or ought to be from Time to Time ſeparated and ſet apart in the ſaid Receipt

The Bank to appoint a chief Caſhier, and an Accomptant General.

ceipt of Exchequer, for anſwering the ſaid Annuities to be purchaſed upon this Act, after the ſaid Rate of three Pounds *per Centum per Annum*, ſhall by Order of the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or of the High Treaſurer, or Commiſſioners of the Treaſury of his Majeſty, his Heirs and Succeſſors for the Time being, without any further or other Warrant to be ſued for, had or obtained in that Behalf, be from Time to Time half yearly as aforeſaid, iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid firſt or chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and of their Succeſſors for the Time being, by way of Impreſt, and upon Account of the Payment of the ſaid Annuities to be purchaſed upon this Act, at ſuch Times, and in ſuch Manner and Form as are by this Act preſcribed in that Behalf; and that all and every ſuch Caſhier and Caſhiers, to whom the ſaid Monies ſhall from time to time be iſſued, ſhall from time to time without Delay, apply and pay the ſame accordingly, and render his Accounts thereof according to the due Courſe of the Exchequer; any Thing herein contained to the contrary notwithſtanding.

The Buſineſs of the Accomptant General.

VI. And it is hereby alſo enacted, That the ſaid Accomptant General for the Time being, ſhall from time to time inſpect and examine all the Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and every Perſon and Perſons whatſoever, who ſhall be intitled to any of the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a Perſonal Eſtate, and the ſame ſhall not be deſcendable to the Heir, and ſhall not be liable to any foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute, or Cuſtom to the contrary notwithſtanding.

4 l. per Cent. for prompt Payment.

VII. And for the Encouragement of the Contributors to advance and pay readily to the ſaid Caſhier or Caſhiers the Sums by them intended to be advanced upon this Act; it is hereby provided and enacted by the Authority aforeſaid, That every ſuch Contributor who ſhall advance and pay to the ſaid Caſhier or Caſhiers within the Times limited by this Act, the Purchaſe Money payable for an Annuity or Annuities at the Rate aforeſaid, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, ſhall be allowed and paid out of the Contribution-money ariſing by this Act, Intereſt after the Rate of four Pounds *per Centum per Annum*, for prompt Payment of the Purchaſe Money, or of ſuch Proportions of the Purchaſe Money, as ſhall be advanced before the ſaid ſixth Day of *July* one thouſand ſeven hundred and forty-two, or before any other the reſpective Days of Payment appointed by this Act as aforeſaid; the ſaid Intereſt to be computed for the reſpective Sums ſo advanced and paid to the ſaid Caſhier or Caſhiers, from the Time or reſpective Times of the actual advancing and paying the ſame to the ſaid Caſhier, until the ſaid reſpective Days of Payment appointed by this Act as aforeſaid.

The Money contributed to be a Capital Stock.

VIII. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed upon this Act, for or towards the ſaid Sum, not exceeding eight hundred thouſand Pounds, ſhall be deemed, reputed, and taken to be one Capital or Joint Stock, on which the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be attending; and that all and every Perſon and Perſons and Corporations whatſoever, in Proportion to the Money, by him, her or them advanced upon this Act, ſhall have and be deemed to have an Intereſt or Share in the ſaid Stock, and in the proportional Annuity attending the ſame at the Rate aforeſaid, for the Monies ſo by him, her or them advanced; and that the ſaid Capital or Joint Srock, or any Share or Intereſt therein, and the proportional Annuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs, and not otherwiſe; and that there ſhall conſtantly be kept at all ſeaſonable Times in the Office of the ſaid Chief Accomptant for the Time being, within the City of *London*, a Book or Books, wherein all Aſſignments or Transfers of the ſaid Stock, or any Part thereof, and the proportional Annuity attending the ſame, at the Rate aforeſaid, ſhall be entred and regiſtred; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers, or if ſuch Party be abſent, by his, her or their Attorney, thereunto lawfully authorized by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes, and that the Perſon or Perſons to whom ſuch Transfer ſhall be made do underwrite his, her or their Acceptance thereof; and that no other Method of aſſigning or transferring the ſaid Stock, and the Annuities attending the ſame, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law.

Transfer Books to be kept.

Annuities may be deviſed.

IX. Provided always, That any Perſon or Perſons poſſeſſed of ſuch Stock with the Annuity or Annuities attending the ſame, or any Eſtate or Intereſt therein, may deviſe the ſame by Will in Writing, atteſted by two or more credible Witneſſes, but that ſuch Deviſee ſhall receive no Payment thereupon, till ſo much of the ſaid Will as relates to the ſaid Stock or Annuity be entred in the ſaid Office; and in Default of ſuch Transfer or Deviſe, the ſaid Stock and Annuities attending the ſame, ſhall go to the Executors or Adminiſtrators; and that no Stamp Duties whatſoever ſhall be chargeable on the ſaid Tranſfers, or any of them, any other Law or Statute to the contrary notwithſtanding.

No Stamps on Transfers.

Acceptors of Stock to pay the remaining Contribution.

X. And it is hereby enacted and declared, That all Perſons who ſhall accept any Aſſignment or Transfer of any Stock, from any Contributor who ſhall have paid only Part of the Contribution-money for the ſame, to the Uſe of the Publick, ſhall be liable to pay the Reſidue of the ſaid Contribution-money, and to ſuch Forfeitures for Non-payment thereof, as the original Contributor would have been liable if no ſuch Transfer had been made.

Proviſo.

XI. Provided always, That no Perſon or Perſons whatſoever, ſhall or may purchaſe or obtain, or be admitted to purchaſe or obtain any of the Annuities at the Rate aforeſaid upon this Act, unleſs the whole, or one fourth Part at leaſt, of the Conſideration Money for the ſame, at ſuch Rate as aforeſaid, be advanced and paid to the ſaid Caſhier on or before the ſixth Day of *July* one thouſand ſeven hundred and forty-two.

Penalty on not paying the Contribution-money.

XII. Provided alſo, That in caſe any ſuch Contributor as aforeſaid, who ſhall on or before the ſaid ſixth Day of *July* one thouſand ſeven hundred and forty-two have advanced to the ſaid Caſhier or Caſhiers one fourth Part of his, her or their Purchaſe Money, or his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, do not advance and pay to the ſaid Caſhier or Caſhiers one other fourth Part of his, her or their Conſideration Money, ſo to be paid for ſuch reſpective Annuity or Annuities as aforeſaid, on or before the ſixth Day of *September* then next enſuing, and one other fourth Part thereof, on or before the ſixth Day of *November* then next following, and the remaining fourth Part thereof, on or before the ſixth Day of *December* then next following; then and in every ſuch Caſe reſpectively, ſo much of the Conſideration Money as ſhall have been actually paid for the firſt Payment to the ſaid Caſhier or Caſhiers for ſuch reſpective Annuity, ſhall be forfeited for the Benefit of the Publick, and no Intereſt at the Rate aforeſaid ſhall be payable for the ſaid firſt Payment; any Thing in this Act contained to the contrary notwithſtanding.

Bank to continue a Corporation till the Annuities be redeemed.

XIII. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors (notwithſtanding the Redemption of all or any of their own Funds in purſuance of the Acts for eſtabliſhing the ſame, or any of them) ſhall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging for the Purpoſes in this Act expreſſed, till all the Annuities to be purchaſed on this Act ſhall be redeemed by Parliament, according to the Proviſo herein after contained in that Behalf; and that the ſaid Governor and Company, or any Members thereof, ſhall not incur any Diſability for or by reaſon of their doing any Matter or Thing in Purſuance of this Act.

This Act to create no Diſability.

No Fee to be taken of the Contributors.

XIV. And it is hereby enacted by the Authority aforeſaid, That no Fee or Gratuity whatſoever ſhall or may be demanded or taken of any of his Majeſty's Subjects for receiving or paying the ſaid Contribution-monies, or any of them, or for any Tallies or other Receipts concerning the ſame, or for iſſuing the ſaid yearly Fund, or any Part thereof, or for paying the ſaid Annuities, or any of them; and that no Fee or Gratuity ſhall be demanded or taken, for any Transfer of any Sum great or ſmall to be made in Purſuance of this Act; upon Pain that the Officer or Perſon offending, by taking or demanding any Fee or Gratuity contrary to this Act, ſhall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Coſts of Suit in any of his Majeſty's Courts of Record at *Weſtminſter*.

Allowance to the Caſhiers,

XV. Provided always, and it is hereby enacted, That the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall have Power to allow to the Caſhier or Caſhiers, who ſhall receive the ſaid Contribution or Advance Money, not exceeding eight hundred thouſand Pounds as aforeſaid, for his or their Pains and Trouble in receiving and accounting for the ſame, a Sum not exceeding five hundred Pounds out of the Contribution or Advance Money aforeſaid; and ſhall alſo have Power out of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund*, to allow and pay to the ſaid Caſhier or Caſhiers for the Time being, an Allowance not exceeding two hundred and fifty Pounds *per Annum* for receiving the Money to pay the Annuities upon this Act, and applying the ſame to that Uſe, and for his Pains and Trouble in keeping and rendering his Accounts thereof; and an Allowance not exceeding two hundred Pounds *per Annum* to the ſaid Accomptant General for the Time being, for his Service and Trouble in performing the Duty and Truſt incumbent upon him by this Act; any Thing in this or any other Act contained to the contrary notwithſtanding.

and Accomptant General.

Manner of redeeming of the Annuities.

XVI. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the Half-yearly Feaſt Days for Payment of the ſaid Annuities, and upon Repayment by Parliament of the Principal Sums for which the ſaid Annuities ſhall be payable to ſuch reſpective Perſons or Corporations as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities, then, and not till then, the ſaid Annuties ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch Redemption, the Monies ariſing by the ſaid Surpluſſes, Exceſſes, or Overplus Monies of the Fund commonly called *The Sinking Fund*, ſhall not be iſſued or applied to any Uſe or Purpoſe other than ſuch Uſes and Purpoſes as have been directed by any former Act or Acts of Parliament in that Behalf; any Thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding. And that any Vote or Reſolution of the Houſe of Commons ſignified by the Speaker in Writing to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice within the Words and Meaning of this Act.

What ſhall be a ſufficient Notice.

The Money may be raiſed by Exchequer Bills,

XVII. And to the End there may be no Want or Failure of a certain Sum, not to exceed in the Whole the ſaid Sum of eight hundred thouſand Pounds, for the Publick Service, Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of eight hundred thouſand Pounds, or any Part thereof, by Exchequer Bills, inſtead of ſuch Loans as aforeſaid, that then they reſpectively are hereby authorized and impowered at any Time or Times before the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-two, to prepare and make, or cauſe to be prepared and made at the Exchequer, any Number of Exchequer Bills, for any Sum or Sums of Money, not exceeding in the whole the ſaid Sum of eight hundred thouſand Pounds, in the ſame or in like Manner, Form and Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of this preſent Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and*

and forty-two, are enacted or preſcribed, concerning the Exchequer Bills to be made in Purſuance of the ſame Act.

XVIII. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt mentioned Act, relating to the Exchequer Bills authorized to be made by the ſame Act, except ſuch Clauſes as do charge the ſame on the Duties or Impoſitions granted or continued by the ſame Act, ſhall be applied and extended to the Exchequer Bills to be made in Purſuance of this Act, as fully and effectually to all Intents and Purpoſes, as if the ſame Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act. In the ſame Manner as directed in the Malt Act.

XIX. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills which ſhall be made in Purſuance of this Act, and the Intereſt, Premium, Rate and Charges incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing Produce of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, commonly called the Sinking Fund, except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf; and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied as faſt as the ſame can be regularly ſtated and aſcertained for and towards paying off, cancelling and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof. Exchequer Bills to be repaid out of the Sinking Fund.

XX. Provided always, and it is hereby intended, That the Sum of five hundred Pounds, and alſo the ſeveral Sums of two hundred and fifty Pounds, and two hundred Pounds *per Annum*, by this Act granted as aforeſaid, as an Allowance to the ſaid Caſhier or Caſhiers, and Accomptant General, ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only; any Thing herein contained to the contrary notwithſtanding.

XXI. And be it further enacted by the Authority aforeſaid, That his Royal Highneſs the Prince of *Wales*, or his Royal Higneſs the Duke of *Cumberland*, or their Royal Higneſſes the Princeſs Royal, the Princeſs AMELIE, the Princeſs CAROLINA, and the Princeſs LOVISA, ſhall not be charged with any Fees or Taxes for or in reſpect of any Annuities or yearly Payments granted by his Majeſty to their ſaid Royal Highneſſes, or any of them, but that ſuch Annuities or yearly Payments, and their ſaid Royal Highneſſes, for the Time of the Continuance of thoſe reſpective Annuities or yearly Payments, ſhall be free and clear from all Fees, Taxes, Impoſitions, or other Charges whatſoever. Annuities belonging to the Royal Family ſhall pay no Taxes.

'XXII. And whereas during the preſent War with *Spain*, a great Quantity of Quickſilver hath been 'taken from the Enemy in the *American* Seas, and hath been condemned as Prize, Part whereof is al-'ready brought into this Kingdom, and is now lying in Warehouſes, and being of the Product of *Eu-'rope*, it may be a Doubt, whether the ſame by the Laws now in Force may not be ſubject to the Pay-'ment of the high Duties to his Majeſty, as not coming from the Place of its Growth, which will not 'only be a Diſcouragement to the Captors and Importers thereof, but will put them under a Neceſſity to 'ſend ſuch Goods for the future directly to foreign Markets, which will be a Loſs to his Majeſty's Re-'venue, and tend to the Prejudice of the Trade of this Kingdom;' For Remedy whereof, Be it enacted by the Authority aforeſaid, That all Quickſilver which has been already taken from the Enemy, or ſhall at any Time or Times hereafter be taken during this preſent War, and hath been or ſhall be condemned as Prize, and which has been brought, or ſhall hereafter be brought into this Kingdom, in any *Britiſh* Ships, duly navigated according to Law, and for which the Duties due to his Majeſty have not been already paid, or ſecured to be paid, ſhall be ſubject to the Payment of ſuch and the like Cuſtoms and Duties only to which the ſame would be by Law liable, if imported directly from the Place or Places of its Growth; any Law, Cuſtom or Uſage to the contrary notwithſtanding. Quickſilver taken from the Enemy, how to be taxed.

XXIII. Provided always, and be it further enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and forty-two*; and ſo much Money (if any ſuch be) of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-two*; and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, or Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies ariſing into the Exchequer, not exceeding one million upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting to his Majeſty a certain Sum out of the Sinking Fund, towards the Supply for the Year one thouſand ſeven hundred and forty-two*, by or from the Surpluſſes, Exceſſes and Overplus Monies commonly called *The Sinking Fund*; and all the Monies coming into the Exchequer upon one other Act of this Seſſion of Parliament, intituled, Appropriation of the Monies granted by Parliament.

intituled, *An Act for eſtabliſhing an Agreement with the Governor and Company of the Bank of* England, *for advancing the Sum of one million ſix hundred thouſand Pounds, towards the Supply for the Service of the Year one thouſand ſeven hundred and forty-two*; and the Sum of eight hundred thouſand Pounds by this Act granted as aforeſaid, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein after expreſſed, ſubject nevertheleſs to ſuch Reſtrictions as is herein after preſcribed; that is to ſay, it is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied, any Sum or Sums of Money not exceeding two million two hundred ſixty-eight thouſand ſeven hundred fifty-ſix Pounds ſeventeen Shillings and one Penny, for or towards the Naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea-Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof performed and to be performed, and for or towards Sea Services in the Office of Ordnance performed and to be performed.

2,268,756 l. 17 s. 1 d. for Naval Services.

XXIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred ſixty-eight thouſand ſix hundred forty-five Pounds fifteen Shillings and ſeven Pence, for or towards the Charge of Tranſports hired to carry the Forces to *America*; and any Sum or Sums of Money not exceeding one hundred and eleven thouſand nine hundred and ſeventeen Pounds nineteen Shillings and one Penny, for the Expence of Victuals provided for the Soldiers employed in the Expedition in *America*.

168,645 l. 15 s. 7 d. for Tranſports to carry the Forces to America.

111,917 l. 19 s. 1 d. for Victuals.

XXV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ten thouſand Pounds, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

10,000 l. to Greenwich Hoſpital.

XXVI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two hundred and ten thouſand four hundred thirty-one Pounds ſixteen Shillings, for or towards the defraying the Charge of the Office of Ordnance for Land Service performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Services not provided for by Parliament.

210,431 l. 16 s. to the Office of Ordnance.

XXVII. And it is alſo hereby enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two hundred and ſix thouſand two hundred fifty-three Pounds fifteen Shillings, for defraying the Charge of eleven thouſand five hundred and fifty Marines, Commiſſion and Non-commiſſion Officers included, for the Service of the Year one thouſand ſeven hundred and forty-two.

206,253 l. 15 s. for the Marines.

XXVIII. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million eight hundred and nine thouſand one hundred forty-three Pounds nineteen Shillings and ten Pence for or towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding one million and four thouſand nine hundred forty-ſeven Pounds and ten Pence, for defraying the Charge of thirty-five thouſand five hundred and fifty-four effective Men, Commiſſion and Non-commiſſion Officers included, and alſo including two thouſand three hundred and twenty-three Invalids, for Guards, Gariſons, and other his Majeſty's Land Forces in *Great Britain*, *Weſt Indies*, *Guernſey* and *Jerſey*, for the Year one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding fifty-three thouſand nine hundred ninety-five Pounds thirteen Shillings and four Pence, for maintaining a Regiment of Foot raiſed in *America* for the Service of the *Weſt Indies*, for the Year one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding two hundred ſixty-ſix thouſand ſix hundred and ſixteen Pounds ſix Shillings and five Pence Halfpenny, for maintaining his Majeſty's Land Forces and Gariſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Gariſons at *Annapolis Royal*, *Canſo*, *Placentia*, *Providence*, *Gibraltar*, and *Georgia*, for the Year one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding forty-four thouſand and eight Pounds three Shillings and ſeven Pence, for defraying ſeveral extraordinary Expences and Services incurred in the Year one thouſand ſeven hundred and forty-one, and not provided for by Parliament; and any Sum or Sums of Money not exceeding eleven thouſand ſix hundred and eleven Pounds thirteen Shillings, for maintaining the Charge of ſeveral Officers appointed by his Majeſty to go with the Forces on the Expedition under the Command of Major General *Wentworth*, for the Year one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding one thouſand two hundred ſeventy-ſeven Pounds and ten Shillings, for maintaining the Charge of the Staff Officers appointed by his Majeſty to attend the Hoſpital eſtabliſhed for the Service of the Expedition under the Command of Major General *Wentworth*, for the Year one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding ſeventy-four thouſand one hundred ninety-two Pounds five Shillings and four Pence, for defraying the Charge of one Regiment of Horſe, two Regiments of Dragoons, and four Regiments of Foot, transferred from the *Iriſh* to the *Britiſh* Eſtabliſhment, for the Year one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding forty-ſeven thouſand two hundred ſeventy-three Pounds nine Shillings and five Pence Halfpenny, for defraying the Charge of what remains to be paid to the Troops of his Majeſty the King of *Denmark*, being one thouſand one hundred and ninety-four Horſe, and five thouſand ſix hundred and ninety-two Foot, together with the General Officers in the Pay of *Great Britain*, from the twenty-fifth Day of *March* excluſive to the twenty-fifth Day of *December* one thouſand ſeven hundred

1,809,143 l. 19 s. 10 d. for maintaining the Land Forces Guards and Gariſons, viz. 1,004,947 l. and 10 d. for maintaining 35,554 effective Men. Including 2323 Invalids.

53,995 l. 13 s. 4 d. for a Regiment of Foot in America.

266,616 l. 6 s. 5 d. Halfpenny, for Gariſons at Minorca, Gibraltar, &c.

44,008 l. 3 s. 7 d. Halfpenny, for extraordinary Expences in the Year 1741.

11,611 l. 13 s. for Officers going with General Wentworth, in 1742.

1277 l. 10 s. for Staff Officers attending the Hoſpital.

74,192 l. 5 s. 4 d. for ſeveral Regiments tranſferred from the Iriſh to the Britiſh Eſtabliſhment.

47,273 l. 9 s. 5 d. Halfpenny, for the Daniſh Troops, 1740.

dred and forty-one inclusive; and any Sum or Sums of Money not exceeding fifty-one thousand seventy-two Pounds four Shillings and two Pence Halfpenny, for defraying the Charge of the said Troops of the King of *Denmark*, in the Pay of *Great Britain*, from the twenty-sixth day of *December* one thousand seven hundred and forty-one to the the third Day of *March* one thousand seven hundred and forty-one—two, both inclusive, together with the Proportion of the Subsidy due for the said Time, and also for the forty-two Days Pay and Waggon Money for their return home, pursuant to Treaty; and any Sum or Sums of Money not exceeding thirty-three thousand three hundred and nine Pounds seven Shillings for defraying the Charge of what remains to be paid to the Troops of his Majesty the King of *Sweden* as *Landgrave* of *Hesse Cassell*, being one thousand two hundred and sixty-four Horse, and four thousand nine hundred and eight Foot, together with the General Officers and Train of Artillery in the Pay of *Great Britain*, from the twenty-fifth Day of *March* exclusive to the twenty-fifth Day of *December* one thousand seven hundred and forty-one inclusive; and any Sum or Sums of Money not exceeding one hundred sixty-one thousand six hundred and seven Pounds seventeen Shillings and one Penny Halfpenny, for defraying the Charge of the said Troops of the King of *Sweden* as *Landgrave* of *Hesse Cassell*, in the Pay of *Great Britain*, from the twenty-sixth Day of *December* one thousand seven hundred and forty-one to the twenty-fifth Day of *December* one thousand seven hundred and forty-two, both inclusive, together with the Subsidy for the same Time, pursuant to Treaty; and any Sum or Sums of Money not exceeding twenty-five thousand seven hundred thirty-one Pounds six Shillings and eight Pence, for defraying the Charge of the General and Staff Officers appointed to attend the Forces in *Flanders*, together with the Contingencies for the said Service for the Year one thousand seven hundred and forty-two; and any Sum or Sums of Money not exceeding one thousand three hundred and sixty-five Pounds for defraying the Expence of the Hospital for the Service of the Forces in *Flanders*, for the Year one thousand seven hundred and forty-two; and any Sum or Sums of Money not exceeding twenty-seven thousand nine hundred sixty-eight Pounds two Shillings and six Pence, upon Account of Half-pay to the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and forty-two, subject to such Rules to be observed in the Application of the said Half-pay, as are herein after prescribed concerning the same; and any Sum or Sums of Money not exceeding four thousand one hundred sixty-eight Pounds, for paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and forty-two; which said Sum of four thousand one hundred and sixty-eight Pounds shall be issued to such Person or Persons, as his Majesty shall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists, or other Directions, and with and subject to such Conditions, Qualifications, or other Allowances for the same, as his Majesty, by such and the like Warrant or Warrants, shall be graciously pleased to direct and appoint.

51,072 l. 4 s. 2 d. Halfpenny, for the Danish Troops 1741.

33,309 l. 7 s. Arrears to the Hessian Troops 1740.

161,607 l. 17 s. 1 d. Halfpenny, for the Hessian Troops 1741.

25,731 l. 6 s. 8 d. for Staff Officers in Flanders 1742.

1365 l. for an Hospital in Flanders.

27,968 l. 2 s. 6 d. for Half-pay Officers.

4168 l. for Pensions to reduced Officers Widows.

XXIX. And it is also hereby enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding five hundred thousand Pounds, upon Account, towards enabling his Majesty to concert proper Measures, and form such Alliances, or enter into such Engagements with other Powers as his Majesty shall judge necessary for the Support of the House of *Austria*, and restoring the Balance of Power in *Europe*.

500,000 l. to support the House of Austria, &c.

XXX. And it is hereby enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding four thousand forty-eight Pounds fourteen Shillings and seven Pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Stamp Duties at *Christmas* one thousand seven hundred and forty; and any Sum or Sums of Money not exceeding ten thousand Pounds, to replace to the Sinking Fund the like Sum paid out of the same, to the Governor and Company of the Bank of *England* for Half a Year's Interest due on or before the eighth Day of *March* one thousand seven hundred and forty, on the Principal Sum of five hundred thousand Pounds by them lent on the Credit of the Salt Duties towards the Supply of the Year one thousand seven hundred and thirty-five; and any Sum or Sums of Money, not exceeding twenty-one thousand Pounds, to replace to the Sinking Fund the like Sum paid out of the same, for a Half Year's Interest, due on or before the fifth Day of *November* one thousand seven hundred and forty-one, on the Principal Sum of one million two hundred thousand Pounds, lent on the Credit of the Salt Duty, towards the Supply of the Year one thousand seven hundred and forty-one; and the Sum of twenty-seven thousand eight hundred fifty-one Pounds one Shilling and two Pence Half Penny to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty of twelve Shillings *per* Barrel, on Sweets or Wines made from *British* or Foreign Spirits, at *Michaelmas* one thousand seven hundred and forty-one; and the Sum of nineteen thousand and eighteen Pounds four Shillings and eleven Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty upon all Victuallers and Retailers of Beer and Ale within the Cities of *London* and *Westminster*, and the Weekly Bills of Mortality, at *Michaelmas* one thousand seven hundred and forty-one; and any Sum or Sums of Money not exceeding two hundred sixty-three thousand seven hundred thirty-one Pounds seventeen Shillings and seven Pence, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and forty-one; and any Sum or Sums of Money not exceeding ten thousand Pounds, to be applied towards the Maintenance of the *British* Forts and Settlements belonging to the Royal *African* Company of *England* on the Coasts of *Africa*; and any Sum or Sums of Money not exceeding four thousand Pounds, towards the repairing and finishing the Collegiate Church of *Saint Peter*, *Westminster*.

Several Sums repaid the Sinking Fund.

4048 l. 14 s. 7 d. additional Stamp Duties.

10,000 l. Salt Duty.

21,000 l. Salt Duty.

27,851 l. 1 s. 2 d. Halfpenny, Sweets.

19,018 l. 4 s. 11 d. Victuallers Duty.

263,731 l. 17 s. 7 d. Deficiency of the Grants for 1741.

10,000 l. towards maintaining the African Forts.

4000 l. for repairing St. Peter's Church Westminster.

XXXI. And

58,737 l. 11 s. 2 d. 3 Farthings, towards the General Fund for 1741.

XXXI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding fifty-eight thouſand ſeven hundred thirty-ſeven Pounds eleven Shillings and two Pence three Farthings, for making good the Deficiency of the General Fund for the Year ended at *Michaelmas* one thouſand ſeven hundred and forty-one.

The ſaid Sums ſhall be applied to no other Uſe.

XXXII. And be it further enacted, That the ſaid Aids or Supplies provided as aforeſaid ſhall not be iſſued or applied to any Uſe, Intent, or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules for the Application of Half-pay.

See 16 *Geo.* 2. *c.* 25.

XXXIII. And as to the ſaid Sum of twenty-ſeven thouſand nine hundred and ſixty-eight Pounds two Shillings and ſix Pence, by this Act appropriated on Account of Half-pay as aforeſaid; It is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment Troop, or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop, or Company; that no Perſon having any other Place or Employment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who has reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the reduced Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately diſbanded in *Ireland*, except to ſuch as were lately taken of the Eſtabliſhment of Half-pay in *Great Britain*,

14 *Geo.* 2. *c.* 41.

'XXXIV. And whereas by an Act of Parliament made in the fourteenth Year of his Majeſty's Reign, 'intituled, *An Act for granting to his Majeſty one million out of the Sinking Fund, and for applying other 'Sums therein mentioned for the Service of the Year one thouſand ſeven hundred and forty-one; and for al-'lowing a Drawback of the Duties upon Coals uſed in Fire Engines for draining Tin and Copper Mines in the 'County of* Cornwall; *and for appropriating the Supplies granted in this Seſſion of Parliament; and for making 'forth Duplicates of Exchequer Bills, Lottery Tickets, and Orders loſt, burnt, or otherwiſe deſtroyed; and for 'giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and 'Apprentices*; ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which, any Sum and Sums of Money not exceeding twenty-nine thouſand three hundred Pounds ſeven Shillings and ſix Pence, was appropriated to be paid to the reduced Officers of his Majeſty's Foot Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid 'Act were preſcribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of twenty-nine thouſand three hundred Pounds ſeven Shillings and ſix Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers according to the Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service, or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act or the ſaid former Act to the contrary notwithſtanding.

The Overplus of laſt Year's Half-pay, how to be applied.

CAP. XX.

An Act to prevent the counterfeiting of Gold and Silver Lace; and for ſettling and adjuſting the Proportions of fine Silver and Silk; and for the better making of Gold and Silver Thread.

9 W. 3. c. 39. 1 Ann. ſt. 1. c. 17. 10 *Ann. c.* 26. 6 *Geo.* 1. *c.* 11. 12 *Geo.* 2. *c.* 26.

'WHEREAS of late great Frauds have been committed by a Sort of Tinſel Copper, or other 'baſe Metal, being brought into this Kingdom partly manufactured, which is ſpun or wrought 'upon Silk, and worked up in Imitation of Gold and Silver Lace, and is ſo exactly counterfeited, that 'Perſons of Skill in that Manufacture are daily liable to Impoſitions; which not only tends to the Diſ'couragement of the Manufacture of Gold and Silver Lace, and the Diminution of his Majeſty's Reve'nue, but is of dangerous Conſequence to the Publick in general: And whereas ſeveral Abuſes may be 'committed in refining of Silver, and gilding thereof, and in the making of Gold and Silver Wire and 'Thread, eſpecially in not allowing a due Proportion of fine Silver to Silk; whereby the Silver break'ing, and crumbling off from the Silk, there is not only a great Loſs to the reſpective Buyers, but an 'irreparable Prejudice to the Nation in general, in the waſting and conſuming of the Bullion thereof; 'and the ſaid Silver and Gold Thread, and the Manufactures of which the ſame conſiſt, conſequently have 'not that Credit, Uſe and Service that Silver and Gold Thread, and the Manufactures thereof made abroad, 'have, to the great Diſcouragement of the Exportation of the ſaid Silver and Gold Thread, and Manu-

'factures,

'factures, and the Uſe and Wear of the ſame at home;' For Remedy thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the ſaid firſt Day of *July* one thouſand ſeven hundred and forty-two, all Copper, Braſs, and every other Metal inferior to Silver, ſhall be ſpun upon Thread, Yarn, or Incle only, and not ſpun, mixed, wove, wrought, or ſet upon Silk; upon Pain, that each and every Perſon offending therein, ſhall forfeit and pay the Sum of five Shillings for each and every Ounce ſo ſpun, mixed, wove, wrought, or ſet upon Silk.

All Metal inferior to Silver, to be ſpun on Thread, Yarn, or Incle.

Penalty 5 s.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July*, all Silver Wire to be drawn for the making of Silver Thread, ſhall hold at leaſt eleven Ounces fifteen Penny-weight of fine Silver upon the Pound Weight *Troy*; and that all Silver to be gilt and made uſe of in the Wire-drawers Trade, ſhall hold at leaſt eleven Ounces eight Penny Weight of fine Silver upon the Pound Weight *Troy*, and ſhall not have leſs than four Penny-weight four Grains of fine Gold, without any Allay laid upon each Pound Weight of the ſaid Silver; upon Pain, that the Refiner or Maker thereof, ſhall forfeit and pay the Sum of five Shillings for each and every Ounce ſo made contrary to the Directions of this Act.

The Weight of Silver Thread.

Weight of Gilt Silver Tread.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July* no gilt Wire ſhall be coloured with Verdgreaſe or Deadhead, or any other forced Colour, upon Pain, that the Perſon ſo offending ſhall forfeit and pay the Sum of two Shillings and ſix Pence for every Ounce ſo coloured; and for all Gold and Silver prepared as aforeſaid, and reduced into Plate, there ſhall be allowed at the leaſt ſix Ounces of the ſaid Plate to cover four Ounces of Silk, except large Twiſt, Freeze, Freezon, Froſt and Cheque, and alſo except round Brocade uſed in the making brocaded Gold and Silver Silks or Stuffs only, in which there ſhall be allowed at the leaſt ſix Ounces of the ſaid Plate to cover five Ounces of Silk, and no more; all which Gold and Silver Plate ſhall be ſpun cloſe upon well boilded and light dyed Silk only, except Froſt, being run thin, and ſpun upon different coloured Silk; and in caſe any Spinner of Gold and Silver Thread, or other Perſon, ſhall lay Gold or Silver Plate upon any greater Proportions of Silk, or in any other Manner than as before directed by this Act (except as herein before is excepted) ſuch Spinner, or other Perſon, ſhall forfeit and pay two Shillings and ſix Pence for every Ounce ſo ſpun.

No gilt Wire to or coloured.

Penalty 2 s. 6 d. an Ounce.

Weight of Gold and Silver reduced into Plate.

Penalty 2 s. 6 d. an Ounce, for uſing more Silk than herein directed.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon whatſoever, from and after the ſaid firſt Day of *July*, ſhall ſell, or offer to Sale, any Gld or Silver Orrice Lace, mixed with any other Metal or Material than Gold or Silver, Silk and Vellum, the Perſon ſo ſelling, or offering the ſame to Sale, ſhall forfeit and pay for every Ounce the Sum of two Shillings and ſix Pence.

Penalty of 2 s. 6 d. an Ounce for ſelling Gold or Silver mixt with other Metal.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon whatſoever after the ſaid firſt Day of *July* ſhall ſell any Gold or Silver Wire, Plate, Thread, Lace, or Fringe, by any other Weight than *Troy* Weight, the Perſon ſo ſelling ſhall forfeit for every Ounce ſo ſold, the Sum of five Shillings.

Penalty 5 s. an Ounce, to ſell by any other than Troy Weight.

VI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July*, if any Maker or Seller of any Goods made or mixed with Gold or Silver Thread or Plate, ſhall make or ſell any Goods mixed with Gold or Silver Thread or Plate, made contrary to the Intent and Meaning of this Act, ſuch Perſon or Perſons ſhall forfeit and pay five Shillings for each and every Ounce of Gold and Silver Thread or Plate ſo made or ſold.

Penalty of 5 s. an Ounce, for making or ſelling Gold or Silver Thread or Plate mixed contrary to this Act.

VII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July* no Gold or Silver Thread, Lace, Fringe, or any other Work made thereof, or any Thread, Lace, Fringe, or other Work, made of Copper, Braſs, or any other inferior Metal, or Gold or Silver Wire or Plate, ſhall be imported or brought into *Great Britain*; upon Pain of being forfeited and burnt, and upon the Penalty of one hundred Pounds to be paid by the Importer thereof, for each and every Parcel ſo imported.

Penalty on importing Gold, Silver, or Works, of baſer Metal.

VIII. And for the better detecting of Frauds that may be committed by the Refiners, in laying a leſs Quantity of Gold upon Silver than is directed by this Act; Be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July* every Ingot or Bar of Silver deſigned to be made uſe of for gilt Wire, ſhall be weighed in the Preſence of the Officer of Exciſe, who attends the Forge where ſuch Ingots or Bars are made, before the ſame is covered with Gold; and ſhall be weighed in the Preſence of, and marked by the ſaid Exciſe Officer, after the Gold is laid thereupon; and if any Refiner or Maker of ſuch Ingots or Bars as aforeſaid, ſhall refuſe to permit any Exciſe Officer appointed for that Purpoſe to be preſent, and attend when ſuch Ingots or Bars are weighed, either before or after the covering the ſame with Gold in Manner as is above directed, every Refiner or Maker ſhall forfeit and pay the Sum of twenty Pounds.

Ingots of Silver for gilt Wire to be weighed in Preſence of the Officer;

and mark'd after the Gold is laid on.

Refiner not admitting the Officer to forfeit 20 l.

IX. And be it further enacted by the Authority aforeſaid, That of the ſeveral Penalties and Forfeitures made and inflicted by this Act, one Moiety ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall inform, ſue or proſecute for the ſame, and may be ſued for and recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, or Wager of Law, nor more than one Imparlance ſhall be allowed.

Forfeitures, Half to the King, &c.

X. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued for what he or they ſhall do in the Execution of this Act, he or they may plead the General Iſſue, and

General Iſſue.

give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his or their Action or Actions, or if a Verdict ſhall paſs againſt him or them, the Defendant or Defendants ſhall recover Treble Coſts, for which they ſhall have the like Remedy as in other Caſes were Coſts are allowed to Defendants.

Treble Coſts.

Limitation of Actions.

XI. Provided always, That every Suit, Action or Proſecution, to be brought by virtue of this Act, ſhall be commenced within ſix Months after the Offence committed.

Proviſo.

XII. Provided always, That nothing in this Act contained ſhall be conſtrued to inflict any Penalty upon any Perſon for ſelling, or expoſing to Sale, any Silver Wire, or Silver or Gold Thread, or any Lace or Fringe, on or before the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-two, though the ſame be not made according to the Rules and Directions of this Act; provided Proof be made by Oath of one or more credible Witneſs or Witneſſes, before ſome Juſtice of Peace of the County, City, Riding, Diviſion, or Place where the ſame ſhall be ſold, or expoſed to Sale (which Oath the ſaid Juſtice is hereby impowered and required to adminiſter) that ſuch Goods are really and *bona fide* the Manufacture of this Kingdom, and were made on or before the ſaid firſt Day of *July*.

Counterfeit Lace or Fringe, made before July 1, 1742.

XIII. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend to prohibit any Copper, Braſs, or other Metal inferior to Silver, ſpun upon Silk, and really and *bona fide* manufactured in this Kingdom, before the ſaid firſt Day of *July*, and ſo proved upon Oath as aforeſaid, being wrought or ſewed with Silk upon any Garment or Apparel actually made uſe of in Theatrical Entertainments only.

Counterfeit Lace or Fringe made for Theatrical Uſes.

XIV. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend to prohibit any Copper, Braſs, or any other Metal inferior to Silver (ſpun upon Thread, Yarn, or Incle, as this Act directs) being wrought, or ſewed with Silk, upon any Garment or Apparel actually uſed in Theatrical Entertainments only.

Publick Act.

Concerning Gold and Silver, &c. ſee farther 22 *Geo.* 2. *c.* 36.

XV. And be it enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

29 *Geo.* 2. *c.* 14. 31 *Geo.* 2. *c.* 32. 32 *Geo.* 2. *c.* 24.

CAP. XXI.

An Act for indemnifying Perſons who have omitted to qualify themſelves for Offices, Employments, and Promotions, within the Time limited by Law, and for allowing further Time for that Purpoſe. EXP.

CAP. XXII.

An Act to exclude certain Officers from being Members of the Houſe of Commons.

Preamble.

FOR further limiting or reducing the Number of Officers capable of ſitting in the Houſe of Commons, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Diſſolution, or other Determination of this preſent Parliament, no Perſon who ſhall be Commiſſioner of the Revenue in *Ireland*, or Commiſſioners of the Navy or Victualling Offices, nor any Deputies or Clerks in any of the ſaid Offices, or in any of the ſeveral Offices following; that is to ſay, The Office of Lord High Treaſurer, or the Commiſſioners of the Treaſury, or of the Auditor of the Receipt of his Majeſty's Exchequer, or of the Tellers of the Exchequer, or of the Chanceller of the Exchequer, or of the Lord High Admiral, or the Commiſſioners of the Admiralty, or of the Paymaſters of the Army, or of the Navy, or of his Majeſty's Principal Secretaries of State, or of the Commiſſioners of the Salt, or of the Commiſſioners of the Stamps, or of the Commiſſioners of Appeals or of the Commiſſioners of Wine Licences, or of the Commiſſioners of Hackney Coaches, or of the Commiſſioners of Hawkers and Pedlars, nor any Perſons having any Office, Civil or Military, within the Iſland of *Minorca*, or in *Gibraltar*, other than Officers having Commiſſions in any Regiment there only, ſhall be capable of being elected, or of ſitting or voting as a Member of the Houſe of Commons, in any Parliament which ſhall be hereafter ſummoned and holden.

Deſcription of Officers not admitted to ſit in Parliament.
5 W. & M. c. 7. §. 57.
12 W. 3. c. 10. §. 89.
6 Ann. c. 7. §. 25.
1 Geo. 1. c. 56.

Returns of ſuch Members declared void.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon hereby diſabled or declared to be incapable to ſit or vote in any Parliament hereafter to be holden, ſhall nevertheleſs be returned as a Member to ſerve for any County, Stewartry, City, Borough, Town, Cinque Port, or Place in Parliament, ſuch Election and Return are hereby enacted and declared to be void to all Intents and Purpoſes whatſoever: And if any Perſon diſabled, and declared incapable by this Act to be elected, ſhall, after the Diſſolution, or other Determination of this preſent Parliament, preſume to ſit or vote as a Member of the Houſe of Commons in any Parliament to be hereafter ſummoned, ſuch Perſon ſo ſitting or voting, ſhall forfeit the Sum of twenty Pounds for every Day in which he ſhall ſit or vote in the ſaid Houſe of Commons, to ſuch Perſon or Perſons who ſhall ſue for the ſame in any of his Majeſty's Courts at *Weſtminſter*; and the Money ſo forfeited ſhall be recovered by the Perſons ſo ſuing, with full Coſts of Suit, in any of the ſaid Courts, by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Privilege, Protection, or Wager of Law ſhall be allowed, and only one Imparlance, and ſhall from thenceforth be incapable of taking, holding, or enjoying any Office of Honour or Profit under his Majeſty, his Heirs or Succeſſors.

Penalty on Perſons ſitting or voting, after diſabled by this Act.

III. Provided

III. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That nothing in this Act shall extend or be construed to extend, or relate to, or exclude the Treasurer or Comptroller of the Navy, the Secretaries of the Treasury, the Secretary to the Chancellor of the Exchequer, or Secretaries of the Admiralty, the Under Secretary to any of his Majesty's Principal Secretaries of State, or the Deputy Paymaster of the Army, or to exclude any Person having or holding any Office or Employment for Life, or for so long as he shall behave himself well in his Office; any Thing herein contained to the contrary notwithstanding. Proviso. *Concerning Parliament see farther* 18 *Geo.* 2. *c.* 18. 19 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

CAP. XXIII.

An Act for securing to *John Byrom*, Master of Arts, the sole Right of publishing, for a certain Term of Years, the Art and Method of Short-hand invented by him. P R.

CAP. XXIV.

An Act to empower the Justices of the Peace of a Liberty or Corporation, to commit Offenders to the House of Correction of the County, Riding or Division, in which such Liberty or Corporation is situate.

'WHEREAS Doubts and Questions have arisen, touching the Commitment of Offenders, by 'Justices of the Peace of Liberties and Corporations, to the Houses of Correction of Counties, 'Ridings or Divisions, in which such Liberties and Corporations are situate, though the Inhabitants of 'such Liberties and Corporations contribute to the Maintenance and Support of such Houses of Correc-'tion;' Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases, where any Person liable by Law to be committed to the House of Correction, shall be apprehended within any Liberty, City or Town Corporate, whose Inhabitants are contributory to the Support and Maintenance of the House or Houses of Correction of the County, Riding or Division, in which such Liberty, City or Town Corporate is situate; it shall and may be lawful for the Justices of the Peace of such Liberty, City or Town Corporate, to commit such Person to the House of Correction of the County, Riding or Division, in which such Liberty, City or Town Corporate is situate; which Person so committed, shall and may be received, detained, dealt with and ordered, and be set and kept to hard Labour, or conveyed and sent away, or discharged, and be subject and liable to the same Correction and Punishment, to all Intents and Purposes, as if committed by any Justice or Justices of the Peace of the same County, Riding or Division. 9 *Geo.* 1. *c.* 7. Justices of a Liberty or Corporation, may commit Offenders to the House of Correction of the County, &c. *Farther Provisions concerning Justices,* 16 *Geo.* 2. *c.* 18. 18 *Geo.* 2. *c.* 20. 24 *Geo.* 2. *c.* 44 & 55. 26 *Geo.* 2. *c.* 14 & 27. 27 *Geo.* 2. *c.* 16 & 20. 1 *Geo.* 3. *c.* 13.

CAP. XXV.

An Act to impower the Importers or Proprietors of Rum or Spirits of the *British* Sugar Plantations to land the same before Payment of the Duties of Excise charged thereon, and to lodge the same in Warehouses at their own Expence; and for the Relief of *Ralph Barrow*, in respect to the Duty on some Rock Salt, lost by the overflowing of the Rivers *Weaver* and *Dane*. 12 *Car.* 2. *c.* 23 & 24. 22 *Car.* 2. *c.* 4. 2 *W.* & *M. stat.* 2. *c.* 9. 3 & 4 *W.* & *M.* *c.* 15. 7 & 8 *W.* 3. *c.* 30. 8 & 9 *W.* 3. *c.* 19. 10 & 11 *W.* 3. *c.* 4 & 21. 12 *W.* 3. *c.* 11. 1 *Ann. stat.* 2. *c.* 14. 4 *Ann. c.* 12. 12 *Ann. stat.* 2. *c.* 3. 3 *Geo.* 1. *c.* 4. 6 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 18. 11 *Geo.* 1. *c.* 30. 2 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 17. 7 *Geo.* 2. *c.* 14. 9 *Geo.* 2. *c.* 23. 10 *Geo.* 2. *c.* 17. 11 *Geo.* 2. *c.* 26.

'WHEREAS the several Rates, Duties and Charges of Excise upon all Strong Waters, Brandy, 'Spirits or *Aqua Vitæ*, imported from beyond the Seas, are by the several and respective Acts 'charging and imposing the same, directed and required to be from Time to Time satisfied and paid by 'the Merchant or Merchants, Importer or Importers of the same in ready Money, upon his or their Entry or Entries made, and before the landing thereof: And whereas the permitting Rum or Spirits of the 'Growth or Manufacture of his Majesty's Plantations in *America*, to be landed before Payment of the several Rates, Duties and Charges of Excise now imposed thereon, and to be put into Warehouses, upon 'the Proprietor or Proprietors, Importer or Importers of such Rum or Spirits, first giving good and sufficient Security for the Payment of the same, will be an Ease and Convenience to the Proprietor and 'Proprietors, Importer and Importers thereof, and may cause and promote a larger and greater Importation thereof;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty two, all such Rum or Spirits of the Growth, Produce or Manufacture of the *British* Sugar Plantations, as shall be imported into the Kingdom of *Great Britain*, directly from the said Sugar Plantations, or any of them, upon the Entry thereof may forthwith, and before Payment of all or any Part of the said Duty of Excise, be landed from on board the Ship or Vessel in which the same shall be so imported, and carried or put into such Warehouse or Warehouses as shall be for that Purpose provided at the Charge of the respective Proprietor or Proprietors, Importer or Importers of such Rum or Spirits, Rum, &c. imported from the British Colonies, may be landed, on Security given

Spirits, and ſhall be approved of by the Commiſſioners of Exciſe or the major Part of them for the Time being, upon the Proprietor or Proprietors, Importer or Importers of ſuch Rum or Spirits, that ſhall be ſo landed, firſt giving (at his or their Charge and Expence) his or their Bond, or other good and ſufficient Security, which the Commiſſioners or other proper Officers of the Exciſe are hereby required and impowered to take for Payment of all and every the Duties of Exciſe, which ſuch Rum or Spirits is charged with and liable to pay, as ſoon as the ſame ſhall be ſold, in caſe the ſame ſhall be ſold within ſix Months from and after the Time the ſame ſhall be ſo landed and put into Warehouſes as aforeſaid; and in caſe the ſame ſhall not be ſold within the ſaid ſix Months, then to pay the ſame at the End of ſuch ſix Months; ſuch Duty of Exciſe to be computed according to the Gauge of ſuch Rum or Spirits, to be taken at the Time the ſame ſhall be ſo landed and lodged in Warehouſes as aforeſaid.

II. And be it futher enacted by the Authority aforeſaid, That ſuch Rum or Spirits as ſhall be ſo brought into ſuch Warehouſe or Warehouſes, ſhall not be taken or carried out thence on any Account whatſoever, other that is herein after mentioned.

Rums, &c. landed without Warrant, forfeited;

III. And be it further enacted by the Authority aforeſaid, That in caſe any ſuch Rum or Spirits ſhall be landed or put on Shore out of any Ship or Veſſel, before due Entry be made thereof at the Cuſtom-houſe, and with the Collector of Exciſe at the Port or Place where the ſame ſhall be imported, and the ſaid Duties of Exciſe ſecured, or without a Warrant for the landing or delivering the ſame, firſt ſigned by the ſaid Collector or other proper Officer of Exciſe, or without the Preſence of an Exciſe Officer, that all ſuch imported Rum or Spirits as ſhall be ſo landed or put on Shore, or taken out of any Ship or Veſſel contrary to the true Meaning thereof, or the Value of the ſame ſhall be forfeited, and ſhall or may be recovered of the Importer or Proprietor thereof; *videlicet*, one Moiety of the ſame to the uſe of his Majeſty, his Heirs and Succeſſors, the other Moiety to the uſe of ſuch Perſon or Perſons as will ſeize the ſaid Rum or Spirits, or inform or ſue for the ſame or the Value thereof, to be ſued for, levied, recovered or mitigated by ſuch Ways, Means and Methods, as any Fine, Penalty or Forfeiture is or may be recovered or mitigated by any Law or Laws relating to his Majeſty's Revenues of Exciſe or any of them, or by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter* for that Part of *Great Britain* called *England*, or the Court of Exchequer at *Edinburgh*, for that Part of *Great Britain* called *Scotland*.

one half to the King, &c.

The Caſks to be gauged and marked.

IV. And be it further enacted by the Authority aforeſaid, That before ſuch Rum or Spirits of the *Britiſh* Sugar Plantations ſhall be landed and lodged in ſuch Warehouſe or Warehouſes, a Mark ſhall be ſet on every Caſk or Veſſel of ſuch Rum or Spirits, mentioning the particular Quantity of Rum or Spirits of the *Britiſh* Sugar Plantations which is contained therein, according to the Gauge thereof to be then taken, and who is or are the reſpective Proprietor or Importer thereof; and the Keeper or Keepers of ſuch Warehouſe or Warehouſes, and the Perſon or Perſons who ſhall be appointed by the Commiſſioners of his Majeſty's Exciſe to attend the ſaid reſpective Warehouſes, ſhall each of them keep one or more Book or Books, wherein they ſhall reſpectively and ſeparately, fairly enter in Writing, an exact, particular and true Account of all ſuch Rum or Spirits of the *Britiſh* Plantations, as ſhall from Time to Time be brought into and carried out of the reſpective Warehouſe or Warehouſes to which he or they ſhall reſpectively belong, and the Days and Times when the ſame ſhall be brought in and carried out, and the Name of the reſpective Perſon or Perſons to whom, or for whoſe Uſe the ſame was delivered out, and ſhall at the End of every ſix Months or oftner if required, tranſmit in Writing an Account thereof upon Oath to the Commiſſioners of the ſaid Duties of Exciſe for the Time being, together with an exact Account of how much is then remaining in the reſpective Warehouſe or Warehouſes, to which they reſpectively belong; and the Commiſſioners for the ſaid Duties of Exciſe are hereby required and enjoined, within one Month after the ſame ſhall be reſpectively tranſmitted to them as aforeſaid, to inſpect and examine the ſaid Accounts; and if upon ſuch Examination it ſhall appear, that any of the ſaid Rum or Spirits were delivered out of the ſaid Warehouſes otherwiſe than as herein is mentioned, or before Payment of his Majeſty's ſaid Inland Duties of Exciſe, for ſuch the ſaid Rum and Spirits as ſhall have been ſo delivered out of the ſaid Warehouſes, then the ſaid Warehouſe Keeper or Warehouſe Keepers, and Officer and Officers reſpectively offending therein, ſhall not only be diſabled to hold or enjoy any Publick Office or Employment, but ſhall alſo forfeit and loſe for every ſuch Offence, the Sum of one hundred Pounds, to be ſued for, levied and recovered or mitigated by ſuch Ways, and Means, and Methods, as any Fine, Penalty and Forfeiture is or may be recovered or mitigated, by any Law or Laws relating to his Majeſty's Revenues of Exciſe or any of them, or by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, for that Part of *Great Britain* called *England*, or the Court of Exchequer at *Edinburgh*, for that Part of *Great Britain* called *Scotland*.

Warehouſe Keepers to enter in Books the Rum, &c. lodged in their Warehouſes;

and render Account on Oath,

Penalty.

Conditions of Delivery out of the Warehouſes.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Rum or Spirits ſo lodged in Warehouſes as aforeſaid, ſhall and may from Time to Time be delivered out of ſuch Warehouſe or Warehouſes reſpectively, upon Payment of his Majeſty's Duties of Exciſe thereon, and upon the Proprietor or Importer, or ſuch Perſon or Perſons as ſhall be appointed by him or them for that Purpoſe, producing to the reſpective Warehouſe Keeper or Warehouſe Keepers, and the Officer appointed by the Commiſſioners of the Exciſe to attend theſe Warehouſes, a Warrant or Warrants, Certificate or Certificates, ſigned by the Collector, Receiver or other proper Officer of Exciſe, appointed to receive the Duties payable thereon, certifying that he has received all and every the ſaid Duties of Exciſe, to which the ſaid Rum or Spirits ſo deſired to be deliverd out of ſuch Warehouſe, was liable and ſubject to pay, ſuch Warehouſe Keeper or Warehouſe Keepers, and Officers of Exciſe attending ſuch Warehouſe or Warehouſes, ſhall deliver out of ſuch Warehouſe or Warehouſes, ſo much Rum or Spirits as ſhall be mentioned or expreſſed in ſuch Warrant or Warrants, Certificate or Certificates reſpectively, to have paid the ſaid Exciſe Duties;

Duties; and the reſpective Warehouſe Keeper or Warehouſe Keepers are thereupon to give ſuch Importer or Proprietor, or Perſon ſo employed to take Care of the Delivery thereof, a Permit or Certificate to accompany ſuch Rum or Spirits ſo delivered out, which Permit or Certificate ſhall be alſo ſigned by the Exciſe Officer attending the ſaid Warehouſe or Warehouſes, who ſhall be appointed by the Commiſſioners for the ſaid Exciſe Duties or the major Part of them, to prevent the ſeizing thereof.

What Quantities to be delivered at once.

VI. Provided always, That no Proprietor, Importer or Buyer of the ſaid Rum or Spirits, or other Perſon or Perſons, to be by him or them appointed, ſhall receive out of any ſuch Warehouſes aforeſaid, any leſs Quantity of Rum or Spirits at one Time, than one Puncheon, Hogſhead or other Caſk, containing not leſs than twenty Gallons, unleſs ſuch Rum was for the Uſe of the Mariners and Seamen in the Voyage.

Locks to the Warehouſes.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Proprietor or Importer of ſuch Rum or Spirits, ſo to be lodged in any ſuch Warehouſe or Warehouſes as aforeſaid, to affix one Lock to every ſuch Warehouſe, the Key of which ſhall remain in the Cuſtody of ſuch Proprietor or Importer; and to and for the Officer or Officers to be appointed by the ſaid Commiſſioners for the ſaid Exciſe Duties, to attend ſuch Warehouſe or Warehouſes, to affix one other Lock upon every ſuch Warehouſe or Warehouſes, the Key whereof to remain in the Cuſtody of the ſaid Officer for the ſaid Exciſe Duties; and the ſaid Proprietor or Importer ſhall and may in the Preſence of the ſaid Warehouſe Keeper or Exciſe Officer (who are hereby obliged to attend at all reaſonable Times for that Purpoſe) view, examine, ſhew and receive out of the ſaid Warehouſe or Warehouſes, the ſaid Rum or Spirits or any Part thereof, not leſs than the Quantity herein before for that Purpoſe mentioned, upon paying the ſaid Duty of Exciſe for the ſame; and upon producing ſuch Certificate or Receipt from the Collector or Receiver of the ſaid Inland Duties of Exciſe, of the ſame being paid in Manner as is herein before for that Purpoſe particularly preſcribed.

Rum in Warehouſes, ſubject to the Laws of Exciſe and Cuſtoms.

VIII. Provided always, and be it enacted, That all and every ſuch Rum or Spirits of the *Britiſh* Sugar Plantations, as ſhall be ſo lodged in any Warehouſe or Warehouſes, ſhall be ſubject and liable to the ſame Duties, both of Exciſe and Cuſtoms, to be applied to the ſame Uſes and Purpoſes, and to be managed and collected by the ſame Perſons, and in the ſame Manner, ſubject and liable to all and every the ſame Rules, Entries, Reſtrictions, Regulations, Limitations, Penalties and Forfeitures, as are in and by the ſeveral Acts of Parliament, by which the ſaid Duties are granted or any of them, for that Purpoſe particularly deſcribed, appointed, limited and enacted, ſave and except in the particular Inſtances hereby mentioned and provided for, and to be applied to the ſame.

Rums, &c. remaining in the Warehouſes above ſix Months, ſhall be ſold by Auction to pay the Duties, &c.

IX. And be it further enacted by the Authority aforeſaid, That in caſe ſuch Rum or Spirits ſhall after landed, be permitted or ſuffered to remain in ſuch Warehouſe or Warehouſes, in which the ſame ſhall be ſo lodged for the Purpoſes aforeſaid, for any Time exceeding the Space of ſix Months, after the ſame ſhall be ſo landed and lodged in ſuch Warehouſe as aforeſaid; and the Importor or Proprietor, or other Perſon or Perſons by him or them appointed, ſhall not within the ſaid ſix Months pay, or cauſe to be paid to the Collector or Receiver of the Exciſe Duties appointed to receive the ſame, all and every the Duties of Exciſe, to which the ſame are ſubject and liable; and ſhall omit to procure or bring ſuch Certificate herein before directed to be had and made, from ſuch Collector or Receiver to ſuch Warehouſe Keeper or Warehouſe Keepers, and to the Officer of Exciſe attending the ſame, of the Payment of the ſaid Duties of Exciſe, within the Time aforeſaid; that then it ſhall and may be lawful to and for the ſaid Commiſſioners of Exciſe, or the major Part of them for the Time being, to direct and order ſuch Rum or Spirits ſo lodged in ſuch Warehouſe or Warehouſes, for which the ſaid Duties ſhall not be paid within the Time aforeſaid, to be put up to Sale by publick Cant or Action to the beſt Bidder or Bidders for the ſame; and the Money ariſing by ſuch Sale, ſhall be in the firſt Place applied in Diſcharge of the ſaid Duty ſo payable thereon, and the Charges attending ſuch Warehouſe or Warehouſes, and alſo the Expence of ſuch Sale; and the Surplus of the Monies ſo ariſing by ſuch Sale, (if any) after Payment of the ſaid Duties and Charges, ſhall go and be paid to the Proprietor or Importer of the ſaid Rum and Spirits, who ſo landed and lodged the ſame in the ſaid Warehouſe.

Concerning Spirituous Liquors ſee farther 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

Continuance of this Act. 'Continued by 23 Geo. 2. c. 26.' *And farther continued by* 31 *Geo.* 2. *c.* 36.

X. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force from the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, to the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-nine, and from thence to the End of the next Seſſion of Parliament and no longer.

Duties on Salt excuſed to Ralph Barrow.

'XI. And whereas by the high Floods and overflowing of the Rivers *Weaver* and *Dane* at *Leſtwich*, 'near *Northwich*, in the County of *Cheſter*, in the Month of *December* one thouſand ſeven hundred and 'forty, twelve Tons of Rock Salt or thereabouts, belonging to *Ralph Barrow* of *Northwich* aforeſaid, 'were waſted and conſumed; and for ſecuring the Payment of the Duty thereof, Bond was given by him 'or ſome Perſon or Perſons on his Behalf;' Be it therefore enacted by the Authority aforeſaid, That for and in Conſideration of the Duty ſecured to be paid by the ſaid *Ralph Barrow*, in reſpect of the ſaid twelve Tons of Rock Salt, the ſaid Bond or Bonds given by the ſaid *Ralph Barrow* or any other Perſon or Perſons, for and in reſpect of the Duty of the ſaid twelve Tons of Rock Salt, ſhall from henceforth be diſcharged and vacated; and the ſame is and are hereby diſcharged and vacated accordingly; any Act or Acts of Parliament to the contrary notwithſtanding.

CAP.

CAP. XXVI.

An Act for the better enabling the Commissioners for building a Bridge cross the River *Thames*, from the City of *Westminster* to the opposite Shore in the County of *Surry*, to finish the said Bridge, and to perform the other Trusts reposed in them, and for enlarging the Time for exchanging of Tickets unclaimed in the last Lottery for the said Bridge, and to make Provision for Tickets in the said Lottery, lost, burnt or otherwise destroyed. P R.

9 *Geo.* 2. *c.* 29. 10 *Geo.* 2. *c.* 16. 11 *Geo.* 2. *c.* 25. 12 Geo. 2. *c.* 33. 14 Geo. 2. *c.* 40.

'WHEREAS the Commissioners for building a Bridge cross the River *Thames*, from the *Woolstaple* or thereabouts, in the Parish of *Saint Margaret* in the City of *Westminster*, to the opposite Shore in the County of *Surry*, are by virtue of several Acts of Parliament passed in the Reign of his present Majesty, impowered to make, open, design, assign and lay out such new Ways, Streets and Passages, as they shall find proper to be opened and made on each Side the River of *Thames*, to and from the intended Bridge, the Courts of Justice, both Houses of Parliament, and the Parts adjacent; and to agree for and purchase such Houses and Grounds as they shall find necessary for them to be possessed of, and to be removed, rebuilt, pulled down or employed for that Purpose, comprized within certain Bounds and Limits mentioned and described in an Act passed in the twelfth Year of the Reign of his present Majesty, intituled, *An Act to enlarge the Powers of the Commissioners for building a Bridge cross the River* Thames, *from the* Woolstaple *or thereabouts, in the Parish of* Saint Margaret *in the City of* Westminster, *to the opposite Shore in the County of* Surrey, *and to enable them by a Lottery to raise Money for the several Purposes therein mentioned, and to enlarge the Time for exchanging Tickets unclaimed in the last Lottery for the said Bridge, and to make Provision for Tickets in the said Lottery lost, burnt or otherwise destroyed*; and in one other Act made in the fourteenth Year of his present Majesty, intituled, *An Act to enable the Commissioners for building a Bridge cross the River* Thames, *from the City of* Westminster *to the opposite Shore in the County of* Surrey, *to raise a further Sum of Money towards finishing the said Bridge, and to perform the other Trusts reposed in them, and for the exchanging of Tickets unclaimed in the* Westminster Bridge *Lottery, of the twelfth Year of his present Majesty's Reign, and for making Provision for Tickets in the said Lottery, lost, burnt, or otherwise destroyed:* And whereas the Approaches to the said Bridge, the Courts of Justice, both Houses of Parliament, and the Parts adjacent, might be rendered more open and convenient, to the great Ease of Passengers, and the Publick in general, in case the said Commissioners were enabled to open and widen a Lane called *St. Margaret's Lane*, situate between the *Old* and *New Palace Yards*, within the Parish of *Saint Margaret* at *Westminster*, and for that Purpose were enabled to purchase, pull down, and remove certain Buildings, Houses, Grounds and Estates, situated within the said Lane, and thereunto adjacent, and which are not comprised within the Limits prescribed by the said afore mentioned Act:' Wherefore for promoting and encouraging a Design so useful and beneficial to the Publick, may it please your most Excellent Majesty, that it may be enacted, *&c.*

See farther 17 *Geo.* 2. *c.* 32. 18 *Geo.* 2. *c.* 29. 29 *Geo.* 2. *c.* 38. 30 *Geo.* 2. *c.* 34.

St. Margaret's Lane to be widened. Any Interest of the Crown may be conveyed to the Commissioners of the Bridge. Commissioners may dispose of purchased Lands. 20,000 *l.* towards building the Bridge, and making Ways. Commissioners to account to Parliament annually.

CAP. XXVII.

An Act for the more effectual preventing any Cloth, or Woollen Goods remaining upon the Rack or Tenters, or any Woollen Yarn, or Wool left out to dry, from being stolen, or taken away in the Night-time.

For former Laws concerning Wool, &c. refer to 25 *Ed.* 1. *c.* 7. 34 *Ed.* 1. *St.* 4. *c.* 3. 18 *Ed.* 3. *St.* 2. *c.* 3. 31 *Ed.* 3. *St.* 1. *c.* 2. 34 *Ed.* 3. *c.* 19. 36 *Ed.* 3. *c.* 11. 8 *H.* 6. *c.* 22. 23 *H.* 8. *c.* 17. 2 & 3 *P. & M. c.* 13. 39 *El. c.* 14. 7 *Jac.* 1. *c.* 7. 12 *Car.* 2. *c.* 32. 13 & 14 *Car.* 2. *c.* 18 & 19. 1 *W. & M. St.* 1. *c.* 32. 7 & 8 *W.* 3. *c.* 28. 9 & 10 *W.* 3. *c.* 40. 10 & 11 *W.* 3. *c.* 10. 3 *Geo.* 1. *c.* 21. 4 *Geo.* 1. *c.* 11. 5 *Geo.* 1. *c.* 11. 12 *Geo.* 1. *c.* 34. 13 *Geo.* 1. *c.* 23. 5 *Geo.* 2. *c.* 21. 12 *Geo.* 2. *c.* 21.

'WHEREAS Clothiers and others concerned in the Woollen Manufacture are under a Necessity of letting their Cloth, and other Woollen Goods remain upon the Rack or Tenters, as also of suffering their Wool to lie exposed in the Night-time, in order the better to dry and prepare the same; whereby their said Goods are more frequently liable to be stolen by wicked and evil designing Persons, who are encouraged in their Wickedness, by the Difficulty of proving the Identity of the Goods stolen;' Therefore to secure the Property of such Clothiers, and others concerned in the Woollen Manufacture, and to facilitate a Discovery of such Goods so stolen; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-two, in case any Cloth or Woollen Goods remaining upon the Rack or Tenters, or any Woollen Yarn, or Wool left out to dry, shall be stolen or taken away in the Night-time; it shall and may be lawful to and for any one or more Justice or Justices of the Peace of the same County or Place, upon Complaint made to him or them, within ten Days after such Cloth, Woollen Goods, Woollen Yarn, or Wool, shall have been so stolen or taken away, by the Owner of such Cloth, Woollen Goods, Woollen Yarn, or Wool, by Warrant under his or their Hands and Seals, to authorize and impower any Constable, Headborough, or other Peace Officer in the Day-time, to enter into and search the Houses, Outhouses, Yards, Gardens or other Places belonging to the

Houses

Houſes of all and every Perſon and Perſons whom the Owner of ſuch Cloth, Woollen Goods, Woollen Yarn or Wool, ſhall, upon his Oath, declare to ſuch Juſtice or Juſtices of the Peace, he ſuſpects to have ſtolen, taken away or received the ſame; and in caſe ſuch Conſtable, or other Officer, ſhall find or diſcover any Cloth, Woollen Goods or Wool, which he ſhall from the Information of the Perſon making ſuch Oath, have reaſon to ſuſpect to be ſo ſtolen, taken away or received, he ſhall forthwith apprehend all and every Perſon or Perſons in whoſe Cuſtody or Poſſeſſion ſuch Cloth, Woollen Goods or Wool ſhall be found, and carry him, her or them, before ſome Juſtice or Juſtices of the Peace of the ſame County, Riding, Diviſion, Liberty, City or Town Corporate; and if the ſaid Perſon or Perſons ſo ſuſpected, apprehended and carried before the ſaid Juſtice or Juſtices, ſhall not then and there give a ſatisfactory Account, how he, ſhe or they acquired the Property or Poſſeſſion of ſuch Cloth, Woollen Goods, Woollen Yarn or Wool, or ſhall not, within ſome convenient Time to be ſet by the ſaid Juſtice or Juſtices, produce the Party or Parties of whom he, ſhe or they received the ſame, or ſome other credible Witneſs to depoſe upon Oath ſuch Property or Right to the Poſſeſſion of the ſaid Cloth, Woollen Goods, Woollen Yarn or Wool (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered to adminiſter) that the ſaid Perſon or Perſons ſo ſuſpected, and not giving ſuch ſatisfactory Account, nor producing any ſuch Witneſs upon Oath to teſtify as aforeſaid, ſhall be deemed and adjudged as convicted of the ſaid Offence of ſtealing or taking away the ſaid Cloth, Woollen Goods, Woollen Yarn or Wool, and ſhall for the firſt Offence forfeit and pay to the Owner of ſuch Cloth, Woollen Goods, Woollen Yarn or Wool, treble the Value thereof; and in Default of Payment thereof, in the time appointed by ſuch Juſtice or Juſtices for the Payment thereof, ſuch Juſtice or Juſtices of the Peace ſhall iſſue forth his or their Warrant to levy the ſame by Diſtreſs and Sale of the Offender's Goods, returning the Overplus if any be; and in Default of ſuch Diſtreſs, ſhall commit the Offender or Offenders to the common Gaol of the County, City or Place where the ſaid Offender or Offenders ſhall be apprehended, there to remain for the Space of three Months without Bail or Mainprize, or until he, ſhe or they pay the ſame; and if ſuch Perſon or Perſons ſhall again commit the ſaid Offence, and be thereof convicted as before, then they and every of them ſo offending the ſecond Time, and being thereof ſo convicted, ſhall, over and above the Forfeiture of treble the Value of the Cloth, Woollen Goods, Woollen Yarn, or Wool ſo found to be recovered and levied as aforeſaid, be committed to the common Gaol as aforeſaid, there to remain for the Space of ſix Months without Bail or Mainprize; and if ſuch Perſon or Perſons ſhall again commit the ſaid Offence, and be thereof convicted as before, the Juſtice or Juſtices of the Peace before whom ſuch Perſon or Perſons ſhall be ſo convicted as aforeſaid, ſhall forthwith iſſue his or their Warrant to commit the ſaid Offender or Offenders to the common Gaol as aforeſaid, there to remain till the next Aſſizes or Great Seſſion, where the ſaid Offender or Offenders ſhall be tried for the ſaid Offence; and in caſe ſuch Offender or Offenders ſhall not by producing the Party or Parties of whom he, ſhe or they acquired the Property or Poſſeſſion of ſuch Cloth, Woollen Goods, Woollen Yarn or Wool, or otherwiſe prove to the Satisfaction of the Jury, that he, ſhe or they lawfully obtained the Property or Poſſeſſion of the ſame, he, ſhe or they ſhall be adjudged to be guilty of Felony, and ſuffer Tranſportation for the Space of ſeven Years, and ſhall be liable to the ſame Puniſhment, and to the like Methods of Proſecution, Trial and Conviction for returning from ſuch Tranſportation as other Felons tranſported are liable unto by virtue of the Laws now in Force.

Search may be made for Cloth ſtolen off Tenters, and Wool, &c. left to dry.

Woollen Goods found, to be accounted for before a Juſtice.

Offender to forfeit treble Value. Penalty to be levied by Diſtreſs and Sale;

Second Offence ſix Months Imprisonment.

Tranſportation for ſeven Years for the third Offence.

II. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſo ſuſpected and apprehended as aforeſaid, ſhall find him, her or themſelves aggrieved by any Judgment or Determination which ſhall be given or made by any Juſtice or Juſtices of the Peace by virtue of this Act, it ſhall and may be lawful to and for ſuch Perſon or Perſons ſo aggrieved (unleſs he, ſhe or they have twice before been convicted of the ſame Offence) to appeal unto the Juſtices of the Peace in their General Quarter-Seſſions, which ſhall happen to be held next after ſuch Judgment or Determination given or made, who are hereby authorized and impowered to give ſuch Relief, and make ſuch Order therein as to them ſhall ſeem meet; and ſuch Judgment, Order or Determination as ſhall be by them made upon the ſaid Appeal, ſhall be final to all Intents and Purpoſes whatſoever.

Appeal to the Quarter-Seſſions.

III. Provided alſo, That this Act ſhall not extend to alter or repeal any Law now in Force, for the Puniſhment of any Perſon or Perſons ſtealing or receiving ſuch Cloth, Woollen Goods, Woollen Yarn or Wool, except in ſuch Caſes where the Proof is laid upon the Offender or Offenders as aforeſaid; any Thing herein contained to the contrary notwithſtanding.

Proviſo. *Concerning Wool, &c. ſee further* 25 *Geo.* 2. *c.* 14. 26 *Geo.* 2. *c.* 8 *&* 11. 29 *Geo.* 2. *c.* 33. 30 *Geo.* 2. *c.* 12.

CAP. XXVIII.

An Act for the more effectual preventing the counterfeiting of the current Coin of this Kingdom, and the uttering or paying of falſe or counterfeit Coin.

BE it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon whatſoever ſhall, after the twenty-ninth Day of *September* in the Year of our Lord one thouſand ſeven hundred and forty-two, waſh, gild, or colour any of the lawful Silver Coin called a *Shilling* or a *Sixpence*, or any counterfeit or falſe Shilling or Sixpence, or add to or

The former Laws concerning Coin refer to 20 *Ed.* 1. *St.* 4, 5 *&* 6. 27 *Ed.* 1. *St.* 3. 9 *Ed.* 3. *St.* 2. *c.* 1, 2 *&* 3. 17 *Ed.* 3. *ſec.* 1. 25 *Ed.* 3. *St.* 5. *c.* 12, 13 *&* 20. 27 *Ed.* 3. *St.* 2. *c.* 14. 5 *R.* 2. *c.* 2. 14 *R.* 2. *c.* 2. 17 *R.* 2. *c.* 1. 2 *H.* 4. *c.* 5. 11 *H.* 4. *c.* 8. 3 *H.* 5. *c.* 6 *&* 7. 9 *H.* 5. *St.* 1. *c.* 11. 1 *H.* 6. *c.* 1. 2 *H.* 6. *c.* 6 *&* 12. 8 *H.* 6. *c.* 22. 3 *H.* 7. *c.* 6. 4 *H.* 7. *c.* 2. 19 *H.* 7. *c.* 3. 5 *&* 6 *Ed.* 6. *c.* 19. 1 *Mar. Seſſ.* 2. *c.* 6. 14 *El.* *c.* 3. 13 *&* 14 *Car.* 2. *c.* 31. 18 *Car.* 2. *c.* 5. 25 *Car.* 2. *c.* 8. 6 *&* 7 *W.* 3. *c.* 17. 7 *&* 8 *W.* 3. *c.* 10 *&* 19. 8 *W.* 3. *c.* 1 *&* 2. 8 *&* 9 *W.* 3. *c.* 26. 9 *W.* 3. *c.* 2. 9 *&* 10 *W.* 3. *c.* 21. 1 *Ann. St.* 1. *c.* 9. 4 *Ann. c.* 22. 7 *Ann. c.* 24.

alter

alter the Impreſſion, or any Part of the Impreſſion, of either Side of ſuch lawful or counterfeit Shilling or Sixpence, with Intent to make ſuch Shilling reſemble or look like, or paſs for a Piece of lawful Gold Coin called a *Guinea*, or with Intent to make ſuch Sixpence reſemble or look like, or paſs for a Piece of lawful Gold Coin called an *Half-Guinea*; or ſhall file, or any ways alter, waſh, or colour any of the Braſs Monies called *Halfpennies* or *Farthings*, or add to or alter the Impreſſion, or any Part of the Impreſſion of either Side of an Halfpenny or Farthing, with an Intent to make an Halfpenny reſemble or look like, or paſs for a lawful Shilling, or with Intent to make a Farthing reſemble or look like, or paſs for a lawful Sixpence, the Perſon and Perſons ſo offending in any of the Matters aforeſaid, their Counſellors, Aiders, Abettors and Procurers, ſhall be, and is and are hereby adjudged to be guilty of High Treaſon.

High Treaſon to guild ſilver Coin, &c.

'II. And whereas the uttering of falſe Money, knowing it to be falſe, is a Crime frequently committed all over the Kingdom, and the Offenders therein are not deterred, by reaſon that it is only a 'Miſdemeanor, and the Puniſhment very often but ſmall, though there be great Reaſon to believe, that 'the common Utterers of ſuch falſe Money are either themſelves the Coiners, or in Confederacy with 'the Coiners thereof:' For preventing whereof, Be it hereby further enacted by the Authority aforeſaid, That if any Perſon whatſoever ſhall, after the ſaid twenty-ninth Day of *September*, utter or tender in Payment any falſe or counterfeit Money, knowing the ſame to be falſe or counterfeit, to any Perſon or Perſons, and ſhall be thereof convicted, ſuch Perſon ſo offending ſhall ſuffer ſix Months Impriſonment, and find Sureties for his or her good Behaviour for ſix Months more, to be computed from the End of the ſaid firſt ſix Months; and if the ſame Perſon ſhall afterwards be convicted a ſecond Time of the like Offence of uttering or tendering in Payment any falſe or counterfeit Money, knowing the ſame to be ſo, ſuch Perſon ſhall for ſuch ſecond Offence, ſuffer two Years Impriſonment, and find Sureties for his or her good Behaviour for two Years more, to be computed from the End of the ſaid firſt two Years; and if the ſame Perſon ſhall afterwards offend a third Time in uttering or tendering in Payment any falſe or counterfeit Money, knowing the ſame to be ſo, and ſhall be convicted of ſuch third Offence, he or ſhe ſhall be and is hereby adjudged to be guilty of Felony without Benefit of Clergy.

Uttering falſe Money knowingly, ſix Months Impriſonment, and Security for two Years more. For the ſecond Offence two Years Impriſonment, and Security for two Years. For the third Offence, Felony without Clergy.

III. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon whatſoever ſhall after the ſaid twenty-ninth Day of *September* utter or tender in Payment any falſe or counterfeit Money, knowing the ſame to be falſe or counterfeit, to any Perſon or Perſons, and ſhall either the ſame Day, or within the Space of ten Days then next, utter or tender in Payment any more or other falſe or counterfeit Money, knowing the ſame to be falſe or counterfeit, to the ſame Perſon or Perſons, or to any other Perſon or Perſons, or ſhall at the Time of ſuch uttering or tendering have about him or her, in his or her Cuſtody, one or more Piece or Pieces of counterfeit Money, beſides what was ſo uttered or tendered, then ſuch Perſon ſo uttering or tendering the ſame ſhall be deemed and taken to be a common Utterer of falſe Money, and being thereof convicted ſhall ſuffer a Year's Impriſonment, and ſhall find Sureties for his or her good Behaviour for two Years more, to be computed from the End of the ſaid Year; and if any Perſon having been once ſo convicted as a common Utterer of falſe Money, ſhall afterwards again utter or tender in Payment any falſe or counterfeit Money to any Perſon or Perſons, knowing the ſame to be falſe or counterfeit, then ſuch Perſon being thereof convicted, ſhall for ſuch ſecond Offence be and is hereby adjudged to be guilty of Felony without Benefit of Clergy.

Uttering falſe Money twice within ten Days; or having other falſe Money in Cuſtody, to ſuffer a Year's Impriſonment, &c. Subſequent Offence, Felony *without Clergy*.

IV. And it is hereby further enacted by the Authority aforeſaid, That the Perſon or Perſons convicted of any of the Treaſons and Felonies reſpectively herein before mentioned, ſhall ſuffer Death as in caſe of High Treaſon and Felony reſpectively; but the Blood of the Heirs of ſuch Offender ſhall not be thereby corrupted, nor ſhall his Wife thereby forfeit or loſe her Dower out of or in his Lands or Real Eſtate.

Blood not to be corrupted.

V. And it is hereby further enacted, That the Perſon and Perſons that ſhall be guilty of any of the Treaſons, Felonies or Crimes aforeſaid, ſhall be indicted, arraigned, tried, and convicted by ſuch like Evidence, and in ſuch Manner as is now uſed and allowed againſt any Offenders for counterfeiting the lawful Coin, provided that there ſhall be no Proſecution for any of the Offences made Treaſon or Felony by this Act, unleſs ſuch Proſecution be commenced within ſix Months next after ſuch Offence ſhall be committed.

Evidence to be the ſame as now uſed againſt counterfeiting the Coin.

'VI. And whereas the coining or counterfeiting any of the Copper Money of this Kingdom is only a 'Miſdemeanor, and the Puniſhment often very ſmall;' Be it hereby further enacted by the Authority aforeſaid, That if any Perſon whatſoever, ſhall after the ſaid twenty-ninth Day of *September* make, coin or counterfeit any Braſs or Copper Money, commonly called a *Halfpenny*, or a *Farthing*, ſuch Perſon offending therein, and his, her and their Aiders, Abettors, and Procurers being thereof convicted, ſhall ſuffer two Years Impriſonment, and find Sureties for his or her good Behavour for two Years more, to be computed from the End of the ſaid firſt two Years.

Coiners of Copper Money to be impriſoned two Years,

VII. And it is hereby further enacted, That whoever ſhall after the ſaid twenty-ninth Day of *September* apprehend any Perſon or Perſons who have committed any of the Offences hereby made High Treaſon or Felony, or who ſhall have made or counterfeited any of the Copper Money aforeſaid, and ſhall proſecute ſuch Offenders, until he, ſhe or they ſhall be thereof convicted, ſuch Proſecutor and Proſecutors ſhall have and receive from the Sheriff or Sheriffs of the County or City, where ſuch Conviction ſhall be made, for every ſuch Offender ſo convicted of any of the Treaſons or Felonies aforeſaid, the Sum of forty Pounds; and for every Perſon ſo convicted of counterfeiting any of the ſaid Copper Money, the Sum of ten Pounds, without paying any Fee for the ſame, within one Month after ſuch Conviction, and Demand thereof made, by tendering a Certificate to the ſaid Sheriff or Sheriffs for the Time being, or his or their Under-ſheriff, under the Hands of the Judge or Juſtices before whom ſuch Conviction ſhall have been made, certifying ſuch Conviction, and that the Offender or Offenders were apprehended

40l. for convicting a Perſon of Treaſon or Felony: And 10l. for convicting a Perſon of counterfeiting Copper Money. Certificate to be given by the Judge.

and profecuted by the Perfons claiming the faid Reward, and thereby directing in what Shares and Proportions the faid Reward fhall be paid and divivided to and amongſt ſuch Profecutor or Profecutors; which Certificate the faid Judge or Juſtices are hereby required to give without Delay or Fee; and if the faid Sheriff or Sheriffs ſhall not pay the faid Reward accordingly, within the Time aforeſaid, he or they ſhall forfeit to ſuch Profecutor and Profecutors ſeverally, double the Sum which by the ſaid Certificate ſhall be directed to be ſeverally paid to them, to be recovered by him, her or them, or his, her or their Executors or Adminiſtrators, in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill or Information, with treble Coſts of Suit, expended or paid in recovering the ſame; and ſuch Sheriff or Sheriffs ſhall be allowed, or may deduct ſuch Rewards, upon his or their accounting with his Majeſty, without any Fee to be paid in reſpect thereof; and if he or they ſhall not on paſſing ſuch Account have Money ſufficient in his or their Hands to anſwer what ſhall have been paid for ſuch Rewards, then the ſame ſhall be repaid by the Lord Treaſurer or Commiſſioners of the Treaſury for the Time being, out of the Revenues of the Crown, on Certificate for that Purpoſe, from the Clerk of the Pipe.

Penalty on the Sheriffs not paying the Reward.

Sheriff to be allowed ſuch Payments in his Accounts, &c.

VIII. And be it hereby further enacted by the Authority aforeſaid, That whoever being out of Priſon, ſhall after the ſaid twenty-ninth Day of *September*, commit any of the Offences aforeſaid, and ſhall afterwards diſcover two or more Perſons, who ſhall after the Time aforeſaid have committed any of the ſaid Offences, ſo as ſuch two or more Perſons ſhall be thereof convicted, ſuch Diſcoverer ſhall have, and is hereby intitled to his Majeſty's moſt gracious Pardon for ſuch his or her Offences.

If Offenders, being out of Priſon, impeach two others, they ſhall be pardoned.

IX. And be it hereby further enacted, That if any Perſon ſhall be convicted of uttering or tendering any falſe or counterfeit Money as aforeſaid, and ſhall afterwards be guilty of the like Offence, in any other County or City, the Clerk of the Aſſize, or the Clerk of the Peace for the County or City where ſuch Conviction was ſo had, ſhall at the Requeſt of the Profecutor, or any other on his Majeſty's Behalf, certify the ſame by a Tranſcript in few Words, containing the Effect and Tenor of ſuch Conviction; for which Certificate two Shillings and Sixpence, and no more, ſhall be paid; and ſuch Certificate being produced in Court, ſhall be ſufficient Proof of ſuch former Conviction.

Manner of proſecuting a ſecond Offence in another County.

Offences againſt this Act are excepted out of the general Pardon 20 Geo. 2. c. 52.

X. And whereas by an Act made in the ſeventh Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for the continuing the former Act, for the Encouragement of Coinage, and to encourage the bringing foreign Coins, and* Britiſh *or foreign Plate to be coined, and for making Proviſion for the Mints in* Scotland, *and for the proſecuting Offences concerning the Coin in* England, there is a limited Sum of four hundred Pounds a Year, directed to be allowed out of the Coinage Duty for the Expences of proſecuting Offenders againſt the Laws relating to the Coin; which Sum for ſeveral Years laſt paſt has proved greatly deficient, inſomuch that there appears to have been expended for the carrying on of thoſe Proſecutions, the Sum of ſeven hundred and two Pounds three Shillings and ſeven Pence, over and above the Sum of four hundred Pounds *per Annum* allowed for that Service; and as the Law now ſtands, the ſaid Sum of ſeven hundred and two Pounds three Shillings and ſeven Pence, cannot be brought to Account;' Be it therefore further enacted, That the Lord High Treaſurer, or the Lords Commiſſioners of the Treaſury for the Time being, ſhall and may, out of the Money ariſing by the Coinage Duty, order and allow ſuch further Sums of Money as the Expences of the ſaid Proſecutions have in ſuch laſt Years amounted to, over and above the ſaid four hundred Pounds a Year; and alſo ſhall and may, at all Times hereafter, order and allow out of the Money ariſing by the ſaid Coinage Duty ſuch Sums of Money, for defraying the future Expences of the ſaid Proſecutions, as he or they ſhall ſee fit, provided the ſaid Expences do not, in any one Year, exceed the Sum of ſix hundred Pounds.

7 Annæ, c. 24. §. 4.

Arrears of Charges of Proſecution to be allowed.

Future Expences ſettled. *See 27 Geo. 2. c. 11.*

CAP. XXIX.

An Act for granting to his Majeſty an additional Duty on foreign Cambricks imported into *Great Britain*, and for allowing thereout a Bounty upon certain Species of *Britiſh* and *Iriſh* Linens exported.

For former Proviſions concerning Linnen refer to 28 H. 8. c. 4. 1 El. c. 12. 7 & 8 W. 3. c. 39. 1 Ann. St. 2. c. 8. 3 Ann. c. 8. 7 Ann. c. 7. 10 Ann. c. 19 & 21. 12 Ann. St. 2. c. 9, 19 & 21. 1 Geo. 1. c. 36. 8 Geo. 1. c. 7 & 21.

'WHEREAS the Manufactures of Linens made in the Kingdoms of *Great Britain* and *Ireland*, are greatly improved and increaſed, whereby the Price of Linens, as well of foreign as home Fabrick, hath been conſiderably reduced: And whereas the further Extenſion of the ſaid Manufactures of Linens will be a great Advantage to the ſaid Kingdoms;' Therefore we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, do give and grant to your Majeſty, your Heirs and Succeſſors, ſuch additional Duty upon foreign Cambricks to be imported into *Great Britain*, as is herein after mentioned; and do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-two, over and above all Subſidies, Duties, Impoſitions, and Payments already due and payable to his Majeſty, for ſuch foreign Cambricks, which ſhall be imported into *Great Britain*, there ſhall be raiſed, collected, levied, and paid unto his Majeſty, his Heirs and Succeſſors, a further Duty of one Shilling and five Pence on every Half Piece of ſuch foreign Cambrick, containing ſix Ells and an Half; and two Shillings and ten Pence upon every whole Piece of ſuch foreign Cambrick, containing thirteen Ells, during the Term of ſeven Years; and from thence to the End of the then next Seſſion of Parliament, and no longer; the ſame to be raiſed, collected, levied and recovered, in ſuch Manner and Form, and

1 s. 5 d. additional Duty on every Half Piece of foreign Cambrick; and 2 s. 10 d. for every Whole Piece.

and by such Ways, Means and Methods, and under such Penalties and Forfeitures, as the Duties now payable upon foreign Cambricks are to be raised, collected, levied, and recovered.

Reward for exporting British and Irish Linens. 18 Geo. 2. c. 24, 25. * Continued by 20 Geo. 2. c. 36.

II. And be it further enacted by the Authority aforesaid, That out of the said additional Duty upon foreign Cambricks, there shall be given and paid, without any Fee, Reward, or Deduction whatsoever, a Bounty of one Penny, for every Yard of *British* and *Irish* Linens made of Hemp or Flax, of the Value of six Pence *per* Yard, and not exceeding the Value of twelve Pence *per* Yard; and of one Halfpenny for every Yard of such *British* and *Irish* Linens, under the Value of six Pence *per* Yard; which from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-three; and within the Term of seven Years, to commence from the said twenty-fifth Day of *March*, or at any Time thereafter, before the End of the then next Session of Parliament, shall be exported out of *Great Britain*, to *Africa*, *America*, or *Portugal*, or which shall be exported to *Spain*, from and after the Time that it shall be lawful to export such Linens to that Kingdom.

Manner of entering Linens for Exportation.

III. Provided always, That the Exporter of such *British* and *Irish* Linens, shall, in his Entry thereof, express the Quantity and Value; and likewise indorse on the Cocquet granted upon such Entry, the true Quantity and Value of the said Linens intended to be shipt; and moreover shall, before he receives any such Bounty, produce a Certificate from the Searcher, or other proper Officer appointed to see the same shipped, verifying the Shipping thereof; and shall likewise give sufficient Security to the Collector or Customer of the Port, in the Penalty of double the Value of the Goods intended to be exported, and one hundred Pounds, which Security they are hereby impowered to take in the Name, and to the Use of his Majesty, his Heirs and Successors, that such Linen so shipped, or intended to be shipped, or any Part thereof, shall not be relanded, or brought on Shore again in any Port or Part of *Great Britain*, *Ireland*, or the Isle of *Man*; and shall also, before he receives any such Bounty, make Oath, or being a *Quaker*, a solemn Affirmation (which Oath or Affirmation, the proper Officers of the Customs have hereby Power to administer) of the respective Values of such Linens, upon which the said Bounties respectively are granted, and that the same were made in *Great Britain* or *Ireland*.

Directions to the Officers of the Customs, to prevent fraudulent Entries.

IV. And to prevent Linens exceeding the Value of twelve Pence *per* Yard being exported for the sake of the said Bounty, Be it further enacted by the Authority aforesaid, That the Collector and Comptroller, or other proper Officers of the Customs may open, view, and examine any or all such Linens as shall be entered at the Value of twelve Pence *per* Yard, or under, and compare the same with the Value and Price thereof sworn to or affirmed in the Entry and Endorsement on the Cocquet; and if upon such View and Examination, it shall appear that such Linen is of greater Value than twelve Pence *per* Yard, then, and in such Case, the Exporter or Proprietor shall, on Demand made in Writing by the Customer, or Collector and Comptroller of the Port where such Goods or Merchandizes are entred, deliver, or cause to be delivered, all such Goods and Merchandizes into his Majesty's Warehouse at the Port of Exportation, for the Use and Benefit of the Crown; and upon such Delivery, the Customer or Collector of such Port, with the Privity of the Comptroller, shall, out of any Money in the Hands of such Customer or Collector arising by Customs, or other Duties belonging to the Crown, pay to such Exporter or Proprietor the Value of thirteen Pence *per* Yard, taking a Receipt for the same, from such Exporter or Proprietor, in full Satisfaction for the said Goods, as if they had been regularly sold; and the respective Commissioners of the Customs shall cause the said Goods to be fairly and publickly sold for the best Advantage; and out of the Produce thereof, the Money so paid or advanced as aforesaid, shall be repaid to such Customer or Collector, with the Privity of the Comptroller, to be replaced to such Funds, from whence the same was borrowed; and the Overplus, if any, shall be paid into his Majesty's Exchequer towards the Sinking Fund, by the Title of *The additional Duty on Cambricks* granted by this Act.

Further Directions to the Officers.

V. And in order to prevent Abuses by exporting Linens which shall be under the Value of six Pence *per* Yard, when the Merchant shall in his Entry and Endorsement on his Cocquet express, that the Value thereof is six Pence *per* Yard, or upwards, in order fraudulently to obtain a Bounty of one Penny, instead of a Halfpenny *per* Yard; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Searcher or other proper Officer, after the Entry of any of the said Goods, and before or after the shipping thereof, to open and strictly examine any Bail, Truss, Chest, or other Package, to see if the Goods are right entered, and endorsed on the Cocquet; and if on such Examination, the same shall be found to be right entered and endorsed, the Searcher shall, at his own Charge, cause the same to be repacked, which Charge shall be allowed to the said Officer by the Commissioners of the Customs, if they think it reasonable; but in case the Officer shall on Examination find such Goods to be less in Quantity than shall be expressed in the Endorsement in the Merchants Entry or Cocquet, or under the Value of six Pence *per* Yard, or that the Goods shall be entered and indorsed under a wrong Denomination, whereby his Majesty would have been defrauded, all the Goods contained in all and every the Package or Packages endorsed on the said Entry or Cocquet may be seized, and the same shall be forfeited and lost, and the Owner or Merchant shall lose the Benefit of receiving the Bounty for such Goods.

Goods forfeited for fraudulent Entry.

Goods forfeited for relanding, besides 12 d. per Yard.

VI. And it is hereby further enacted by the Authority aforesaid, That if any *British* or *Irish* Linens for which such Bounty shall have been given or claimed, shall be relanded in *Great Britain*, *Ireland*, or the Isle of *Man*, the same shall be forfeited, and every Person concerned in bringing back or relanding the same, shall forfeit twelve Pence for every Yard so brought back or relanded.

Proviso.

VII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to give any Bounty on any Linens that are striped or chequered, or made into Buckrums or Tillettings.

VIII. Provided

VIII. Provided alſo, and be it further enacted by the Authority aforeſaid, That no Linen of the Manufacture of *Ireland* to be exported from *Great Britain*, ſhall be intitled to any Bounty, but ſuch as ſhall be, at the Time of ſuch Exportation, the Property of a Perſon uſually reſiding in *Great Britain*, of which the Exporter or Exporters of ſuch *Iriſh* Linen are hereby required to make Oath (or being of the People called *Quakers*, a ſolemn Affirmation) before the proper Officer or Officers of the Cuſtoms (who are hereby impowered to adminiſter the ſame) of the Port from whence ſuch *Iriſh* Linen ſhall be exported. Bounty for exporting Iriſh Linen not to be paid, except the Exporter uſually reſides in Great-Britain.

'IX. And whereas in many Ports of the Kingdom of *Great Britain*, from which *Britiſh* or *Iriſh* Linens 'may be exported, there may not be ſo much Money collected and received by the additional Duty here- 'by granted, as may be ſufficient to pay the Bounty to be allowed by this Act, whereby the Exporters 'of ſuch Ports cannot have the Benefit of the ſaid Bounty;' For Remedy thereof, be it enacted by the Authority aforeſaid, That if any of the Collectors of the Cuſtoms in any of the Outports in *South Britain*, or of any Port in *North Britain*, ſhall not have ſufficient Money in his Hands, ariſing by the ſaid additional Duty, to ſatisfy and pay ſuch Bounty which ſhall be due to any Exporter or Exporters of *Britiſh* or *Iriſh* Linens as aforeſaid; that then ſuch Collector of any of the ſaid Out-Ports in *South Britain*, ſhall (if required) give to the Perſon intitled to ſuch Bounty a Certificate without Fee or Reward, under his Hand, atteſted by the Comptroller, of what is due to ſuch Perſon for ſuch *Britiſh* or *Iriſh* Linen ſo exported from any ſuch Port in *South Britain*, certifying to the Commiſſioners of his Majeſty's Cuſtoms at *London*, that he hath not Money in his Hands ariſing from the Duties granted by this Act, ſufficient to pay the ſame; and ſuch Collector of any Port in *North Britain* ſhall likewiſe (if required) give to the Perſon demanding ſuch Sum or Sums of Money, lawfully authorized, without Fee or Rewarn, a Certificate, under his Hand, to the Commiſſioners of his Majeſty's Cuſtoms at *Edinburgh*, of what is due to ſuch Perſon for the Bounty of the *Britiſh* Linens exported from any ſuch Port in *North Britain*, and upon producing ſuch Certificate, and the Debenture of the Linens exported, to the Commiſſioners there, they are hereby required, in caſe there be any Money in the Hands of the Receiver general, or Caſhier of the Cuſtoms there, ariſing by the Duties granted by this Act, to pay, or cauſe to be paid, to the Perſon producing ſuch Certificate and Debenture, being authorized as aforeſaid, the Sum or Sums of Money ſo certified; and if they have not ſufficient to pay ſuch Sum or Sums of Money, they ſhall forthwith, without Fee or Reward, give ſuch Exporter a Certificate certifying the ſame to the Commiſſioners of his Majeſty's Cuſtoms at *London*; which reſpective Certificates being affixed to the Debentures for the Bounty of the ſaid Linens ſo exported, and being produced to the ſaid Commiſſioners of his Majeſty's Cuſtoms at *London*, they the ſaid Commiſſioners are hereby authorized and required, on Demand by the Perſon authorized as aforeſaid, that ſhall bring the ſame, to cauſe the Monies thereby due to be paid by the Receiver general, or Caſhier of the Cuſtoms, without Fee or Reward, out of ſuch Monies as ſhall be in his Hands, ariſing out of the Duties hereby granted for the Payment of the ſaid Bounty; and in caſe ſuch Receiver or Caſhier ſhall not have Money in his Hands ſufficient for paying the whole of ſuch Sum or Sums of Money ſo certified as aforeſaid, he is hereby authorized and required to pay the ſame, ſo far as the Money in his Hands will then go, and the Remainder from time to time, as the Money ariſing by the Duties granted by virtue of this Act ſhall be by him received; and he is alſo hereby required to obſerve a due Courſe of paying ſuch Debentures in the Order of Time which they ſhall be produced or preſented to the Commiſſioners of the Cuſtoms, who ſhall cauſe ſuch Debentures to be numbered progreſſively, as they ſhall be preſented to them, or to the Officer or Officers appointed by them to receive the ſame. Collector not having ſufficient Money in his Hands to give a Certificate. The ſame to be done in North-Britain.

X. And be it further enacted by the Authority aforeſaid, That all and every Officer and Officers, who ſhall be concerned in collecting, levying, and accounting for the Duties ariſing by this Act, ſhall keep a ſeparate and diſtinct Account thereof; and all and every ſuch Sum or Sums of Money, as ſhall not be paid by the reſpective Collectors who receive the ſame, to ſuch Perſon or Perſons as ſhall, upon the Exportation of *Britiſh* or *Iriſh* Linen be intitled thereto, purſuant to the Directions of this Act, ſhall forthwith be remitted and paid to the Receiver general, and Caſhier of his Majeſty's Cuſtoms, in whoſe Hands all ſuch Sums ſhall remain, and be applied only to the Payment of the Bounty granted by this Act, unleſs it ſhall appear, that more Money doth ariſe by the Duties hereby granted, than ſhall be ſufficient to anſwer and diſcharge the Bounties payable by this Act; in which Caſe the Lord High Treaſurer, or Lords Commiſſioners of his Majeſty's Treaſury for the Time being, may and ſhall direct the ſame from time to time to be paid into his Majeſty's Exchequer, towards the Sinking Fund, by the Title of *Duty on Cambricks* by this Act. Money received by the Duties, ſhall be kept to pay Bounties; and the Overplus to be added to the Sinking Fund.

XI. Provided always, and it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Lord High Treaſurer, or Lords Commiſſioners of the Treaſury for the Time being, or the Commiſſioners of the Cuſtoms for the Time being, to pay or cauſe to be paid out of the Duties ariſing by this Act, all ſuch additional Charges or Expences as may attend the putting the ſame in Execution. Charges of putting this Act in Execution, to be paid out of the Duties.

XII. Provided always, and be it further enacted, That all Bonds taken, or to be taken, and all Debentures made, or to be made purſuant to this Act, ſhall not be chargeable with any of the Duties upon Stampt Vellum, Parchment or Paper; any Law or Statute made or to be made to the contrary notwithſtanding. Bonds or Debentures on this Act, not ſubject to Stamp Duties.

XIII. And be it further enacted by the Authority aforeſaid, That the ſaid additional Duty granted by this Act on all foreign Cambricks to be imported into *Great Britain*, after the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and forty-two, ſhall upon Exportation thereof be drawn back and repaid in the ſame Manner, and under ſuch Regulations, Conditions and Reſtrictions, as the preſent Duties on foreign Cambricks are repaid and drawn back; Provided, That upon the Entry of any ſuch foreign Cambricks Drawback of the additional Duty, on Exportation.

for Exportation, the Importer thereof do make Oath (or being a *Quaker)* a ſolemn Affirmation, before the proper Officer or Officers of the Cuſtoms (who has or have hereby Power to adminiſter the ſame) that ſuch Cambricks were imported into *Great Britain*, after the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and forty-two; and that the ſaid additional Duty had been paid for the ſame, and had not been ſince drawn back; any thing herein contained to the contrary notwithſtanding.

Taking a falſe Oath, to forfeit 200 l. and be impriſoned 12 Months.

XIV. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall falſely make any Oath or Affirmation by this Act directed to be made, and ſhall thereof be legally convicted in any of his Majeſty's Courts of Record in *Great Britain*, ſuch Perſon ſo guilty, ſhall forfeit the Sum of two hundred Pounds, and be impriſoned for twelve Months.

How to recover the Penalties.

XV. And be it further enacted by the Authority aforeſaid, That the ſeveral Penalties and Forfeitures in this Act mentioned ſhall and may be proſecuted, and determined, by Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter* or in the Court of Exchequer in *Scotland* reſpectively, wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance ſhall be allowed; and one Moiety of the ſaid Penalties and Forfeitures ſhall be to the Uſe of the King's Majeſty, and the other Moiety to ſuch Perſon or Perſons as will ſue for, or proſecute the ſame.

General Iſſue.

XVI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act; the Defendant or Defendants in any ſuch Action or Suit, may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance, and by the Authority of this Act; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants have in other Caſes by Law.

Treble Coſts.

Concerning Linens ſee further 17 *Geo.* 2. *c.* 30. 18 *Geo.* 2. *c.* 24, 25, 27 & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

CAP. XXX.

An Act to prevent the Marriage of Lunaticks.

4 *Geo.* 2. *c.* 10.

'WHEREAS Perſons who have the Misfortune to become Lunaticks, may, by reaſon of ſuch 'their Diſorder, be liable to be ſurpriſed into unſuitable Marriages, which may be of pernicious 'Conſequence, and a great Misfortune to their Families:' Wherefore, for preventing the ſame, and the ill Conſequence thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty-two, in caſe any Perſon who now is, or at any Time hereafter ſhall be found a Lunatick, by any Inquiſition taken or to be taken by virtue of a Commiſſion under the Great Seal of *Great Britain*; or any Lunatick or Perſon under a Phrenzy, whoſe Perſon and Eſtate by virtue of any Act of Parliament, now are, or hereafter ſhall be committed to the Care and Cuſtody of particular Truſtees, ſhall marry before he or ſhe ſhall be declared of ſane Mind by the Lord High Chancellor of *Great Britain*, the Lord Keeper or Lords Commiſſioners of the Great Seal of *Great Britain* for the Time being, or ſuch Truſtees as aforeſaid, or the Major Part of them reſpectively; every ſuch Marriage ſhall be, and is hereby declared to be null and void to all Intents and Purpoſes whatſoever.

Lunatick not to marry till declared of ſane Mind by the Lord Chancellor, &c.

CAP. XXXI.

An Act for further regulating the Plantation Trade; and for Relief of Merchants importing Prize Goods from *America*, and for preventing colluſive Captures there; and for obliging the Claimers of Veſſels ſeized for Exportation of Wool, or any unlawful Importation, to give Security for Coſts; and for allowing *Eaſt India* Goods to be taken out of Warehouſes, in order to be cleaned and refreſhed.

7 & 8 W. 3. *c.* 22. and 5 Ann. *c.* 8.

'WHEREAS by an Act of Parliament made and paſſed in the ſeventh and eighth Years of the 'Reign of his late Majeſty King WILLIAM the Third, for preventing Frauds, and regulating 'Abuſes in the Plantation Trade, and by another Act of the fifth Year of her late Majeſty Queen ANNE, 'for the Union of the two Kingdoms of *England* and *Scotland*, no Ship or Veſſel whatſoever ſhall be 'deemed or paſs as a Ship of the Built and Property of *Great Britain*, *Ireland*, *Guernſey*, *Jerſey* or any of 'his Majeſty's Plantations in *America*, or a Prize Ship made free, ſo as to be qualified to trade, to, from, 'or in any of the ſaid Plantations, until the Perſon or Perſons claiming Property in ſuch Ship or Veſſel 'ſhall make Oath, and regiſter the ſame in the Manner therein directed; and in caſe any Ship's Name 'ſo regiſtred ſhall be altered, or any Tranſfer of Property to another Port, ſuch Ship is thereby directed 'to be regiſtred *de novo*, upon delivering up the former Certificate of the Regiſter to the proper Of'ficers to be cancelled; and in caſe of any Alteration of Property in the ſame Port, by the Sale of one 'or more Shares in any Ship, after regiſtring thereof, ſuch Sale is to be acknowledged by Indorſement

'on

'on the Certificate of the Regiſter before two Witneſſes; notwithſtanding which, the Certificates of the 'Regiſter of ſeveral Ships have been frequently ſold to Foreigners, and ſuch Certificates delivered to the 'Purchaſers, and the Ships of Foreigners, under Colour thereof, have been admitted to trade from and 'to the ſaid Plantations (though of foreign Property) contrary to Law, to the Prejudice of the Naviga-'tion of *Great Britain*, and the Plantations;' For the Prevention thereof for the future, may it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-two, no Ship or Veſſel required by the ſaid recited Acts to be regiſtred, and carrying any Goods, Wares or Merchandizes, to or from any of his Majeſty's ſaid Plantations in *America*, or to or from one Plantation to another, ſhall be permitted to trade, or be deemed qualified for that Purpoſe, within the Intent of the ſaid recited Acts, until the Maſter or Perſon having Charge of the ſaid Ship or Veſſel, ſhall upon Oath (or in caſe of a *Quaker*, upon his ſolemn Affirmation) before the Governor or Collector of the Cuſtoms of every of his Majeſty's ſaid Plantations where the ſame ſhall arrive, give a juſt and true Account of the Name and Burthen thereof, and of the Place from whence ſhe came, and of the other Particulars according to the Form following; that is to ſay,

Maſters of Veſſels regiſtred, ſhall give Account upon Oath, &c.

'*A. B.* maketh Oath (or if a *Quaker*, ſolemnly affirms) that the Ship or Veſſel called the 'whereof he this Deponent (or Affirmant) is Maſter, or hath the Charge or Command during this pre-'ſent Voyage, being of the Burthen of Tons, came laſt from , and that ſhe 'is, as he verily believes, the ſame Ship or Veſſel deſcribed, meant and intended in and by the Certificate 'now produced by him; and that the ſame does now, as he believes, belong wholly to his Majeſty's '*Britiſh* Subjects, and that no Foreigner has directly or indirectly any Share, Property or Intereſt therein, 'to his Knowledge or Belief.'

The Oath.

And in caſe any Ship or Veſſel ſhall load or unload any Goods, Wares or Merchandizes, in any of his Majeſty's Plantations in *America*, before ſuch Proof ſhall be made; that every ſuch Ship and Veſſel ſhall be forfeited and loſt, and ſhall and may be proſecuted, recovered and divided in like Manner, as if ſhe had not been regiſtred in purſuance of the ſaid Act of the ſeventh and eighth of King WILLIAM the Third.

Loading or unloading Goods, before Proof of Engliſh Owners, the Ship to be forfeited.

'II. And whereas by the ſaid Act of the ſeventh and eighth Years of his ſaid late Majeſty King WIL-'LIAM the Third, it is enacted, That no Ship's Name regiſtred ſhall afterwards be changed without re-'giſtring the ſame *de novo*, which is by the ſaid Act required to be done upon any Tranſfer of Property 'to another Port, and delivering up the Certificate of the firſt Regiſtry to be cancelled: And whereas 'Maſters of Ships have frequently loſt or miſlaid Certificates, to the great Prejudice of the Owners, who 'have thereby loſt their Voyages, and been deprived of the Benefit of regiſtring their Ships *de novo*, and 'ſuch Loſſes have happened at great Diſtances from the Port proper for the regiſtring the Ship *de novo*;' Be it further enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-two, if any Ship or Veſſel duly qualified to trade to, from and in his Majeſty's ſaid Plantations, ſhall happen to be in any of the ſaid Plantations, and the Certificate of the Regiſter thereof ſhall be loſt or miſlaid, the Maſter or other Perſon having Charge of the ſaid Ship or Veſſel, may make Oath, or being a *Quaker* a ſolemn Affirmation, before the Governor or Collector of the Cuſtoms, in the Port where the Ship or Veſſel ſhall happen to be, in the following Form;

Oath to be made of Certificate loſt or miſlaid.

'*A. B.* being Maſter (or having the Charge) of the Ship or Veſſel called the does ſwear (or 'ſolemnly affirm) that the ſaid Ship or Veſſel has been, as he verily believes, regiſtred according to Law, 'to qualify her to trade to, from and in his Majeſty's Plantations in *America*, and that he had a Certifi-'cate thereof granted at the Port of but that the ſame is loſt or miſlaid, and that he cannot find 'the ſame, and does not know where the ſame is or what is become thereof, and that the ſame hath not 'been nor ſhall be, with his Privity or Knowledge, ſold or diſpoſed of to any Perſon or Perſons whatſo-'ever; and that he this Deponant (or Affirmant) and three Fourths of the Mariners navigating the ſaid 'Ship or Veſſel are his Majeſty's *Britiſh* Subjects, and the ſaid Ship or Veſſel does now, as he believes, 'belong wholly to his Majeſty's *Britiſh* Subjects, and that no Foreigner has to his Knowledge or Belief 'any Share, Property or Intereſt therein.'

The Oath.

And the ſaid Maſter or other Perſon navigating the ſaid Ship or Veſſel, ſhall alſo give good and ſufficient Security in the Penalty of five hundred Pounds, if the Ship or Veſſel be of the Burthen of one hundred Tons or under, and ſo in Proportion for every Ship or Veſſel of a greater Burthen, to the Collector of the Port where the ſaid Ship ſhall be, in his Majeſty's Name, and to his Majeſty's Uſe, with Condition that the ſaid Ship or Veſſel was duly regiſtred according to Law, for qualifying the ſame to trade to, from and in his Majeſty's Plantations in *America*, and that the Certificate of the ſaid Regiſter, if found, ſhall be delivered up to the Commiſſioners of the Cuſtoms to be cancelled, and no illegal Uſe has been or ſhall be made thereof, and that the ſame has not been or ſhall be fraudulently diſpoſed of, and that the ſaid Ship or Veſſel does wholly belong to his Majeſty's *Britiſh* Subjects, and that no Foreigner has any Share, Property or Intereſt therein; and upon making ſuch Oath or Affirmation, and giving ſuch Bond as aforeſaid, the Governor and Collector of his Majeſty's Cuſtoms ſhall freely, and without Fee or Reward, give the ſaid Maſter or other Perſon having the Charge of the ſaid Ship or Veſſel, a Certificate under their Hands and Seals, of his having given ſuch Bond, and made ſuch Oath or Affirmation, and thereupon the

Security to be given, that no illegal Uſe ſhall be made of the Regiſter, if found.

ſaid

Liberty to trade for one Voyage after the Regiſter is loſt.

ſaid Ship or Veſſel ſhall have Liberty to trade for that Voyage only, in the ſame Manner, as if the original Certificate had been produced, and the firſt herein before mentioned Oath or Affirmation had been taken, and no otherwiſe; and the ſaid Certificate ſo to be given, ſhall have the ſame Force and Effect during the ſaid Voyage only, as the original Certificate of the Regiſter if produced, and taking the ſaid firſt mentioned Oath or Affirmation would have had, and no other; and the Officers taking the ſaid Oath and Bond, ſhall tranſmit an Account thereof to the Commiſſioners of his Majeſty's Cuſtoms.

Directions for regiſtring a Ship de novo, after the Loſs of the firſt Certificate.

III. And be it further enacted by the Authority aforeſaid, That if the Certificate of the Regiſter of any Ship or Veſſel ſhall be loſt, and the Maſter or Perſon having Charge of the ſaid Ship or Veſſel, and one or more of the Owners ſhall make Proof to the Satisfaction of the Commiſſioners of his Majeſty's Cuſtoms, in caſe the Owner or Owners or any of them ſhall reſide in *Great Britain* or *Ireland*, *Guernſey* or *Jerſey*, or of the Governor or Collector of the Cuſtoms, reſiding in any of his Majeſty's Plantations in *America*, in caſe ſhe was regiſtred in ſuch Plantation, and none of the Owners ſhall reſide in *Great Britain* or *Ireland*, *Guernſey* or *Jerſey*, upon Oath, or in caſe of a *Quaker*, upon ſolemn Affirmation of the Loſs of ſuch Certificate, and likewiſe of the Name, Burthen, Built, Property and other Particulars required by the ſaid Act of the ſeventh and eighth of King WILLIAM the Third, in the ſame Manner, and before the ſame Perſons, as by that Act are required upon original Regiſters; and ſhall likewiſe give good and ſufficient Security, in the Penalty of five hundred Pounds, if the Ship or Veſſel be of the Burthen of one hundred Tons, and ſo in Proportion for every Ship or Veſſel of a greater Burthen, to the Collector of the Port, to which ſuch Ship or Veſſel ſhall belong; and that the original Certificate hath not been, nor ſhall be fraudulently diſpoſed of, or uſed contrary to Law; and that the ſame when found, ſhall be delivered up to the Commiſſioners of the Cuſtoms to be cancelled; in ſuch Caſe, it ſhall and may be lawful for the ſaid Commiſſioners of his Majeſty's Cuſtoms, and the Governor and Collector of the Cuſtoms, reſiding at the Plantations reſpectively; and the ſaid Commiſſioners, Governor and Collector are hereby required to permit the ſaid Ship or Veſſel to be regiſtred *de novo*; and the proper Officers ſhall deliver a Certificate thereof to the Owner or Owners regiſtring the ſame, in the Manner directed by the ſaid Act of the ſeventh and eighth of King WILLIAM the Third, and therein mention the Name by which the Ship or Veſſel was formerly regiſtred, and that ſuch Certificate of a new Regiſter is granted in purſuance of this Act, inſtead of a former Certificate, which appears by ſuch Proof as this Act requires, to be loſt; and that ſuch new Regiſter and Certificate ſhall have the ſame Force and Effect as if the ſame were an original Regiſter and Certificate, and no other; and a Duplicate thereof ſhall be tranſmitted by the Officers who ſhall grant the ſame to the Commiſſioners of his Majeſty's Cuſtoms.

'IV. And whereas by the before recited Act of Parliament made in the ſeventh and eighth Years of 'the Reign of King WILLIAM the Third, for preventing Frauds, and regulating Abuſes in the Plantation Trade, it is enacted among other Things, That in all Bonds (commonly called *Plantation Bonds*)
12 Car. 2. c. 18. 'that are given in the Plantations, in purſuance of an Act of Parliament made in the twelfth Year of the 'Reign of King CHARLES the Second, for encouraging and encreaſing of Shipping and Navigation, and
22 Car. 2. c. 26. 'another Act made in the twenty-ſecond Year of his ſaid Majeſty's Reign, to prevent planting Tobacco 'in *England*, and regulating the Plantation Trade, the Governors of the Plantations, before they permit 'any Ship, that by Law is to trade there, to load on board any of the Commodities enumerated in the 'ſaid Act laſt mentioned, are to take Bond in the Manner, and to the Value expreſſed and directed by the 'ſaid Act, that ſuch Ships or Veſſels ſhall carry all the aforeſaid enumerated Goods that ſhall be laden on 'board the ſaid Ship, to ſome other of his Majeſty's *Britiſh* Plantations, or to *Great Britain*; and that 'the Condition of the ſaid Bonds ſhall be within eighteen Months after the Date thereof (the Danger of 'the Seas excepted) to produce Certificates of having landed and diſcharged the Goods therein menti'oned, in one of his Majeſty's ſaid *Britiſh* Plantations, or in *Great Britain*, otherwiſe ſuch Bonds to be 'in full Force: But there being no Proviſion made in any of the ſaid Acts, or any other Law, for return'ing and producing Certificates within any limited Time of the landing and diſcharging ſuch Goods for 'ſuch Ships as give Bond in *Great Britain*, in purſuance of the Directions of the ſaid Acts made in the 'twelfth and twenty-ſecond Years of King CHARLES the Second;' Be it therefore enacted by the Au-

The Condition of Plantation Bonds.

thority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, That in all Bonds, commonly called *Plantation Bonds*, which ſhall be hereafter taken or entred into in *Great Britain*, in purſuance of the ſaid Act, or any other Law ſince made, whereby the Goods therein enumerated are to be brought to *Great Britain*, ſuch Bonds ſhall be with Condition, that within eighteen Months from the Date thereof (the Danger of the Seas excepted) a Certificate ſhall be produced from the Collector and Comptroller of the Port where ſuch Goods ſhall be delivered, that they have been there landed and diſcharged, otherwiſe ſuch Bonds ſhall be forfeited, and the Penalty thereof ſhall and may be ſued for in his Majeſty's Court of *Exchequer* in *England*, *Scotland* or *Ireland* reſpectively; provided that this Act ſhall not extend or be conſtrued to extend to Bonds given for Ships which lade Rice at *Carolina* or *Georgia*, by Virtue of a Licence granted by the Commiſſioners of the Cuſtoms, to be carried to ſome
3 Geo. 2. c. 28. Part of *Europe*, to the Southward of *Cape Finiſterre*, purſuant to an Act paſſed in the third Year of his preſent Majeſty's Reign, or for Ships lading Sugars in any of his Majeſty's Sugar Colonies in *America*, by virtue of a Licence granted by the Commiſſioners of his Majeſty's Cuſtoms, to be carried directly to any
12 Geo. 2. c. 30. foreign Part of *Europe*, except *Ireland*, purſuant to an Act paſſed in the twelfth Year of the Reign of his preſent Majeſty.

Concerning Plantations ſee farther cl. 33. *and* 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

13 Geo. 2. c. 4. 'V. And whereas by an Act made in the thirteenth Year of his Majeſty's Reign, for the more effec'tual ſecuring and encouraging the Trade of his Majeſty's *Britiſh* Subjects to *America*, and for the En-

couragement

'couragment of Seamen to enter into his Majeſty's Service, it is declared and enacted by the Authority 'aforeſaid, That nothing therein contained ſhall extend or be conſtrued to extend to exempt any Ships, 'Goods, Wares or Merchandizes, which ſhall be taken as Prize, and brought or imported into this 'Kingdom, or any of his Majeſty's Plantations in *America*, from the Payment of any Cuſtoms or Duties, 'or from being ſubject to ſuch Reſtrictions and Regulations, to which the ſame now are or ſhall hereaf-'ter be liable, by virtue of the Laws and Statutes of this Realm: And whereas during the preſent War 'with *Spain*, ſeveral Goods and Commodities of the Growth and Production of foreign Plantations, not 'belonging to his Majeſty, and other Goods and Commodities, being the Product of other Countries, 'have been already, and may be taken in *America*, which may by the Laws now in Force be ſubject to 'Forfeiture, or liable to the Payment of high Duties to his Majeſty, as not coming directly from the 'Places of their Growth, or from the Ports or Places, where the ſaid Goods can only or uſually have 'been firſt ſhipped for Tranſportation, which will not only be a Diſcouragement to the Captors and Im-'porters thereof, but put them under a Neceſſity to ſend ſuch Goods for the future directly to foreign 'Markets, which will be a Loſs to his Majeſty's Revenue, and tend to the Prejudice of the Trade of this 'Kingdom:' For Remedy whereof be it enacted by the Authority aforeſaid, That all Goods and Com- Regulation of the Duty for Prize Goods.
modities of the Growth or Product of foreign Plantations, not belonging to his Majeſty, or any of his Subjects which have been already taken, or ſhall be taken in *America* during this preſent War, and have been or ſhall be condemned as Prize as aforeſaid, and ſhall be imported into this Kingdom, in any of his Majeſty's Ships of War, or in *Britiſh* Shipping, duly navigated, and for which the Duties due to his Majeſty have not been paid or ſecured to be paid, upon producing ſuch Affidavits and Certificates thereof as are herein after mentioned, ſhall pay ſuch Cuſtoms and Duties only as the ſame would have paid, if the ſaid Goods had been of the Growth and Product of the Plantations, Iſlands or Colonies, ſubject to the Crown of *Great Britain*; and that all other Goods, Wares and Merchandizes whatſoever, which have been or ſhall be taken and condemned as Prize in *America* as aforeſaid, and which ſhall be imported into this Kingdom from any of the ſaid Plantations, Iſlands or Colonies, upon producing a Certificate under the Hand and Seal of the Collector or Chief Officer at the Port or Place where ſuch Goods were put on board in *America*, that they are the ſame Goods which were condemned in the High Court of Admiralty, within ſuch Plantation, Iſland or Colony, (the Truth of which ſhall appear to the ſaid Collector or Chief Officer there, by Affidavit made by the Perſon or Perſons exporting ſuch Prize Goods) and alſo upon an Affidavit made before the Collector or Chief Officer of the Cuſtoms of ſuch Port in this Kingdom, where *Concerning Cuſtoms ſee* 18 *Geo.* 2. *c.* 28. 19 *Geo.* 2. *c.* 34. 21 *Geo.* 2. *c.* 2. 28 *Geo.* 2. *c.* 21. 30 *Geo.* 2. *c.* 18 & 29. 32 *Geo.* 2. *c.* 10.
the ſaid Goods ſhall be imported, by the Maſter, Purſer or other Perſon who commands the Ship in which the ſame ſhall be imported, that the Goods ſo imported are the ſame Goods for which the ſaid Certificate of the Collector or Chief Officer in *America* was made as aforeſaid, ſhall be ſubject and liable to, and ſhall pay ſuch Duties only in *Great Britain* as ſuch Goods would be liable unto in caſe they had been imported directly from the Ports or Places, of which the ſaid Goods are of the Growth, Production or Manufacture, or from thoſe Ports or Places where the ſaid Goods can only or uſually have been firſt ſhipped for Tranſportation; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

'VI. And whereas by the ſaid Act of Parliament paſſed in the thirteenth Year of his Majeſty's Reign, 'it is enacted, That for the more ſpeedy proceeding to Condemnation or other Determination of any 'Ship or other Veſſel, Goods or Merchandizes taken Prize, and for leſſening the Expences that have 'been uſual in the like Caſes, the Judge or Judges of the Court of Admiralty, or other Perſon or Per-'ſons thereto authorized, ſhall proceed in the Manner directed by the ſaid Act; and if the Caſe ſhall ap-'pear doubtful, and it ſhall be neceſſary for the clearing and determining ſuch Doubt to have an Exami-'nation of Witneſſes that are remote, that then the ſaid Judge or Judges ſhall forthwith cauſe ſuch Cap-'ture to be appraiſed by Perſons named on the Part of the Captors, and ſworn truly to appraiſe the 'ſame according to the beſt of their Skill and Knowledge, for which Purpoſe the ſaid Judge or Judges 'ſhall cauſe the Goods found on board to be unladen, and put in proper Warehouſes, with ſeparate Locks 'of the Collector and Comptroller of the Cuſtoms, and where there is no Comptroller of the Naval Of-'ficer, and the Agents or Perſons employed by the Captors and Claimants, at the Charge of the Party 'or Parties deſiring the ſame; and ſhall after ſuch Appraiſement made, and within the Space of fourteen 'Days after the making ſuch Claim, proceed to take good and ſufficient Security from the Claimant to 'pay the Captors the full Value thereof, according to ſuch Appraiſement, in caſe the ſame ſhall be ad-'judged lawful Prize; and after ſuch Security duly given, the ſaid Judge or Judges ſhall make an Inter-'loquitory Order for releaſing or delivering the ſame to ſuch Claimant or Claimants, or his or their 'Agents, and the ſame ſhall be actually releaſed or delivered accordingly: And whereas there is no ſuffi-'cient Proviſion made by the ſaid Act for ſecuring the Duties on ſuch Goods as ſhall be ſo delivered by 'ſuch Interloquitory Order, nor for preventing the Conſumption in his Majeſty's Colonies and Plantati-'ons in *America* of ſuch *European* Goods taken as Prize, as ſhall be ſo delivered, which may be of the 'utmoſt Conſequence to the Trade of this Kingdom;' Be it enacted by the Authority aforeſaid, That Directions for paying the Duty on Prize Goods in the Plantations.
no Goods taken as Prize ſhall be delivered by ſuch Interloquitory Order as aforeſaid, until the Duties payable for the ſame ſhall be firſt paid or ſecured to be paid, in ſuch Manner as the Duty on Goods of the like Kind ought to be paid or ſecured reſpectively; and that no Prize Goods of the Growth, Production or Manufacture of *Europe*, which ſhall be brought into any of his Majeſty's Colonies or Plantations in *America*, ſhall be delivered by ſuch Interloquitory Order as aforeſaid, until ſufficient Security ſhall be firſt given to the Collector or Comptoller of his Majeſty's Cuſtoms there, or where there is none ſuch, to the Naval Officer there, to the Uſe of his Majeſty, that all ſuch Goods ſhall within three Months after be re-exported out of the ſaid Colony or Plantation; and that no Part thereof ſhall be conſumed there.

'VII. And whereas by an Act of Parliament paſſed in the eighth Year of the Reign of her late Ma- 8 *Annæ*, *c.* 7.
'jeſty Queen ANNE, for granting to her Majeſty new Duties of Exciſe, and upon ſeveral imported Com-

'modities,

'modities, it is enacted, That every Perſon upon Entry of any Claim in the Court where prohibited and 'uncuſtomed Goods are proſecuted, ſhall be obliged to give Security, in the Penalty of thirty Pounds, to 'anſwer and pay the Coſts occaſioned by ſuch Claim; and in Default of giving ſuch Security within the 'Time limited by the Courſe of the Court, for entering Claims, ſuch Goods ſhall be recovered. And 'foraſmuch as no Proviſion is made by the ſaid recited Act, with reſpect to Seizures of Ships, Veſſels, and 'Boats, by reaſon whereof groundleſs and vexatious Claims are frequently entred thereto, and the Offi-'cers of the Cuſtoms put to great Charges in the condemning thereof;' Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two, where any Ship, Veſſel or Boat whatſoever ſhall be ſeized by virtue of any Law now in Force, made for the more effectual preventing the Exportation of Wool, and where any Ship, Veſſel, or Boat of the Burthen of one hundred Tons, or under, ſhall be ſeized for the unlawful Importation of Tea, Brandy, Arrack, Rum, Strong Waters or Spirits, or for being uſed in the relanding any Goods whereon there is a Drawback or Bounty, or in the Removing, Carriage, or Conveyance of prohibited or uncuſtomed Goods after the unſhipping thereof, or for any other Cauſe of Forfeiture; every Perſon upon Entry of any Claim in the Court where any ſuch Ship, Veſſel, or Boat ſhall be proſecuted, ſhall be obliged to give Security in the Penalty of thirty Pounds, to anſwer and pay the Coſts occaſioned by ſuch Claim, and in Default of giving ſuch Security within the Time limited by the Courſe of that Court for entering Claims, ſuch Ship, Veſſel, or Boat ſhall be recovered.

Claimants of Veſſels ſeized, to give Security to pay Coſts.

'VIII. And whereas by an Act paſſed in the eleventh and twelfth Years of King WILLIAM the Third, 'it is among other Things enacted, That all Wrought Silks, Bengals and Stuffs, mixed with Silk or 'Herba of the Manufacture of *Perſia*, *China*, or *Eaſt India*, and all Callicoes painted, dyed, printed, or 'ſtained there, which are or ſhall be imported into this Kingdom, ſhall not be worn or otherwiſe uſed 'within this Kingdom, but under ſuch Limitations as are therein mentioned and expreſſed; and that all 'ſuch Goods which ſhall be imported into this Kingdom, ſhall after Entry thereof, be forthwith carried 'and put into ſuch Warehouſe or Warehouſes as ſhall for that Purpoſe be approved of by the Commiſ-'ſioners of his Majeſty's Cuſtoms for the Time being, ſo as none of them ſhall be taken or carried out 'thence upon any Account whatſoever, other than in order for Exportation, and not until ſufficient Se-'curity be firſt given to the King's Majeſty, his Heirs and Succeſſors (which the ſaid Commiſſioners are 'thereby required and impowered to take) that the ſame and every Part thereof ſhall be exported, and not 'landed again in any Part of this Kingdom; and that the Warehouſe Keeper or Warehouſe Keepers ſhall 'keep one or more Book or Books, wherein he or they ſhall fairly enter or write an exact, particular, 'and true Account of all and every Cheſt, Bale, and Number of Pieces therein contained, of ſuch of 'the aforeſaid Goods only which ſhall be brought into, and carried out of his or their ſaid Warehouſe 'or Warehouſes, and the Days and Times when the ſame ſhall be brought in and carried out; and if 'upon Examination it ſhall appear that any of the aforeſaid Goods were carried out, unleſs for Exporta-'tion, or before ſufficient Security given for their Exportation as aforeſaid, that then the Warehouſe 'Keeper or Warehouſe Keepers ſo offending therein, ſhall not only forfeit and loſe the Value of the ſaid 'Goods ſo carried out as aforeſaid, and be for ever diſabled from any publick Employment for the fu-'ture, but ſhall alſo forfeit the Sum of five hundred Pounds for every ſuch Offence: And whereas the 'Goods before-mentioned, upon opening thereof, are frequently found to be ſpotted or ſtained with Salt 'Water, or otherwiſe damaged in the Voyage, and unleſs permitted to be taken out of the Warehouſe 'or Warehouſes to be refreſhed and cleaned, they may totally periſh, and the ſaid Goods in ſeveral other 'Reſpects, in the Condition they come over, are entirely unfit for many Markets to which they are now 'ſent, and thereby give other Nations the ſole Vent of thoſe Goods, and render the Value of them here 'much leſs, which in both Caſes would be of very great Loſs to this Kingdom;' Be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two, if any Wrought Silks, Bengals, and Stuffs mixed with Silk or Herba, of the Manufacture of *Perſia*, *China*, or *Eaſt India*, or any Callicoes painted, dyed, printed or ſtained there, which ſhall be imported into this Kingdom, and ſecured in a Warehouſe or Warehouſes as aforeſaid, ſhall upon Examination by the proper Officers, appear to be ſpotted or ſtained with Salt Water, or otherwiſe damaged in the Voyage, or to be unfit for foreign Markets, unleſs cleaned and refreſhed, dyed, glazed or calendered, then it ſhall and may be lawful, upon Bond being firſt given to his Majeſty, his Heirs and Succeſſors, which the ſaid Commiſſioners are hereby impowered to take, with two or more ſufficient Sureties, in the Penalty of double the Value of the Goods, with Condition that all and every Part of the Goods delivered out, ſhall be again returned into the ſame Warehouſes within a certain Time to be limited in the ſaid Bond, which Time ſhall be ſuch as the ſaid Commiſſioners ſhall judge reaſonable; then and in ſuch Caſe, it ſhall and may be lawful to and for the Warehouſe Keeper or Warehouſe Keepers of the ſaid Warehouſes, by Leave of the ſaid Commiſſioners, to ſuffer any of the ſaid Goods in the Condition aforeſaid to be taken out of the ſaid Warehouſes, or any of them, under the Care and in the Cuſtody of ſuch Officer or Officers, as the ſaid Commiſſioners ſhall direct and appoint, to be cleaned, dyed, preſſed, glazed, calendered or refreſhed, in order to make them the more merchantable and fit for foreign Markets; provided and it is hereby enacted, that the Officer or Officers who ſhall be appointed to have the Charge and Cuſtody of the ſaid Goods while they are out of the Warehouſe or Warehouſes for the Purpoſes aforeſaid, be paid for his or their Attendance and Trouble therein, by the Perſon or Perſons at whoſe Requeſt the Goods ſhall be delivered out; and in caſe of any Diſpute, as to the Allowance to be made ſuch Officer or Officers for his or their Attendance and Trouble therein, the ſame ſhall be adjudged and determined by the ſaid Commiſſioners.

11 W. 3. c. 10.
12 W. 3. c. 11.
2 Ann. c. 9.
3 Ann. c. 4. ſ. 8.
10 Ann. c. 29.
7 Geo. 1. c. 7 & 21.
10 Geo. 1. c. 11.
9 Geo. 2. c. 4.

Foreign Goods may be taken out of the Warehouſes and refreſhed.

'IX. And whereas by the ſaid Act of the eleventh and twelfth of WILLIAM the Third it is provided, 'That the Warehouſe Keeper or Warehouſe Keepers ſhall keep an Account, in the Manner therein di- 'rected, of all the ſaid Goods brought in and carried out of the ſaid Warehouſes, and tranſmit to the 'ſaid Commiſſioners an exact Account thereof, upon Oath, every ſix Months, together with an exact 'Account how much ſhall be remaining in his or their ſaid Warehouſe or Warehouſes reſpectively; which 'Accounts the ſaid Commiſſioners are by the ſaid Act impowered and enjoined, within one Month after 'the ſame ſhall be tranſmitted to them, to cauſe to be examined in the Manner therein directed, and to 'lay a true Account of the ſame before the Parliament, within the firſt Week of every Seſſions thereof;' Be it therefore enacted by the Authority aforeſaid, That in all the Accounts to be kept, prepared, tranſmitted, or delivered as aforeſaid, a true and exact Account ſhall be therein inſerted and expreſſed, of all ſuch of the ſaid Goods as ſhall have been delivered out to be cleaned, dyed, preſſed, glazed, calendered, or refreſſed, by virtue or in purſuance of the Directions of this Act, and which ſhall be returned again into ſuch Warehouſes, mentioning the Days and Times when the ſame ſhall have been ſo delivered out or brought back, together with an exact Account how much ſhall be remaining in the Care and Cuſtody of the Officer or Officers appointed to have the Charge and Cuſtody thereof, while they are out of the Warehouſe or Warehouſes, for the Purpoſes aforeſaid.

Account to Parliament of all foreign Goods taken out of the Warehouſes to be refreſhed and returned.

X. And it is hereby further enacted, That if the Officer or Officers who ſhall be intruſted with the Care and Cuſtody of any of the ſaid Goods delivered out of any of the ſaid Warehouſes for the Purpoſes aforeſaid, ſhall not return all ſuch Goods into the Warehouſe or Warehouſes from whence they were taken, agreeable to the Intention of this Act, the Officer or Officers offending therein, ſhall not only forfeit and loſe the Value of the ſaid Goods ſo carried out as aforeſaid, and be for ever diſabled from any publick Employment for the future, but ſhall alſo forfeit the Sum of five hundred Pounds for every ſuch Offence, and all Penalties and Forfeitures herein before-mentioned, ſhall and may be recovered and divided in like Manner as is provided by the ſaid Act of the eleventh and twelfth of WILLIAM the Third, for Recovery of the Penalties and Forfeitures ariſing thereon.

Penalty on Officers offending againſt this Act.

CAP. XXXII.

An Act for preventing the Miſchief which may happen by keeping dangerous Quantities of Gunpowder in or near the Cities of *London* and *Weſtminſter*.

'WHEREAS by an Act paſſed in the eleventh Year of the Reign of his late Majeſty King 'GEORGE the Firſt, intituled, *An Act for the making more effectual an Act paſſed in the fifth Year of 'his Majeſty's Reign, intituled*, An Act for preventing the Miſchiefs which may happen by keeping too 'great Quantities of Gunpowder in or near the Cities of *London* and *Weſtminſter*, or the Suburbs there- 'of; it is enacted, That it ſhall not be lawful to have or keep more than two hundred Pounds of Gun- 'powder at any Time in any Houſe, Storehouſe, Warehouſe, Shop, Cellar, or other Place, or in any 'Houſes, Storehouſes, Warehouſes, Shops, Cellars, or other Places under one or the ſame Roof, or in 'any Yard or Yards within the Cities of *London* and *Weſtminſter*, or either of them, or within the Sub- 'urbs thereof, or within three Miles of the Tower of *London*, or within three Miles of his Majeſty's 'Palace at Saint *James*'s, or within two Miles of any Magazine erected for keeping Gunpowder belong- 'ing to his Majeſty, his Heirs and Succeſſors, for the Uſe of the Publick, for more than the Space of 'twenty-four Hours, upon Pain of forfeiting ſuch Gunpowder, and the Value thereof: And whereas 'the Dealers in Gunpowder continue to keep within the Limits aforeſaid, as large and dangerous Quan- 'tities as they uſed to do before the making and paſſing of the ſaid Acts, evading or eluding the ſame, 'either by diſpoſing of ſuch Gunpowder under divers Roofs, or in Places not deſcribed by the ſaid Sta- 'tutes, or by taking Advantage of the Difficulty of proving the ſame to have been kept twenty-four 'Hours under the ſame Roof, or by ſome other Device or Craft; and although the Juſtices of the Peace 'authorized by the ſaid Acts, have Authority to cauſe dangerous Quantities of Gunpowder to be removed 'out of the Limits aforeſaid, yet there being no Power given for detaining the ſame when removed, and 'the Property not being diveſted, the Owners or Proprietors thereof can immediately after ſuch Removal 'demand the ſame again, and maintain an Action at Law for the Recovery thereof, although the ſame 'be not detained an Hour after ſuch Removal; whereby the good Intentions of the ſaid Statutes are ut- 'terly defeated, to the great and apparent Danger of the publick Safety:' For Remedy whereof, and for the more effectual preventing in future the Dangers aforeſaid, and for making the ſaid Remedy more extenſive, may it pleaſe your Majeſty that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *July* one thouſand ſeven hundred and forty-two, it ſhall not be lawful for any Perſon or Perſons, not being a Dealer or Dealers in Gunpowder, to have or keep within the Limits aforeſaid more than fifty Pounds of Gunpowder, or for any Perſon or Perſons being a Dealer or Dealers in Gunpowder, to have or keep within the Limits aforeſaid, for any longer Time than twenty-four Hours, more than two hundred Pounds of Gunpowder at any Time, in any Houſe, Storehouſe, Warehouſe, Shop, Cellar, Yard, Wharf, or other Place, or in any Houſes, Storehouſes, Warehouſes, Shops, Cellars, Yards, Wharfs, or other Places, either under one and the ſame Roof, or by dividing the ſame, and diſpoſing thereof under divers Roofs, or in divers Places, or upon the River of *Thames* within the Limits aforeſaid, except in Ships, Boats, and other Veſſels actually paſſing and repaſſing on the ſaid River of *Thames*, or detained there by the Tides or bad Weather; and except alſo in Carts, Waggons, or other Carriages actually loading

5 Geo. 1. c. 26.
11 Geo. 1. c. 23.
16 Car. 1. c. 21.
1 Jac. 2. c. 8.
4 Geo. 2. c. 29.

Perſons not Dealers, to keep but 50 l. of Gunpowder; Dealers no more than 200 lb. longer than 24 Hours; nor on the Thames, except in Ships, &c. paſſing or repaſſing, or detained by Tides, or bad Weather;

or Carriages loading or unloading, or passing on the Highway. Penalty. See 2 Geo. 2. c. 38. Action to be commenced within 30 Days.

loading or unloading, or passing or repassing on the Highway; upon Pain of forfeiting all such Gunpowder, and the Value thereof, with full Costs of Suit, to any Person or Persons who will inform and sue for the same, by any Action, Bill or Information, in any of his Majesty's Courts of Record at *Westminster*; which Courts are hereby impowered and required to give special Judgment in such Actions, Bills or Informations, to be brought upon this Act, as well for the Recovery of such Gunpowder in Specie, as for the Value thereof, besides Costs, and to award effectual Execution thereon; any Law, Usage or Custom to the contrary notwithstanding: Provided such Suit or Action be commenced within thirty Days next after such Forfeiture or Penalty shall be incurred, and shall be prosecuted without wilful Delay.

Any Justice to issue Search Warrants.

Officers to break open Warehouses, &c. if Occasion.

To seize and move unlawful Quantities in 12 Hours;

and detain the same till the Property be determined by a Court of Record at Westminster.

II. And be it enacted by the Authority aforesaid, That it shall be lawful for any Justice of the Peace residing within the Limits aforesaid, upon Demand made by any Parish Officer, or by any one or more Housholder or Housholders, being an Inhabitant or Inhabitants within the said Limits, assigning a reasonable Cause for the same, to issue his Warrant or Warrants under his Hand and Seal, for searching in the Day-time for dangerous Quantities of Gunpowder within the Limits aforesaid, any Houses, Storehouses, Warehouses, Shops, Cellars, Yards, Wharfs, or other Places whatsoever, or any Ships, Boats, or other Vessels on the River of *Thames* (except as herein before is excepted) within the Limits aforesaid, and for that Purpose to break open any such Houses, Storehouses, Warehouses, Shops, Cellars, Yards, Wharfs, or other Places aforesaid, or any Boats, Ships, or other Vessels, if there shall be Occasion; and that upon every or any such Search, it shall be lawful for the Searchers or Persons finding the same immediately to seize, and then, or at any Time within twelve Hours after such Seizure, to amove or cause to be amoved, all such Gunpowder as shall be found within the Limits aforesaid, upon any such Search, exceeding the Quantity allowed by this present Act; and the same being so amoved out of the Limits aforesaid, it shall be lawful to detain and keep the same until it shall be determined in one of his Majesty's said Courts of Record at *Westminster*, whether the same shall be forfeited by virtue of this Act, and the Person or Persons so detaining the same, shall not in the mean Time be subject or liable to any Action or Suit for the keeping or detaining the same until the Property shall be determined as aforesaid.

Penalty on Persons permitting Gunpowder to be lodged with them, not being the Owners.

'III. And whereas divers Persons have permitted the Dealers in Gunpowder to lodge divers Quantities 'thereof in their Houses, Warehouses, Yards, or other Places, not belonging to such Dealers, with a 'View of evading the aforesaid Acts;' For Remedy whereof, Be it further enacted by the Authority aforesaid, That if any Person or Persons shall consent or agree, or knowingly permit or suffer any other Person or Persons whatsoever, to have or keep any Gunpowder whatsoever, in any House, Warehouse, Shop, Cellar, Wharf, Yard, or other Place, within the Limits aforesaid, belonging to or in the Possession, Power or Occupation of any such Person or Persons, not being the Owner or Proprietor, or the Owners or Proprietors of such Gunpowder; every such Person and Persons shall forfeit, for every such Offence, the Sum of one Shilling for every Pound of Gunpowder which he, she or they shall so consent or agree, or knowingly permit or suffer to be had or kept as aforesaid, contrary to the Meaning of this present Act; to be recovered by any Person or Persons who will sue for the same, in such Manner as is before provided for the Recovery of the Penalties herein before mentioned.

Proviso.

IV. Provided always nevertheless, and it is hereby further enacted, That it shall not be lawful for any Person or Persons interested in such Gunpowder, or any Person or Persons by Collusion with the Owners or Proprietors thereof, to have or maintain any Action, Bill or Information upon this present Act; any Thing herein contained to the contrary in any wise notwithstanding.

General Issue.

V. And be it further enacted by the Authority aforesaid, That if any Suit or Action shall be commenced or prosecuted against any Person or Persons for any thing done in Pursuance of this present Act, in every such Case such Person or Persons shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in Pursuance or by the Authority of this Act; and if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her or their Suit or Action after Issue joined; or if upon Demurrer, or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover treble Costs, and shall have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Treble Costs.

This Act not to affect publick Storehouses or Magazines.

VI. Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend in any wise, to affect any Storehouse or Magazine belonging to his Majesty, his Heirs or Successors, wherein Gunpowder or other Stores shall be kept for the Use of the Publick, or to hinder the proving or trying Gunpowder by his Majesty's Officers as is usual, for the Service of his Majesty, his Heirs or Successors, or to the carrying of Gunpowder to and from any of his Majesty's Magazines, or with Forces in their Marches.

The recited Acts to be in Force, as well as this Act.

VII. And be it enacted, That the said recited Acts, and all Provisions, Clauses, Matters and Things therein contained, not hereby altered, shall be of full Force, and shall or may be observed and put in Execution for preventing the Mischiefs aforesaid, notwithstanding the making of this Act.

Further Provisions concerning Gunpowder, 22 *Geo.* 2. *c.* 38. 29 *Geo.* 2. *c.* 16.

CAP. XXXIII.

An Act to revive ſeveral Acts for the Puniſhment of Perſons deſtroying Turnpikes or Locks, or other Works erected by Authority of Parliament, and for other Purpoſes therein mentioned; and to continue ſeveral Acts relating to Rice, to Frauds in the Cuſtoms, to the clandeſtine running of Goods, and to Copper Ore, of the *Britiſh* Plantations; and for extending the Liberty given by the Act of the twelfth Year of the Reign of his preſent Majeſty, for carrying Sugar of the Growth of the *Britiſh* Sugar Colonies in *America* to Ships belonging to any of his Majeſty's Subjects reſiding in *Great Britain*, and navigated according to Law; and for the more effectual preventing the cutting of Starr or Bent.

'WHEREAS the Laws herein after mentioned (which have by Experience been found uſeful and beneficial) are expired, or near expiring;' May it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to explain, amend, and render more effectual an Act paſſed in the firſt Year of his preſent Majeſty's Reign, intituled*, An Act for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down and deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by Authority of Parliament, for making Rivers Navigable, and alſo an Act made in the eighth Year of the Reign of his preſent Majeſty, intituled, *An Act for rendering the Laws more effectual for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down or deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by Act of Parliament, for making Rivers Navigable, and for other Purpoſes therein mentioned*; which ſaid Acts are expired, ſhall be and the ſame are hereby revived, and ſhall be in Force for the Purpoſes therein mentioned, from the firſt Day of *June* one thouſand ſeven hundred and forty-two, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven.

5 Geo. 2. c. 33.
1 Geo. 2. c. 19.
and 8 Geo. 2. c. 20. relating to Turnpikes and Locks, revived for 5 Years.
'Made perpetual 17 Geo. 2. c. 16.'

II. And be it further enacted by the Authority aforeſaid, That an Act made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for granting Liberty to carry Rice from his Majeſty's Province of* Carolina *in* America, *directly to any Part of* Europe, *Southward of* Cape Finiſterre, *in Ships built in, and belonging to*, Great Britain, *and navigated according to Law*; which was to be in Force for five Years, from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty, and from thence to the End of the then next Seſſion of Parliament; and alſo an Act made in the eighth Year of the Reign of his preſent Majeſty, to continue the ſaid Act, from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament, and to extend that Liberty to his Majeſty's Province of *Georgia* in *America*, ſhall be, and are hereby further continued, from the Expiration thereof, until the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

Act 3 Geo. 2. c. 28. relating to the Trade of Rice,
and another 8 Geo. 2. c. 19. for continuing the ſame till Sept. 29, 1742. is extended to Georgia, and continued till June 1, 1747.
'Continued by 27 Geo. 2. c. 18' *and farther by* 33 *Geo.* 2. *c.* 16.

III. And be it further enacted by the Authority aforeſaid, That the ſeveral Clauſes in an Act made in the fifth Year of the Reign of his late Majeſty, intituled, *An Act againſt clandeſtine running of uncuſtomed Goods*; *and for the more effectual preventing of Frauds relating to the Cuſtoms*, relating to ſuch foreign Goods, Wares, and Merchandizes, as ſhall be taken in at Sea, out of any Ship or Veſſel, in order to be landed or put into any other Ship, Veſſel, or Boat; and alſo relating to Goods not reported, and found after clearing Ships; and whereby further Remedies are provided againſt relanding Goods prohibited to be worn in this Kingdom, and foreign Goods ſhipped out for Parts beyond the Seas; and alſo relating to the opening or altering the Package of Goods on board Ships outward bound; and alſo relating to hovering Ships or Veſſels of the Burthen of fifty Tons or under; and alſo concerning the Bales or Package in which Coffee ſhall be exported; and alſo relating to Rum imported in Caſks or Veſſels, not containing twenty Gallons at the leaſt; and alſo relating to Certificate Goods entered in order to be exported to *Ireland*; which ſaid ſeveral Clauſes were to have Continuance for the Term of three Years, from the ſeveral Times of the Commencement thereof, and from thence to the End of the then next Seſſion of Parliament reſpectively; and by another Act paſſed in the ninth Year of his ſaid late Majeſty's Reign, were continued from the Expiration of the ſeveral and reſpective Terms therein mentioned, for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament; and which ſaid Clauſes, by an Act made in the ſecond Year of the Reign of his preſent Majeſty, were further continued until the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-four, and from thence to the End of the then next Seſſion of Parliament; and which ſaid Clauſes by another Act made in the eighth Year of the Reign of his preſent Majeſty, were further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and are hereby further continued from the Expiration thereof, until the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

Clauſes in 5 Geo. 1. c. 11. againſt running uncuſtomed Goods.
9 Geo. 2. c. 8.
2 Geo. 2. c. 28.
8 Geo. 2. c. 21.
continued till June 1, 1747.
'Farther continued by 27 Geo. 2. c. 18.' *and farther by* 33 *Geo.* 2. *c.* 16.

8 Geo. 1. c. 18. to prevent the Running of Goods, continued till June 1, 1747. 'Farther continued by 27 Geo. 2. c. 18.' *and by* 33 *Geo.* 2. *c.* 16. 31 Geo. 1. c. 29. 2 Geo. 2. c. 28.

IV. And be it further enacted by the Authority aforesaid, That an Act made in the eighth Year of the Reign of his late Majesty, intituled, *An Act to prevent the clandestine running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarentine; and to subject Copper Ore of the Production of the* British *Plantations to such Regulations as other enumerated Commodities of the like Production are subject*; which was to be in Force for two Years from the twenty-fifth Day of *March* one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; which Act (except the Clause obliging all Ships or Vessels to perform Quarentine) was by an Act made in the eleventh Year of his late Majesty's Reign, further continued from the Expiration thereof, for three Years, and from thence to the End of the then next Session of Parliament; and which by another Act (except the Clause obliging all Ships or Vessels to perform Quarentine) made in the second Year of the Reign of his present Majesty, was further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament; and which said Act (except the Clause obliging all Ships or Vessels to perform Quarentine) was by another Act made in the eighth Year of the Reign of his present Majesty, further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament, shall be (except so much of the same Act as relates to Ships or Vessels performing Quarentine) and the same is hereby further continued from the Expiration thereof until the said first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament.

Geo. 2. c. 30.

'V. And whereas the Liberty given by the Act of the twelfth Year of his Majesty's Reign to carry 'Sugar of the Growth and Produce of his Majesty's Sugar Colonies in *America*, directly to foreign Parts, 'in Ships built in *Great Britain*, navigated according to Law, hath proved very beneficial to the said 'Colonies, and the extending thereof to Ships belonging to *Great Britain*, navigated according to Law, 'would greatly promote and encourage the Trade of the said Colonies;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-two, it shall and may be lawful for any of his Majesty's Subjects, in any Ship or Vessel built in *Great Britain*, or belonging to any of his Majesty's Subjects residing in *Great Britain*, and navigated according to Law, to ship or load in any of his Majesty's Sugar Colonies in *America*, any Sugars of the Growth, Produce, and Manufacture of the said Colonies, or any of them, and to carry the same from thence in any such Ships or Vessels to any foreign Parts of *Europe*; subject nevertheless to all such Rules Entries, Securities, Restrictions, Regulations, Limitations, Penalties, and Forfeitures, as are in and by the said Act of the twelfth Year of his Majesty's Reign, for that Purpose particularly appointed and enacted.

Act to carry Sugar from the Plantations directly to foreign Parts extended to all Ships belonging to Great Britain.

Concerning Plantations see farther 21 *Geo.* 2. *c.* 30. 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

'VI. And whereas upon the North-west Coasts of this Kingdom, and especially in the County Palatine of *Lancaster*, the Sea is bounded, and the adjacent Lands are prevented from being overflowed by 'large Sand-hills, which are composed of such loose Sand, that in dry Weather, when any Violent strong 'West Winds happen to blow, the same is carried away, and thrown upon the adjacent Lands, not 'only to the Damage thereof, but also to the great Terror and Danger of the Inhabitants, who are 'thereby exposed to the Inundation of the Sea: And whereas it has been found by Experience, that the 'best Way to preserve the said Hills from being blown away as aforesaid, is to plant them with a certain 'Rush or Shrub called Starr or Bent, which proves an effectual Method for keeping the same firm and 'solid, and which the Owners of the said Lands are at great Costs and Charges, in yearly setting and 'planting for that Purpose: And whereas it frequently happens, that many idle and disorderly Persons, 'residing near the said Coasts, do unlawfully and maliciously in the Night-time, as well as by Day, cut, 'pull up, and carry away the Starr or Bent so planted as aforesaid, and instead of working in an honest 'Manner for the Maintenance and Support of their Families, do privately sell and dispose of the said 'Starr or Bent, for making of Mats, Brushes, and Brooms or Besoms, and thereby the said Hills are 'rendred so loose and open, that the same are often blown upon the adjacent Lands, which are covered 'over therewith in such Manner as to destroy the Corn, Grass and Herbage thereof, and expose the same 'to Inundations, to the great Loss and Damage of the Owners and Occupiers of the said Lands:' For Remedy whereof, be it enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-two, by Day or Night, without the Consent of the Lord or Owner of such Starr or Bent Hills, cut, pull up or carry away any Starr or Bent which already is, or at any Time or Times hereafter shall be planted or set on the said Hills or Banks, on the North-west Coasts of *England*, in order to preserve and to prevent the same from being blown upon the said adjacent Lands, it shall and may be lawful to and for any one or more of his Majesty's Justices of the Peace of the County, Riding, City, Town corporate, Liberty or Division, where such Starr or Bent shall be cut, pulled up or carried away, and such Justice or Justices is and are hereby impowered upon Complaint or Information upon Oath made of such Offence (which Oath such Justice or Justices is and are hereby authorized to administer) to summon the Party or Parties so complained of, and in Default of Appearance thereon, to issue out his or their Warrant or Warrants to apprehend and bring before him or them the Person or Persons so accused or complained of; and upon Proof thereof made, either by Confession of the Party or Parties so accused, or upon the Oath of one or more credible Witness or Witnesses, to convict the Offender or Offenders; and every Person

Perſon ſo offending, and being thereof convicted as aforeſaid, ſhall forfeit and pay the Sum of twenty Shillings; one Moiety thereof to the Informer, and the other Moiety to the Lord or Owner of ſuch Starr, Bent, or Sand-hills, the ſame to be levied by Diſtreſs and Sale of the Offender's Goods and Chaitels, by Warrant under the Hands and Seals of ſuch Juſtice or Juſtices, together with the Charges of ſuch Diſtreſs and Sale, rendring the Overplus, if any be, to the Owner or Owners thereof; and for want of ſufficient Diſtreſs, the ſaid Juſtice or Juſtices are hereby required to commit the Perſon or Perſons ſo convicted as aforeſaid, to the Houſe of Correction, there to remain and be kept to hard Labour for the Space of three Months; and if any Perſon or Perſons ſo convicted ſhall afterwards be guilty of a ſecond Offence, and thereof lawfully convicted by ſuch Juſtice or Juſtices, either by Confeſſion of the Party or Parties, or upon the Oath of one or more credible Witneſs or Witneſſes, ſuch Perſon or Perſons ſhall be committed to the Houſe of Correction for the Space of one Year, there to be whipt and kept to hard Labour.

Penalty for cutting Starr or Bent from the Sand-hills.

Penalty on ſecond Offence.

VII. And be it further enacted by the Authority aforeſaid, That if any Starr or Bent ſhall be found in the Cuſtody or Poſſeſſion of any Perſon or Perſons within five Miles of any ſuch Starr, Bent or Sand-hills as aforeſaid, ſuch Perſon or Perſons being convicted thereof before one or more ſuch Juſtice or Juſtices in Manner aforeſaid, ſhall be deemed, adjudged and taken to be the Cutter and Puller of ſuch Starr or Bent from ſuch Sand-hills, and ſhall forfeit and pay the Sum of twenty Shillings; one Moiety thereof to the Lord or Owner of ſuch Starr, Bent or Sand-hills, the ſame to be levied in Manner aforeſaid, by Diſtreſs and Sale of the Offender's Goods and Chattels, together with the Charges of ſuch Diſtreſs and Sale, rendring the Overplus, if any, to the Owner or Owners thereof; and for want of ſufficient Diſtreſs, ſuch Perſon or Perſons ſhall be committed in Manner aforeſaid, to the Houſe of Correction, there to remain and be kept to hard Labour for the Space of three Months.

Penalty on having Starr or Bent in Cuſtody.

VIII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prohibit or reſtrain any Perſon or Perſons from the Exerciſe or Enjoyment of any ancient preſcriptive Right, to cut Starr or Bent upon the Sea Coaſts in the County of *Cumberland*.

Proviſo.

'IX. And whereas by an Act made in that Part of *Great Britain* called *Scotland* in the Year one thou-
'ſand ſix hundred and ninety-five, intituled, *An Act for Preſervation of Meadows, Lands and Paſturages lying*
'*adjacent to Sand-hills*, the pulling of Bent is prohibited and reſtrained under the Penalties mentioned in
'the ſaid Act: And whereas the ſaid Act hath by Experience been found ineffectual for anſwering the
'Purpoſes thereby intended;' Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, if any Bent ſhall be pulled or cut from any Sand-hills in that Part of *Great Britain* called *Scotland*, either by the Lord or Owner thereof, or by any other Perſon or Perſons whatſoever, ſuch Perſon or Perſons being convicted thereof ſhall be ſubject and liable to the like Penalties and Forfeitures, to be diſpoſed of in ſuch Manner as in and by the ſaid Act is particularly mentioned and expreſſed; and if any Bent ſhall from and after the ſaid twenty-ninth Day of *September* be found in the Cuſtody or Poſſeſſion of any Perſon or Perſons within eight Miles of any Sand-hills in that Part of *Great Britain* called *Scotland*, ſuch Perſon or Perſons being convicted thereof, ſhall be deemed, adjudged and taken to be the Puller or Cutter of Bent from ſuch Sand-hills, and ſhall be ſubject and liable as a Puller of Bent to the like Penalties and Forfeitures, to be diſpoſed of in ſuch Manner as in and by the ſaid Act is particularly mentioned and expreſſed.

Penalty for cutting Starr or Bent in Scotland.

Penalty for having Starr and Bent in Cuſtody in Scotland.

CAP. XXXIV.

An Act to explain an Act made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to render the Laws more effectual for preventing the ſtealing and deſtroying of Sheep and other Cattle.*

'WHEREAS by an Act made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to render the Laws more effectual for preventing the ſtealing and deſtroying of Sheep and other Cattle*, It was enacted, That if any Perſon or Perſons ſhould at any Time from and after the firſt Day of *May* in the Year of our Lord one thouſand ſeven hundred and forty-one feloniouſly drive away, or in any other Manner feloniouſly ſteal, one or more Sheep or other Cattle of any other Perſon or Perſons whatſoever, or ſhould wilfully kill one or more Sheep or other Cattle of any other Perſon or Perſons whatſoever, with a felonious Intent to ſteal the whole Carcaſe or Carcaſes, or any Part or Parts of the Carcaſe or Carcaſes of any one or more Sheep or other Cattle that ſhould be ſo killed or ſhould aſſiſt or aid any Perſon or Perſons to commit any ſuch Offence or Offences, that then the Perſon or Perſons guilty of any ſuch Offence, being thereof convicted in due Form of Law, ſhould be adjudged guilty of Felony, and ſhould ſuffer Death as in Caſes of Felony without Benefit of Clergy: And whereas it is doubtful to what Sorts of Cattle beſides Sheep the ſaid Act was meant to extend;' Be it therefore enacted and declared by the the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act was meant and intended, and ſhall be conſtrued, deemed and taken to extend to any Bull, Cow, Ox, Steer, Bullock, Heifer, Calf and Lamb, as well as Sheep, and to no other Cattle whatſoever.

14 Geo. 2. c. 6.

To what Sorts of Cattle the Act ſhall extend.

CAP. XXXV.

CAP. XXXV.

An Act to continue several Laws for the Encouragement of the making of Sail Cloth in *Great Britain*; and of the Silk Manufactures of this Kingdom; and for allowing a Drawback on the Exportation of Copper Bars imported; and to explain a Clause in an Act made in the last Session of Parliament, to prohibit the Exportation of Corn, and other Things therein mentioned; and to give further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

'WHEREAS the Laws herein after mentioned, which have by Experience been found useful and beneficial, are near expiring;' May it therefore please your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain; which was to continue in Force for seven Years, and from thence to the End of the then next Session of Parliament; and which was by an Act made in the fifth Year of his late Majesty's Reign further continued for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the tenth Year of the Reign of his said late Majesty was further continued for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the eighth Year of the Reign of his present Majesty, was further continued until the twenty-fifth Day of *March* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament.

12 Ann. stat. 1. c. 16.
5 Geo. 1. c. 25.
10 Geo. 1. c. 17.
8 Geo. 2. c. 18.
'Continued to June 1, 1747, &c.'
'Farther continued by 27 Geo. 2. c. 18.'
and again by 33 *Geo.* 2. *c.* 17.

II. And be it further enacted by the Authority aforesaid, That the several Clauses contained in an Act made in the eighth Year of the Reign of his late Majesty, intituled, *An Act for the Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; and for reducing the Duties upon Beaver Skins, Pepper, Mace, Cloves and Nutmegs imported; and for Importation of all Furs of the Product of the* British *Plantations into this Kingdom only; and that the two Corporations of Assurance on any Suit brought on their Policies, shall be liable only to single Damages and Costs of Suit*, relating to the Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; which were to continue in Force for three Years, from the twenty-fifth Day of *March* one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; and which said Clauses were by an Act made in the eleventh Year of his said late Majesty's Reign continued from the Expiration thereof for three Years, and from thence to the End of the then next Session of Parliament; and by another Act made in the second Year of his present Majesty's Reign were further continued from the Expiration thereof until the twenty-ninth Day of *September* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament; and which by another Act made in the eighth Year of the Reign of his present Majesty were further continued until the twenty-fifth Day of *March* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby continued from the Expiration thereof until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament.

Clauses in 8 Geo. 1. c. 15. for encouraging the Silk Manufactures,
11 Geo. 1. c. 29.
2 Geo. 2. c. 28.
8 Geo. 2. c. 18.
continued to June 1, 1747.
'Farther continued by 26 Geo. 2. c. 32.'
and again by 32 *Geo.* 2. *c.* 23.

III. And be it further enacted by the Authority aforesaid, That the two last Clauses in an Act made in the ninth Year of the Reign of his late Majesty, for continuing of some Laws, and reviving others therein mentioned, for more effectual preventing Frauds in mixing Silks with Stuffs to be exported; which said Clauses were by an Act made in the second Year of the Reign of his present Majesty, to continue in Force to the twenty-ninth Day of *September* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament; and which by another Act made in the eighth Year of the Reign of his present Majesty were further continued until the twenty-fifth Day of *March* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament, shall be and are hereby further continued until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament.

The two last Clauses in an Act 9 Geo. 1. c. 8. for continuing Laws, &c.
'Farther continued as 8 Geo. 1. c. 15.'
continued to June 1, 1747, *and farther by* 32 *Geo.* 2. *c.* 23.

IV. And be it further enacted by the Authority aforesaid, That the Clause contained in an Act made in the ninth and tenth Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act to settle the Trade to* Africa, for allowing during a limited Time a Drawback of the Duties upon the Exportation of Copper Bars imported; and which Clause, after the Expiration thereof, was by an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, revived and continued for fourteen Years, and from thence to the End of the then next Session of Parliament; and also the Proviso in the said last Act contained, being in the Words following; that is to say, *Provided nevertheless, and be it enacted, That no Drawback shall be allowed on the Exportation of any Copper, but such as hath been or shall be imported from the* East Indies, *and the Coast of* Barbary *only*; and which said Clause and Proviso, by another Act made in the thirteenth Year of the Reign of his late Majesty, were further continued for four-

A Clause in an Act 9 & 10 Wil. 3. c. 26. §. 19. relating to Copper Ore.
12 Annæ, stat. 1. c. 18. §. 5. continued 14 Years.
13 Geo. 1. c. 27

fourteen Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be and are hereby further continued from the Expiration thereof, for and during the Space of fourteen Years, and from thence to the End of the then next Seſſion of Parliament.

'Farther continued by 26 Geo. 2. c. 32.' *and again by* 32 *Geo.* 2. *c.* 23.

'V. And whereas by an Act paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, '*An Act to prohibit for a Time therein limited the Exportation of Corn, Grain, (Rice excepted) Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork and Bacon*, it is (among other Things) enacted, That no Perſon or Perſons, at any Time before the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-one, ſhall directly or indirectly export, tranſport, carry or convey out of or from *Great Britain* or *Ireland*, or other the Dominions of the Crown of *Great Britain* in *Europe*, or the Plantations in *America*, any Sort of Corn or Grain, (Rice excepted) Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork or Bacon, under the Penalty of the Forfeiture thereof, and twenty Shillings for every Buſhel of Corn, Grain, Malt, Meal or Flour ſo exported, in which ſaid Act is contained a Proviſo, That nothing therein contained ſhould extend to prohibit the exporting Corn from the *Britiſh* Plantations in *America* to *Great Britain* or *Ireland*, or from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*, ſo as ſuch Security be given as the ſaid Act directs; which ſaid Act is ſince expired: And whereas a Doubt has ariſen, whether the Exporters of Wheaten Flour, and Malt ground or unground, are entitled to the Bounty by Law allowed to thoſe who ſhould export the ſame, by Reaſon it is not expreſly provided by the ſaid Act, That Wheaten Flour, and Malt ground or unground, ſhould be exported to *Ireland* as well as whole Corn;' Be it therefore enacted and declared by the Authority aforeſaid, That the ſaid Act was meant and intended to extend to all Corn and Malt that was ground, as well as whole Corn; any thing in the ſaid before recited Act contained to the contrary in any wiſe notwithſtanding. 14 Geo. 2. c. 3.

Exporters of Wheaten Flour and Malt ground, entitled to the Bounty allowed for exporting Corn.

The Clauſe concerning Clerks and Apprentices. EXP.

Anno decimo ſexto GEORGII II. Regis.

'AT the Parliament begun and holden at *Weſtminſter* the firſt Day of *December*, *Anno Domini* one thouſand ſeven hundred and forty-one, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.* And from thence continued by ſeveral Prorogations to the ſixteenth Day of *November* one thouſand ſeven hundred and forty-two; being the ſecond Seſſion of this preſent Parliament.'

CAP. I.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-three. EXP. At 4s. in the Pound.

CAP. II.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-three. EXP.

CAP. III.

An Act for repairing the Road from *Bowes* in the County of *York*, to *Brough under Stainmore* in the County of *Weſtmoreland*. PR.

Certain Tolls granted for 21 Years.

CAP. IV.

An Act for enlarging the Term and Powers granted by an Act paſſed in the firſt Year of the Reign of his preſent Majeſty for the more effectual amending the Highway between *Hockliffe* and *Woburn* in the County of *Bedford*; and for repairing the Road leading through *Woburn* to *Tickford Bridge* in *Newport Pagnel* in the County of *Bucks*. PR.

The Act 1 Geo. 2. c. 10. continued for 21 Years.

CAP. V.

An Act for enlarging the Term and Powers granted by an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the ſeveral Roads leading from the Town of* Warminſter *in the County of* Wilts. PR.

The Act 13 Geo. 1. c. 16. continued for 21 Years.

CAP. VI.

An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Charterhouſe Square*, in the County of *Middleſex*, to make a Rate for raiſing Money effectually to incloſe, pave, watch, clean and improve the ſaid Square, and to continue the ſame in Repair. PR.

CAP.

CAP. VII.

An Act for repairing the high Road from *Borough Bridge* in the County of *York*, to *Catherick* in the ſame County, and from thence to *Piers Bridge* on the River *Tees*. P R.

Certain Tolls are granted for 21 Years. See 22 Geo. 2. c. 39.

CAP. VIII.

An Act for repealing certain Duties on Spirituous Liquors, and on Licences for retailing the ſame, and for laying other Duties on Spirituous Liquors, and on Licences to retail the ſaid Liquors.

Preamble, reciting the Act 9 Geo. 2. c. 23.

'Amended by 17 Geo. 2. c. 17.'

'WHEREAS by an Act made and paſſed in the ninth Year of the Reign of his preſent Majeſty, 'intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licenſing the Re-* 'tailers thereof, the Selling and Retailing of Brandy, Rum, Arrack, Uſquebaugh, Geneva, *Aqua Vitæ*, or 'any other diſtilled Spirituous Liquors or Strong Waters, either mixed or unmixed, in any leſs Quan- 'tity than two Gallons, without firſt taking out a Licence for that Purpoſe, as in the ſaid Act is directed, 'was prohibited under the Penalties therein mentioned, and a Duty of twenty Shillings for every Gallon 'of all ſuch Spirituous Liquors or Strong Waters was thereby granted, and directed to be raiſed and paid 'to his Majeſty, his Heirs and Succeſſors, by the Retailers thereof, over and above all other Duties then 'charged and chargeable upon the ſame, with divers Proviſions and Directions in the ſaid Act contained 'for managing, collecting, paying and applying the ſame Duty and Penalties reſpectively: And whereas 'great Difficulties and Inconveniences have attended the putting the ſaid Act in Execution, and the ſame 'hath not been found effectual to anſwer the Purpoſes thereby intended;' We your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have chearfully granted to your Majeſty, in the eaſieſt Manner we are able, for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majeſty the Rates and Duties on Spirituous Liquors herein after mentioned; and do moſt humbly beſeech your Majeſty that it may be enacted; and be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after

The former Duties repealed,

the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-three, the Duty of twenty Shillings *per* Gallon granted to his Majeſty by the ſaid Act, upon all Spirituous Liquors which any Retailers thereof ſhould be poſſeſſed of or intereſted in, after the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-ſix, and alſo the Sum of fifty Pounds yearly, which by the ſaid Act was granted to his Majeſty for a Licence for vending, bartering or uttering ſuch Spirituous Liquors, ſhall ceaſe, determine, and be longer paid.

II. And it is hereby further enacted by the Authority aforeſaid, That in Lieu and ſtead of the Duty and Impoſition granted and directed to be raiſed by the ſaid former Act, and which is hereby repealed as

New Duties granted.

aforeſaid, there ſhall, from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-three, be raiſed, levied, collected and paid unto his Majeſty, his Heirs and Succeſſors, for the ſeveral Spirituous Liquors made, extracted, and manufactured in *Great Britain*, and herein after mentioned, ſpecified and enumerated (over and above all Duties, Charges and Impoſitions by any former Act of Parliament thereupon reſpectively ſet, rated and impoſed) the ſeveral Rates and Duties of Exciſe herein after mentioned and expreſſed; that is to ſay,

The Duties.

For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn from any foreign or imported Materials or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, ſix Pence.

For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn only from any Sort of Drink or Waſh brewed or made from any Sort of Malt or Corn, other than and except Brewers Waſh and Tilts, to be paid by the Diſtillers or Makers thereof, one Penny.

For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn from Brewers Waſh or Tilts, or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, one Penny.

For every Gallon of Low Wines or Spirits of the firſt Extraction, made or drawn from any other Sort or Kind of *Engliſh* Materials, or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, three Halfpence.

For every Gallon of Spirits made in *Great Britain* of any Kind of Wine or Cyder imported, to be paid by the Diſtillers or Makers thereof, ſix Pence.

For every Gallon of Strong Waters or *Aqua Vitæ* made for Sale of any other Materials, to be paid by the Diſtillers or Makers thereof, three Pence.

III. And for the better aſcertaining, charging, collecting, raiſing, levying and ſecuring the Rates and Duties by this Act impoſed on the ſaid Spirituous Liquors, and preventing Frauds therein; Be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Rates and Duties by this Act granted, as are charged upon Spirituous Liquors made, extracted and manufactured in *England*, *Wales* or the Town of *Berwick upon Tweed*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of his Majeſty's Revenues of Exciſe in *England* for the Time being, and ſuch of the ſaid Rates and Duties as are impoſed by this Act upon Spirituous Liquors made, extracted and manufactured in *Scotland*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of Exciſe in *Scotland* for the Time being;

being; and the ſaid reſpective Commiſſioners of Exciſe, or the major Part of them, have hereby Power, by Commiſſion under their reſpective Hands and Seals, to conſtitute and appoint under them ſuch Officers as ſhall be neceſſary in that Behalf; and all Monies ariſing by the ſaid Duties, or any Part thereof (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall from time to time be paid into the Receipt of his Majeſty's Exchequer, diſtinctly and apart from all other Branches of the Publick Revenues, ſubject and liable to the Uſes, Applications, and Purpoſes as ſhall by any future Act or Acts of Parliament be directed or appointed.

All Powers, &c. granted by former Acts ſhall be uſed.

IV. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Directions, Methods, Penalties, Forfeitures, Clauſes, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for taking away the Court of Wards, and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and ſettling a Revenue upon his Majeſty in lieu thereof*, or by the ſaid Act of the ninth Year of his Majeſty's Reign, or by any other Law now in Force, relating to his Majeſty's Revenue of Exciſe, upon Beer, Ale, and other Liquors, are provided, ſettled, or eſtabliſhed for managing, raiſing, levying, collecting, mitigating or recovering, adjudging or aſcertaining the Duties thereby granted, or any of them, other than in ſuch Caſes for which other Penalties or Proviſions are preſcribed by this Act, ſhall be exerciſed, practiſed, applied, uſed and put in Execution, in and for the managing, raiſing, levying, collecting, mitigating, adjudging, aſcertaining, recovering, and paying the Duties granted and directed to be raiſed by this Act, upon the ſaid Spirituous Liquors therein mentioned, as fully and effectually to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauſes, Matters and Things, were particularly repeated, and again enacted in the Body of this preſent Act; and that one Moiety of the Fines, Penalties and Forfeitures hereby granted, ſhall be paid to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof, to the Perſon or Perſons who ſhall inform and ſue for the ſame.

Fines and Penalties how to be recovered.

V. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties and Forfeitures by this Act before and herein after impoſed, ſhall be ſued for, levied, recovered or mitigated by ſuch Ways, Means and Methods, as any Fine, Penalty or Forfeiture is or may be recovered or mitigated by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Seſſion, Court of Juſticiary, or Court of *Exchequer* in *Scotland* reſpectively; and one Moiety of every ſuch Fine, Penalty and Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

Fines, one Half to the King, the other to the Informer.

General Iſſue.

VI. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted for any thing done by virtue, or in purſuance of this or any other Act relating to the Duties of Exciſe, or other Duties under the Management of the Commiſſioners of the Exciſe, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, or ſuch other Act, and the Special Matter in Evidence, in his or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him or them upon Demurrer, or otherwiſe, then ſuch Defendant or Defendants ſhall have treble Coſts awarded to him or them againſt any ſuch Plaintiff or Plaintiffs.

Treble Coſts.

Drawback on Exportation. See 24 Geo. 2. c. 40.

VII. And for the Encouragement of the Exportation of Spirits, drawn or made from the Materials aforeſaid; Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-three, there ſhall be a Drawback or Allowance of the ſeveral and reſpective Duties charged by this Act on Spirits that ſhall be exported to Parts beyond the Seas; and upon Oath being made before any two or more of the Commiſſioners of Exciſe, or Juſtices of the Peace for the County or Place from whence any ſuch Spirits are intended to be exported, that the Duties of the ſame are duly entred and paid, and that the ſame are exported for Merchandize to be ſpent beyond the Seas; and upon producing a Certificate, under the Hands of the Officers of Exciſe for the Port or Place where ſuch Spirits were ſhipped off, of the Quantities ſo ſhipped, and that the ſame were ſhipped in the Preſence of ſuch Officers, the Diſtiller or Diſtillers, or other Perſon or Perſons exporting the ſame, ſhall be allowed or paid back by the Commiſſioners of Exciſe, or their Collector for the Port or Place where ſuch Spirits ſhall be ſhipped off, the ſeveral Duties charged thereupon by this Act accordingly.

None to retale Spirituous Liquors without a Licence. 26 Geo. 2. c. 13.

VIII. And be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-three, no Perſon or Perſons whatſoever ſhall preſume by him, her or themſelves, or by any other Perſon or Perſons whatſoever employed by him, her or them, or for his, her or their Benefit, to retail any Brandy, Rum, Arrack, Uſquebaugh, Geneva, *Aqua Vitæ*, or any other diſtilled Spirituous Liquors or Strong Waters unmixed or mixed with themſelves or any other Ingredients, and by whatſoever Name or Names they are or may be called, publickly or privately, without firſt taking out a Licence for that Purpoſe, in Manner hereafter directed, within ten Days at leaſt before he, ſhe or they ſhall retale the ſame, for which he or they ſhall immediately upon taking out thereof pay down for the ſame, the Sum of twenty Shillings in Manner following; that is to ſay, If ſuch Licence be taken out within the Limits of the weekly Bills of Mortality, then ſuch Licence ſhall be granted under the Hands and Seals of two or more of his Majeſty's Commiſſioners for the Duty of Exciſe for the Time being, and the Duties for the ſame ſhall be paid at the chief Office of Exciſe in *London*, or at any other Place, and to ſuch Perſon or Perſons as the ſaid Commiſſioners for the Time being ſhall appoint to receive the ſame; and that ſuch Perſons, as by the ſaid Commiſſioners ſhall be appointed, are hereby impowered to deliver ſuch Licences to any ſuch Perſon or Perſons, upon his, her or their pay-

Licence to coſt 20 s.

Who ſhall deliver out the Licences.

ing down for the ſame the aforeſaid Sum of twenty Shillings at the Time of taking out thereof; but if ſuch Licence ſhall be taken out without the Limits aforeſaid, then ſuch Licence ſhall be granted under the Hands and Seals of the ſeveral Collectors and Supervifors of Exciſe, within their reſpective Collections and Diſtricts, and the Duty for the ſame ſhall be paid by all and every the Perſons ſo taking out ſuch Licence, at the Office of Exciſe next adjoining to the Place where he, ſhe or they reſpectively reſide or inhabit, or at any other Place, and to ſuch Perſons as his Majeſty's Commiſſioners of Exciſe for the Time being ſhall appoint to receive the ſame; and ſuch Perſons as by the ſaid Commiſſioners ſhall be appointed, are hereby impowered to deliver ſuch Licences to any ſuch Perſon or Perſons, upon his, her or their paying down for the ſame the aforeſaid Sum of twenty Shillings at the Time of taking out thereof:

Management of Licences in Scotland.

And in caſe ſuch Licences be taken out within the Limits of the City of *Edinburgh*, ſuch Licences ſhall be granted under the Hands and Seals of two or more of his Majeſty's Commiſſioners of Exciſe in *Scotland* for the Time being, and the Duties for the ſame ſhall be paid at the chief Office of Exciſe in *Edinburgh*, in the ſame Manner as is herein before directed, in regard to the Licences to be taken out within the Limits of the Weekly Bills of Mortality; but if ſuch Licences ſhall be taken out in any other Part of *Scotland*, without the Limits aforeſaid, then ſuch Licences ſhall be granted under the Hands and Seals of the ſeveral Collectors and Supervifors of Exciſe in *Scotland*, within their reſpective Collections and Diſtricts, and the Duties for the ſame ſhall be paid in like Manner as is herein before directed with regard to the Licences to be taken out in *England*, without the Limits of the Weekly Bills of Mortality.

Freſh Licences every Year.

IX. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons who ſhall take out ſuch Licence as aforeſaid, is and are hereby required to take out a freſh Licence ten Days at the leaſt before the Expiration of twelve Months, after the taking out the firſt Licence, before he, ſhe or they do preſume to offer to retale any ſuch Spirituous Liquors, and in the ſame Manner to renew every ſuch Licence from Year to Year, paying down the like Sum of twenty Shillings for each and every new

Penalty 10l. for retaling without a Licence;

or renewed Licence, at the Places and at the Times before mentioned; and if any Perſon or Perſons ſhall preſume to offer or retale any of the ſaid Spirituous Liquors, without taking out ſuch Licence, and renewing the ſame yearly in Manner aforeſaid, he, ſhe or they ſhall reſpectively forfeit and loſe the Sum of ten Pounds for each Offence; and in caſe ſuch Perſon or Perſons ſhall refuſe or neglect to pay the ſaid Sum of ten Pounds, the ſame being lawfully demanded, it ſhall and may be lawful for any one or more Juſtice or Juſtices of the Peace of any County, Riding, Diviſion, City or Liberty, upon Information upon Oath being made before him or them of ſuch Refuſal or Neglect, by Warrant under his

or to be kept to hard Labour two Months.

or their Hand and Seal, or Hands and Seals, to commit ſuch Perſon or Perſons to the Houſe of Correction for the County, Riding, Diviſion, City or Liberty wherein ſuch Perſon or Perſons ſhall reſide, there to remain and be kept to hard Labour for the Space of two Months, to be reckoned from the Day of the ſaid Commitment; and the Perſon or Perſons ſhall not be diſcharged until he, ſhe or they ſhall have paid the ſaid Sum of ten Pounds, or until the full Expiration of the ſaid two Months.

To whom Licences ſhall be granted.

X. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-three, no Licence ſhall be granted to any Perſon or Perſons whatſoever ſelling by retail any Spirituous Liquors or Strong Waters whatſoever, except to ſuch Perſons only who ſhall keep Taverns, Victualling-houſes, Inns, Coffee-houſes or Ale-houſes; and if any ſuch Licences ſhall be granted to any other Perſons than as aforeſaid, the ſame are hereby declared void to all Intents and Purpoſes.

Proviſo;

XI. Provided, and it is hereby declared, That nothing in this Act ſhall extend, or be conſtrued to enable any Perſon or Perſons to ſell any Spirituous Liquors or Strong Waters by Retale, unleſs ſuch Perſon or Perſons be firſt licenſed to ſell Ale or Spirituous Liquors by two or more of his Majeſty's Juſtices of the Peace for the County, Riding, Diviſion, City or Liberty wherein ſuch Perſon or Perſons ſhall ſell the ſaid Liquors, under the Hands and Seals of the ſaid Juſtices.

Proviſo in Favour of Phyſicians, Apothecaries, Surgeons, or Chymiſts.

XII. Provided always, and be it enacted by the Authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any Phyſicians, Apothecaries, Surgeons or Chymiſts, as to any Spirits or Spirituous Liquors, which they may uſe in the Preparation or making up of Medicines for Sick, Lame, or diſtempered Perſons only; and that no Perſon or Perſons ſhall be deemed or taken to be a Retaler of Spirituous Liquors, who doth not by him, or herſelf, or themſelves, or by his, her or their Servant or other Perſon retale the ſame, to be drank or conſumed in his, her or their Warehouſes, Store-

None to be deemed Retalers who ſhall not ſell leſs than a Pint.

houſes, Shops, Cellars, Vaults, Rooms, Sheds, or other Places to him, her or them belonging, or that ſhall otherwiſe retale or ſend the ſame abroad out of their ſaid Warehouſes, Storehouſes, Shops, Cellars, Vaults, Rooms, Sheds, or other Places, in leſs Quantities than one Pint.

This Act not to affect Retalers of Malt Spirits in Scotland.

XIII. Provided nevertheleſs, That nothing in this Act contained ſhall extend to charge with any of the Duties directed to be paid, levied or received as aforeſaid, any Spirits made or diſtilled from Malt, and retaled and conſumed within that Part of *Great Britain* called *Scotland*, which Spirits are commonly called and known by the Name of *Aqua Vitæ* in that Part of the Kingdom, or to ſubject the Makers, Sellers or Retalers thereof, within that Part of the Kingdom to take ſuch Licences as are herein before directed.

Concerning Spirituous Liquors ſee further 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 24 *Geo* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

CAP. IX.

An Act to enable the Pariſhioners of the Pariſh of Saint *Botolph* without *Aldgate*, in the City of *London*, to raiſe a certain Sum of Money, for Payment of Debts already contracted for the Relief and Maintenance of the Poor of the ſaid Pariſh. P R.

CAP.

CAP. X.

An Act for repairing the Roads leading from *Marlborough* through *Weſt-Kennet* to *Shepherds Shord*; and from the *Hare and Hounds* in *Beckhampton*, to the Top of *Cherill Hill*; and from the Town of *Avebury* to the Croſs-way at *Beckhampton*, in the County of *Wilts*. PR.

Certain Tolls granted for 21 Years.

CAP. XI.

An Act to explain and amend the Laws touching the Elections of Members to ſerve for the Commons in Parliament, for that Part of *Great Britain* called *Scotland*; and to reſtrain the Partiality, and regulate the Conduct of Returning Officers at ſuch Elections.

'WHEREAS many Returning Officers of Members to ſerve for the Commons in Parliament for 'that Part of *Great Britain* called *Scotland*, have of late preſumed to act in a moſt partial and ar- 'bitrary Manner, ſometimes upon falſe Pretences, that the Rolls of Electors of Commiſſioners for Shires 'were not regularly made up, or that the Commiſſioners for the ſeveral Boroughs intitled to vote in the 'Choice of a Member for the reſpective Diſtricts of Boroughs were not duly elected, or were not autho- 'rized by proper Commiſſions, and ſometimes without any Pretence at all, encouraged thereto from 'Hopes of Impunity, by reaſon that the Laws in being have either provided no ſufficient Puniſhment for 'ſuch Offences; or where Penalties are provided, it has been found by Experience to be extremely diffi- 'cult, and ſcarcely poſſible to recover them;' For Remedy thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of an Act of Parliament made in the twelfth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for the better regulating the Elections of Members to ſerve in Parliament for that Part of* Great Britain *called* Scotland, as enacts, That no Perſon or Perſons who have not been inrolled, and voted at former Elections, ſhall upon any Pretence whatſoever, be inrolled, or admitted to vote at any Election, except he or they firſt produce a ſufficient Right or Title to qualify him or them to vote at that Election, to the Satisfaction of the Freeholders formerly inrolled, or the Majority of them preſent, and ordains the Returning Officers to make their Returns of the Perſons elected, by the Majority of the Freeholders inrolled, and thoſe admitted by them, reſerving always the Liberty of objecting againſt the Perſons admitted to, or excluded from the Roll as formerly, ſhall be and is hereby repealed.

Part of the Act 12 Ann. ſt. 1. c. 6. §. 3. repealed.

'II. And whereas the Rolls of Electors of Commiſſioners to ſerve in Parliament for the ſeveral Shires 'and Stewartries within that Part of *Great Britain* called *Scotland*, have not in every one of the ſaid Shires 'and Stewartries, been made up every Year, at the *Michaelmas* Head Courts, purſuant to the Directions 'of an Act of Parliament made in that Part of *Great Britain* called *Scotland*, in the Year one thouſand ſix 'hundred and eighty-one, intituled, *An Act concerning the Election of Commiſſioners for Shires*;' For Remedy thereof, and the more effectually to carry the good Intentions of the ſaid Act into Execution; Be it enacted and declared by the Authority aforeſaid, That ſuch Perſons as ſtand upon the Roll laſt made up by the Freeholders, whether at the *Michaelmas* Meeting, or at the laſt Election of a Member to ſerve in Parliament, ſhall be the original conſtituent Members at their next *Michaelmas* Meeting, or Meeting for Election, to reviſe the ſaid Roll.

Act made in Scotland 1681, ſtrengthened.

III. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Freeholder ſtanding upon the Roll, to object to the Title of any Perſon who ſtands at preſent upon the Roll laſt made up, and for that Purpoſe to apply at any Time before the firſt Day of *December*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-three, by ſummary Complaint to the Court of Seſſion, who ſhall grant a Warrant for ſummoning ſuch Perſons upon thirty Days Notice to anſwer, and ſhall proceed in a ſummary Way, to hear and determine upon ſuch Complaint; and if no ſuch Complaint ſhall be exhibited within the Time aforeſaid, then and in that Caſe no Freeholder, who at preſent ſtands upon the Rolls laſt made up in the ſaid Counties and Stewartries reſpectively, ſhall be ſtruck off or left out of the Roll, except upon ſufficient Objections ariſing from the Alteration of that Right or Title, in reſpect of which he was inrolled, ſuſtained by the other Freeholders ſtanding upon the ſaid Roll.

Freeholders may object.

IV. And be it enacted by the Authority aforeſaid, That if at any *Michaelmas* Meeting, or Meeting for Election, any Perſon claiming to be inrolled ſhall by Judgment of the Freeholders be refuſed to be admitted, or if any Perſon who ſtood upon the Roll ſhall by like Judgment be ſtruck off, or left out of the Roll; it ſhall and may be lawful for him or them who is ſo refuſed to be admitted, or whoſe Name is ſo ſtruck off or left out of the Roll, to apply (ſo as ſuch Application be made within four Kalendar Months after their being ſo refuſed, ſtruck off or left out) by ſummary Complaint to the Court of Seſſion, who ſhall grant a Warrant for ſummoning the Perſon or Perſons upon whoſe Objection or Objections he was refuſed to be admitted, or was ſtruck off or left out as aforeſaid, upon thirty Days Notice to anſwer, and ſhall proceed to hear and determine in a ſummary Way on ſuch Complaint; and if any Perſon ſhall be inrolled, whoſe Title ſhall be thought liable to Objection, it ſhall and may be lawful for any Freeholder ſtanding upon the ſaid Roll (whether ſuch Freeholder was preſent at the Meeting or not) who apprehends that ſuch Perſon had not a Right to be inrolled, to apply in like Manner by Complaint to the Court of Seſſion, ſo as ſuch Application be made within four Kalendar Months after ſuch Inrolment;

Manner of acting, when a Perſon claims to be inrolled.

If any Freeholder objects, Appeal may be made to the Court of Seſſion.

and the ſaid Court, after Service of ſuch Complaint, on thirty Days Notice, upon the Perſon ſaid to be wrongfully admitted to the Roll, ſhall in Manner aforeſaid hear and determine; and if no ſuch Complaint ſhall be exhibited within the Time aforeſaid, the Freeholder inrolled ſhall ſtand and continue upon the Roll until an Alteration of his Circumſtances be allowed by the Freeholders at a ſubſequent *Michaelmas* Meeting, or Meeting for Election, as a ſufficient Cauſe for ſtriking or leaving him out of the Roll.

Penalty on Officers not obeying the Court of Seſſion.

V. And be it enacted by the Authority aforeſaid, That if in any of the aforeſaid Caſes the Judgment of the Court of Seſſion ſhall alter or reverſe the Determination of the Meeting of the Freeholders, by directing that any Perſon ſhall be added to, or expunged from, the Roll of Election, the Sheriff or Steward's Clerk ſhall, upon preſenting to him the Extract of ſuch Judgment, forthwith make the Alteration thereby directed in the Books that are kept by him; and in caſe of his Refuſal or Delay, he ſhall forfeit the Sum of one hundred Pounds Sterling to the Perſon in whoſe Favour the Judgment of the Court of Seſſion is given, to be recovered by him or his Executors in the Manner herein after directed.

Penalty on Appellant, if the Court of Seſſion affirm the Freeholders Order.

VI. And be it further enacted by the Authority aforeſaid, That if the Judgment of the Freeholders refuſing to admit, or ſtriking off any Perſon from the ſaid Roll ſhall be affirmed by the Court of Seſſion, the Perſon ſo complaining ſhall forfeit to the Objector the Sum of thirty Pounds Sterling, with full Coſts of Suit.

Manner of acting to prevent Surprize on Freeholder's claiming to be inrolled;

VII. And be it enacted by the Authority aforeſaid, That to prevent all Surprize at the *Michaelmas* Meetings, every Freeholder who intends to claim to be inrolled at any ſubſequent *Michaelmas* Meeting of the Freeholders, ſhall for the Space of two Kalendar Months at leaſt before the ſaid *Michaelmas* Meeting, leave with the Sheriff or Steward's Clerk a Copy of his Claim, ſetting forth the Names of his Lands, and his Titles thereto, and Dates thereof, with the old Extent or Valuation, upon which he deſires to be inrolled, and in caſe of his Neglect to leave his Claim as aforeſaid, he ſhall not be inrolled at ſuch *Michaelmas* Meeting; and in like Manner, whoever intends to object to any Freeholder who ſtands upon the Roll, on Account of the Alteration of his Circumſtances, ſhall, at leaſt two Kalendar Months before the *Michaelmas* Meeting, leave his Objections in Writing with the Sheriff or Steward's Clerk as aforeſaid, who is hereby required, upon Receipt of the aforeſaid Claim or Objections, to indorſe on the Back thereof the Day he received the ſame, and alſo to give a Copy of the aforeſaid Claim or Objections to any Perſon who ſhall demand the ſame, upon paying the legal Fee of an ordinary Extract of the ſame Length.

or on making objections to others already inrolled.

'VIII. And whereas great Difficulties have occurred in making up the Rolls of Electors of Commiſ-
'ſioners for Shires, by Perſons claiming to be inrolled, in reſpect of the old Extent of their Lands,
'where the old Extent does not appear from proper Evidence, and Votes have been unduly multiplied
'by ſplitting and dividing the old Extent of Lands, ſince the ſixteenth Day of *September* one thouſand
'ſix hundred and eighty-one;' For Remedy thereof, be it enacted and and declared by the Authority aforeſaid, That no Perſon is or ſhall be intitled to vote for a Commiſſioner to ſerve in Parliament, for any Shire or Stewartry in that Part of *Great Britain* called *Scotland*, or to be inrolled in the Roll of Electors, in reſpect of the old Extent of his Lands, holden of the King or Prince, unleſs ſuch old Extent is proved by a Retour of the Lands of a Date prior to the ſixteenth Day of *September* one thouſand ſix hundred and eighty-one, and that no Diviſion of the old Extent, made ſince the aforeſaid ſixteenth Day of *September* one thouſand ſix hundred and eighty-one, or to be made in Time coming, by Retour or any other Way, is or ſhall be ſuſtained as ſufficient Evidence of the old Extent.

Diviſion of the old Extent of Lands, to multiply Electors, prohibited.

Proviſo.

IX. Provided always, That Lands holden of the King or Prince, liable in publick Burdens for four hundred Pounds *Scots* of valued Rent, ſhall in all Caſes be a ſufficient Qualification, whatever be the old Extent of the ſaid Lands; any Law or Practice to the contrary notwithſtanding.

How a Purchaſer ſhall act before he is inrolled; alſo an Heir apparent.

X. And be it further enacted by the Authority aforeſaid, That no Purchaſer or ſingular Succeſſor ſhall be inrolled till he be publickly infeoft, and his Seiſin regiſtered, or Charter of Confirmation be expede where Confirmation is neceſſary, one Year before the Inrollment; and that no Heir Apparent ſhall be inrolled, until his Predeceſſors Titles are produced, and allowed by the Freeholders, as a ſufficient Qualification for his voting for a Member of Parliament; and that any Perſon may be inrolled, though abſent at the Time of ſuch Inrolment, provided the Titles and Vouchers of his Qualification are produced, and laid before the Freeholders; and if any Perſon ſhall be choſen a Member to ſerve in Parliament for any Shire or Stewartry within that Part of *Great Brieain* called *Scotland*, who ſhall not be preſent at the Meeting of Election; Be it enacted by the Authority aforeſaid, That the Member to ſerve in Parliament ſo elected, before he takes his Seat in Parliament, ſhall take the Oath appointed to be taken by every Freeholder, who ſhall Claim to vote at any Election of a Member to ſerve in Parliament, by the Act of the ſeventh Year of his preſent Majeſty, intituled, *An Act for the better regulating the Election of Members to ſerve in the Houſe of Commons, for that Part of* Great Britain *called* Scotland; *and for incapacitating the Judges of the Court of Seſſion, Court of Juſticiary, and Barons of the Court of Exchequer in* Scotland, *to be elected, or to ſit or vote as Members of the Houſe of Commons*, before the Lord Steward of his Majeſty's Houſhold, or any Perſon or Perſons authorized by him for that Effect, which he or they are hereby impowered and required to adminiſter; and if a Member to ſerve in Parliament, ſo elected, ſhall neglect or refuſe to take the aforeſaid Oath, ſuch Election ſhall be void.

Perſons may ſend their Vouchers, and be inrolled tho' abſent.

Every one choſen in his Abſence, to ſerve in Parliament, ſhall take the Freeholder's Oath, before he takes his Seat.

7 Geo. 2. c. 16.

On refuſing the Oath, the Election declared void.

XI. And

XI. And be it further enacted by the Authority aforeſaid, That at the annual Meetings of the Freeholders at *Michaelmas*, the original conſtituent Members ſhall be ſuch Perſons only as ſhall ſtand upon the Roll, that ſhall have been laſt made up, whether at a *Michaelmas* Meeting, or at a Meeting for an Election of a Member to ſerve in Parliament, and that a Copy ſigned and extracted of the Roll made up by the Freeholders at their *Michaelmas* Meetings, or Meetings for Elections, together with the Minutes of their Proceedings at their ſaid Meetings, ſhall, by the reſpective Clerks of ſuch Meetings be forthwith delivered to the Sheriff or Steward's Clerk *gratis*, and ſhall be inſerted in Books to be kept by the ſaid Sheriff or Steward's Clerk for that Purpoſe, who ſhall forthwith deliver Copies of the ſame, extracted and ſigned, to any Freeholder who ſhall deſire the ſame, paying the legal Fee for an ordinary Extract of the ſame Length, and ſhall at every ſubſequent Meeting at *Michaelmas*, or Meeting for any Election, produce the ſaid Books, for the Uſe of the Freeholders; and in Caſe ſuch Sheriff or Steward's Clerk ſhall neglect or refuſe to enter the aforeſaid Rolls of Election, or Minutes of Proceedings, into Books ſo to be kept for that Purpoſe as aforeſaid, or ſhall neglect or refuſe to give Copies thereof, extracted and ſigned, or ſhall omit to produce the Books at any ſubſequent Meeting as aforeſaid, he ſhall for every ſuch Offence forfeit the Sum of one hundred Pounds Sterling, to be recovered by any Freeholder within ſuch Shire or Stewartry, who ſhall ſue for the ſame, in ſuch Manner as is hereafter directed; and if the aforeſaid principal Books, containing the Rolls and Minutes as aforeſaid, ſhall not be produced at the *Michaelmas* Meetings, or Meetings for Election, a Copy of the ſaid Roll and Minutes, extracted and ſigned by the Sheriff or Steward's Clerk, ſhall be ſufficient; and if the Sheriff or Steward's Clerk ſhall give out falſe Copies of the ſaid Roll or Minutes, extracted and ſigned by him, he ſhall for every ſuch Offence forfeit the Sum of one hundred Pounds Sterling to the Perſon to whom the falſe Copy is given, to be recovered by him or his Executors, in the Manner herein after directed, and ſhall be for ever after incapable of holding or enjoying his ſaid Office.

Who are to be original conſtituent Members.

Minutes of Proceedings to be entred in Books kept by the Sheriff or Steward's Clerk.

Minute Books to be produced at publick Meetings.

Penalty on Refuſal.

Penalty on giving falſe Copies of the Minutes.

XII. And be it further enacted by the Authority aforeſaid, That at every Election of a Commiſſioner to ſerve in Parliament for any Shire or Stewartry, within that Part of *Great Britain* called *Scotland*, the Roll of Electors which ſhall be laſt made up by Freeholders, whether at the *Michaelmas* Meeting, or at the laſt Election of a Member to ſerve in Parliament, ſhall be the Roll to be called over by the Commiſſioner laſt elected, or in his Abſence by the Sheriff or Steward's Clerk, in order to the Election of Preſes and Clerk, as alſo by the Preſes, after he is choſen, for the Choice of the Member to ſerve in Parliament, and for the Determination of all the Queſtions that ſhall ariſe in the adjuſting the Roll, and in the Courſe of the Election, excepting ſo far as the ſaid Roll ſhall, after the Meeting is duly conſtituted by the Choice of Preſes and Clerk, be altered by Judgment of the Majority of the Freeholders ſtanding on that Roll, by leaving out thoſe whoſe Circumſtances are altered, and by adding others, who produce proper Titles.

The Roll of Electors laſt made up, ſhall be uſed at the next Election.

XIII. And be it further enacted by the Authority aforeſaid, That at every Meeting for an Election of a Commiſſioner to ſerve in Parliament, if the Commiſſioner laſt elected, or in his Abſence the Sheriff or Steward's Clerk ſhall, in the Choice of Preſes or Clerk, receive the Vote of any Perſon that does not ſtand upon the ſaid Roll, he ſhall, for every ſuch Offence, forfeit the Sum of three hundred Pounds Sterling to every Candidate for the Office of Preſes or Clerk reſpectively, for whom ſuch Perſon ſhall not have given his Vote, to be recovered by him or them, his or their Executors reſpectively, in Manner herein after directed; or if the Commiſſioner laſt elected, or in his Abſence the Sheriff or Steward's Clerk ſhall, in the Choice of Preſes or Clerk, not call for, or ſhall refuſe the Vote of any Perſon whoſe Name is upon the ſaid Roll, he ſhall, for every ſuch Offence, forfeit the like Sum of three hundred Pounds Sterling to the Perſon whoſe Name ſhall not be called for, or whoſe Vote ſhall be refuſed, to be recovered by him, or his Executors, in the Manner herein after directed; and if the Preſes after he is choſen ſhall, in the Election of the Member to ſerve in Parliament, receive the Vote of any Perſon who does not ſtand upon the Roll duly made by the ſaid Meeting, he ſhall, for every ſuch Offence, forfeit the Sum of two hundred Pounds Sterling to every Candidate for whom ſuch Perſon ſhall not have given his Vote, to be recovered by him, or his Executors, in the Manner herein after directed; or if the Preſes after he is choſen ſhall, in the Election of the Member to ſerve in Parliament, not call for, or ſhall refuſe the Vote of any Perſon whoſe Name is upon the ſaid Roll ſo made up as aforeſaid, he ſhall, for every ſuch Offence, forfeit the like Sum of two hundred Pounds Sterling to the Perſon whoſe Name ſhall not be called for, or whoſe Vote ſhall be refuſed, to be recovered by him, or his Executors, in the Manner herein after directed: And it is hereby declared, That in caſe of Equality of Votes in the Choice of Preſes or Clerk, the Commiſſioner laſt elected, and in his Abſence any Freeholder preſent who laſt repreſented the Shire or Sewartry in any former Parliament; and if no ſuch Perſon is preſent, the Freeholder preſent who preſided laſt at any Meeting for any Election, and in his Abſence the Freeholder who laſt preſided at any *Michaelmas* Meeting; and if none of the ſaid Perſons ſhall be preſent, the Freeholder preſent who ſtands firſt on the Roll, ſhall, beſides their own Votes as Freeholders, have the caſting and determining Vote, and that the Preſes choſen ſhall, after his Election, in the Choice of the Commiſſioner to ſerve in Parliament, and all other Queſtions, where the Votes are equal, in like Manner, beſides his own Vote as a Freeholder, have the caſting and determining Vote.

Penalty for taking falſe Votes.

Penalty on refuſing good Votes.

On Equality of Votes, in chuſing a Clerk, who ſhall have the caſting Vote.

XIV. And be it further enacted by the Authority aforeſaid That the Perſons choſen to be Preſes and Clerk, by the Majority of the Freeholders preſent, ſtanding on the ſaid Roll, ſhall be Preſes and Clerk of the Meeting for ſuch Election; and it ſhall not be lawful for any Number of Freeholders to ſeparate from the Majority of the Perſons preſent, who ſtand upon the ſaid Roll, and ſet up any Perſon as Preſes

The Clerk being choſen by the Majority of

Freeholders, no ſeparated Party ſhall chooſe another.

or

or Clerk, other than thoſe who ſhall be choſen by the Majority of the Freeholders preſent, ſtanding on the ſaid Roll, and that it ſhall not be lawful for any Perſon to act as Preſes or Clerk at any ſuch Election, unleſs they are choſen by the Majority of Perſons ſtanding on the ſaid Roll; and every Freeholder who ſhall ſo ſeparate from the Majority of the Freeholders on the Roll, and ſet up any Perſon as Preſes or Clerk, other than thoſe who ſhall be choſen by the Majority as aforeſaid, he ſhall for every ſuch Offence forfeit the Sum of fifty Pounds Sterling, to the Candidate who ſhall be choſen by the Majority of the Freeholders from whom ſuch Separation was made; to be recovered by him, or his Executors, in the Manner herein after directed: And if any Perſon preſume to act as Preſes or Clerk, who is not choſen by the Majority of the Freeholders preſent ſtanding on the ſaid Roll, he ſhall, for every ſuch Offence, forfeit the Sum of two hundred Pounds Sterling to the Candidate who ſhall be choſen by the Majority of the Freeholders as aforeſaid, to be recovered by him, or his Executors, as herein after directed.

Penalty on ſeparating from the Freeholders.

Penalty on acting as Clerk, without any Authority.

XV. And be it further enacted by the Authority aforeſaid, That the Commiſſioner laſt elected, or in his Abſence the Sheriff or Steward's Clerk, ſhall ſign the Minutes of the Election of Preſes and Clerk, and deliver the ſame to the Clerk choſen by the Majority of the Freeholders as aforeſaid; and if the Commiſſioner laſt elected, or in his Abſence the Sheriff or Steward's Clerk, ſhall neglect or refuſe to ſign the aforeſaid Minutes of Election of Preſes and Clerk, and deliver the ſame to the Clerk choſen, as aforeſaid, or ſhall ſign falſe Minutes thereof, he ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds Sterling to the Perſon elected Preſes, as aforeſaid, to be recovered by him, or his Executors, in the Manner hereafter directed.

Minutes of Election of Clerk to be ſigned, and delivered to the Clerk choſen.

Penalty on refuſing to ſign, or on ſigning falſe Minutes.

XVI. And be it further enacted by the Authority aforeſaid, That the Clerk choſen by the Majority of the Freeholders on the aforeſaid Roll, ſhall return to the Sheriff or Steward ſuch Perſon as ſhall be elected by the Majority of the Freeholders on the Roll made up at the Meeting for Election, in the Manner aforeſaid; and if the Clerk choſen as aforeſaid, ſhall refuſe or neglect to return the Perſon elected by the Majority of the Freeholders on the Roll, made up at the Meeting for Election, or ſhall return any Perſon other than him who ſhall be elected by the Majority of the Freeholders as aforeſaid, he ſhall, for every ſuch Offence, inſtead of the Penalty or Forfeiture to which he is made liable by the aforeſaid Act made in the ſeventh Year of his preſent Majeſty, forfeit the Sum of five hundred Pounds Sterling to the Candidate choſen by the Majority of the Freeholders on the aforeſaid Roll; to be recovered by him, or his Executors, in the Manner herein after directed.

Clerk to make a true Return.

Penalty on refuſing, or making a falſe one.

XVII. And be it further enacted by the Authority aforeſaid, That every Sheriff or Steward of any Shire or Stewartry, within that Part of *Great Britain* called *Scotland*, upon producing to him a Copy of the aforeſaid Roll laſt made up by the Freeholders at the laſt *Michaelmas* Meeting, or at the laſt Election of a Member to ſerve in Parliament, extracted and ſigned by the Sheriff or Steward's Clerk, and upon producing and ſhewing to him the Original Minutes of the Election of Preſes and Clerk ſigned by the Commiſſioner laſt elected, or in his Abſence, by the Sheriff or Steward's Clerk, ſhall annex to the Writ the Return made by the Clerk choſen by the Majority of the Freeholders on the aforeſaid Roll; and if any ſuch Sheriff or Steward ſhall neglect or refuſe to annex to the Writ ſuch Return, or if he ſhall annex to the Writ the Return made by any other Perſon pretending to be Clerk to the Election; he ſhall for every ſuch Offence, inſtead of the Penalty or Forfeiture to which he is made liable by the aforeſaid Act made in the ſeventh Year of his preſent Majeſty, forfeit the Sum of five hundred Pounds Sterling, to the Perſon returned by the Clerk, and choſen by the Majority of the Freeholders on the aforeſaid Roll, to be recovered by him or his Executors, in the Manner hereafter directed.

The Return to be annexed to the Writ.

Penalty.

XVIII. And be it further enacted by the Authority aforeſaid, That every Sheriff or Steward of any Shire or Stewartry, within that Part of *Great Britain* called *Scotland*, ſhall hold the *Michaelmas* Head Court in all Time to come, on the Day on which it ſhall appear to him to have been moſt uſually held in Times paſt; and to prevent all Uncertainty in Time coming, every Sheriff or Steward ſhall, at leaſt fourteen Days before *Michaelmas* next, appoint a preciſe Day for holding his *Michaelmas* Head Court, in the Year one thouſand ſeven hundred and forty-three; and ſhall cauſe intimate the Day of holding his Court at all the Pariſh Churches within his ſaid Shire or Stewartry upon a *Sunday*, at leaſt eight Days preceding the next *Michaelmas* Head Court: And it is hereby declared, That the Days ſo to be appointed by the ſaid Sheriff or Steward before *Michaelmas* next, ſhall be the Anniverſary for holding the *Michaelmas* Head Court of the ſaid Shire or Stewartry in all Time coming.

When the Michaelmas Head Court ſhall be held.

To be intimated in Pariſh Churches eight Days before.

'XIX. And whereas by the Conſtitution of the Shire of *Sutherland*, and by conſtant Uſage, the ſmall 'Barons of the ſaid Shire have been repreſented in Parliament, not only by the immediate Vaſſals of the 'King and Prince, but alſo by thoſe who held their Lands of the Earls of *Sutherland*, or of other Sub-'ject Superiors, and ſuch Vaſſals holding their Lands of Subject Superiors, have been in uſe to vote at 'the Election of the Commiſſioners for the ſaid Shire of *Sutherland*, as well as the Vaſſals of the King 'and Prince, and that without any Reſtriction as to the *Quota* of the old Extent, or of the valued Rent 'of the Lands, in reſpect whereof a Right to vote at ſuch Elections, or to be elected Commiſſioner for 'the ſaid Shire was claimed, and thereby votes have been unduly multiplied, and ſeveral Perſons have 'claimed a Vote in reſpect of the Superiority and Property of the ſame Lands, whereby great Confuſions 'are likely to enſue in future Elections;' For Remedy thereof, Be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-five, no Perſon ſhall be capable to be elected Commiſſioner for the ſaid Shire, or ſhall have Right to vote at ſuch Election, unleſs he be infeoft, and in Poſſeſſion of Lands liable to his Majeſty's Supplies, and other publick Burthens, at the Rate of two hundred Pounds *Scots* valued Rent.

Uſage of the Shire of Sutherland.

Qualification of Candidates and Electors.

XX. And

XX. And be it further enacted by the Authority aforeſaid, That one Perſon, and no more, ſhall be intitled to vote at ſuch Elections, or to be elected, in reſpect of the ſame Lands; and that where Lands are now holden by any Baron or other Freeholder, immediately of the King or Prince, ſuch Baron or Freeholder ſhall be capable to be elected, and ſhall be intitled to vote for thoſe Lands; and no Vaſſal or Sub-vaſſal of the ſaid Baron or Freeholder ſhall have Right to vote or be elected in reſpect thereof; and that where Lands are now holden or ſhall at any Time hereafter be holden of the King or Prince, by a Peer or other Perſon, or Body Politick or Corporate, who by Law are diſabled to be a Member of the Houſe of Commons, or to vote in ſuch Elections; in ſuch Caſe the Proprietor and Owner of ſuch Lands, and not any of his Superiors, ſhall be intitled to vote or to be elected, in reſpect of the ſame Lands; and that no Alienation of the Superiority to be made by ſuch Peer or other Perſon, or Body Politick, incapable to elect or to be elected, ſhall deprive the Proprietor and Owner of the Lands of his Right to vote in the Elections for the ſaid Shire, or his Capacity to be elected; nor intitle the Purchaſer of the ſaid Superiority to vote or to be elected; and that the Property of Lands of the Valuation aforeſaid, holden in Part immediately of the King or Prince, and in Part of a Peer or other Perſon, or Body Politick, incapable to elect or to be elected, ſhall be a ſufficient Qualification to the Propritetor and Owner of ſuch Lands, and ſhall entitle ſuch Proprietor to vote, and to be elected for the ſaid Shire; any Law or Uſage to the contrary notwithſtanding.

Candidates and Electors to hold their Lands immediately from the King or Prince.

In what Caſes the Proprietors only ſhall vote.

Lands held Part of the King, and Part of a Peer, &c. ſhall qualify the Owner to elect or be elected.

XXI. And be it enacted by the Authority aforeſaid, That the Freeholders and Proprietors, having Right to elect or to be elected a Commiſſioner for the Shire of *Sutherland*, ſhall meet at the Head Borough of the ſaid Shire, at the *Michaelmas* Head Court, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-five, and ſhall make up a Roll of the Electors having Right to vote in the Choice of a Commiſſioner, in the Terms of this preſent Act, and of the other Acts of Parliament made touching the Election of Commiſſioners for the Shires in *Scotland*; and which Roll ſo made up, ſhall be reviſed yearly at the *Michaelmas* Meetings, at and after Elections, according to the Rules preſcribed in this Act, and in other Acts made for regulating the Elections of Commiſſioners for Shires in that Part of *Great Britain* called *Scotland*: And it is hereby declared, That the ſaid Acts of Parliament do extend to the Shire of *Sutherland* as well as to the other Shires in *Scotland*, except in ſo far as it is otherwiſe provided by this preſent Act.

When Freeholders in Sutherland ſhall meet and make a Roll.

'XXII. And whereas at the Election of Members to ſerve in Parliament for the Diſtricts of Boroughs 'in that Part of *Great Britain* called *Scotland*, it often happens that more Perſons than one claim to be 'admitted to vote as Commiſſioners for the ſame Borough, which furniſhes Pretences to the Clerks of the 'preſiding Boroughs for partially making falſe and undue Returns;' For Remedy thereof, be it enacted by the Authority aforeſaid, That at the annual Election of Magiſtrates and Counſellors, and in all the Proceedings previous to the Election of the Magiſtrates and Counſellors for the ſucceeding Year, it ſhall not be lawful for the Minority of any Meeting for Election, either of Magiſtrates or Counſellors, or Deacons, or other Perſons who by the Conſtitution of the reſpective Boroughs may have Votes in the Election of Magiſtrates or Counſellors, to ſeparate from the Majority of thoſe having Right to act by the Conſtitution of the Burgh at ſuch Meetings, upon any Pretext whatſoever; nor to make any ſeparate Election of Magiſtrates, Counſellors or Electors; but the Minority ſhall in all Caſes ſubmit to the Election made by the Majority in all the Parts of Election; and if any Perſon elected by the Minority of any ſuch Meeting, ſhall preſume to vote in the Election of Magiſtrates or Counſellors, or in leeting the Magiſtrates or Counſellors, or in any other Step of the Election, he ſhall forfeit the Sum of one hundred Pounds Sterling to any one of the Majority of ſuch Meeting, to be recovered by him in the Manner hereafter directed.

At annual Elections the Minority ſhall not ſeparate from the Majority.

Penalty on Offenders.

XXIII. And be it further enacted by the Authority aforeſaid, That no Perſon elected to be a Magiſtrate or Counſellor by a Minority of thoſe having Right to vote in Elections of the Magiſtrates and Counſellors, ſhall upon any Pretext whatſoever preſume to act as Magiſtrate or Counſellor; and if any Perſon ſhall notwithſtanding preſume to act as Magiſtrate or Counſellor, he ſhall for every ſuch Offence forfeit the Sum of one hundred Pounds Sterling, to the Magiſtrates or Counſellors elected by the Majority, or to any of them who ſhall ſue for the ſame, to be recovered by him or them in the Manner herein after directed.

No Perſon elected by the Minority, ſhall have a Right to act.

Penalty on acting when ſo choſen.

XXIV. Provided always, and it is hereby declared and enacted, That it ſhall and may be lawful to and for any Conſtituent Member at any Meeting for Election of Magiſtrates or Counſellors, or of any Meeting previous to that for the Election of Magiſtrates and Counſellors reſpectively, who ſhall apprehend any Wrong to have been done by the Majority of ſuch Meeting, to apply to the ſaid Court of Seſſion, by a ſummary Complaint for rectifying ſuch Abuſe, or for making void the whole Election made by the ſaid Majority, or for declaring and aſcertaining the Election made by the Minority, ſo as ſuch Complaint be preſented to the ſaid Court of Seſſion within the two Kalendar Months after the annual Election of the Magiſtrates and Counſellors; and the ſaid Court ſhall thereupon grant a Warrant for ſummoning the Magiſtrates and Counſellors elected by the Majority, upon thirty Days Notice, and ſhall hear and determine the ſaid Complaint ſummarily, without abiding the Courſe of any Roll, and ſhall allow to the Party who ſhall prevail their full Coſts of Suit.

Wrongs done by the Majority, may be redreſſed by the Court of Seſſion.

'XXV. And whereas the Magiſtrates and Counſellors of the Royal Boroughs in that Part of *Great* 'Britain called *Scotland*, by virtue of ſeveral Laws now in Force, are bound to take and ſubſcribe the 'Oath of Allegiance, ſubſcribe the Aſſurance, and to take and ſign the Oath of Abjuration, for and on 'Account of their Election into their reſpective Offices; and that in his Majeſty's Courts of Seſſion, Ju'ſticiary or Exchequer at *Edinburgh*, or at the Quarter-Seſſions of the reſpective Shires and Stewartries,

'within which the Royal Boroughs are ſituate; which has been found by Experience to be attended with 'great Trouble and Expence to the ſaid Magiſtrates and Counſellors;' For Remedy thereof, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to the ſaid Magiſtrates and Counſellors to take and ſubſcribe the Oath of Allegiance, ſubſcribe the Aſſurance, and take and ſign the Oath of Abjuration, before the Council of their reſpective Boroughs; and which Oaths the Chief Magiſtrate, or any other Magiſtrate of the ſaid Boroughs reſpectively, is hereby impowered and required to adminiſter; and the Oaths ſo taken, ſhall be equal in all Reſpects as if they had been taken in the Courts, and before the Judges directed by the ſeveral Acts of Parliament above referred to.

Manner of the Magiſtrates and Counſellors taking the ſeveral Oaths.

The Clerk to ſign the Commiſſion, and fix the Seal of the Borough.

XXVI. And be it enacted by the Authority aforeſaid, That at every Election of Commiſſioners for chooſing Burgeſſes for any Diſtrict of Boroughs in that Part of *Great Britain* called *Scotland*, the common Clerk of each Borough within the ſaid Diſtrict, ſhall make out a Commiſſion to the Perſon choſen Commiſſioner by the major Part of the Magiſtrates and Town Council aſſembled for that Purpoſe; which Magiſtrates and Town Council ſhall take the Oath of Allegiance, and ſign the ſame with the Aſſurance and ſhall take all the other Oaths appointed to be taken at ſuch Election, by this or any former Act if required; and the ſaid Clerk ſhall affix the common Seal of the Borough thereto, and ſign ſuch Commiſſion, and ſhall not on any Pretence whatſoever make out a Commiſſion for any Perſon as Commiſſioner, other than him who is choſen by the Majority as aforeſaid; and if any common Clerk of any Borough ſhall neglect or refuſe duly to make out and ſign a Commiſſion to the Commiſſioner elected by the Majority as aforeſaid, and affix the Seal of the Borough thereto; or if he ſhall make out and ſign a Commiſſion to any other Perſon who is not choſen by the Majority, or affix the common Seal of the Borough thereto; he ſhall for every ſuch Offence forfeit the Sum of five hundred Pounds Sterling to the Perſon elected Commiſſioner for the ſaid Borough as aforeſaid, to be recovered by him or his Executors in the Manner hereinafter directed, and ſhall alſo ſuffer Impriſonment for the Space of ſix Kalendar Months, and be for ever after diſabled to hold or enjoy the ſaid Office of common Clerk of the ſaid Borough, as effectually as if he was naturally dead.

Penalty on any Perſon acting as Clerk, and making out wrongful Commiſſions.

XXVII. And be it further enacted by the Authority aforeſaid, That if any other Perſon who is not the common Clerk of the Borough, ſhall take upon himſelf to act as ſuch in any Election of a Commiſſioner for chooſing a Burgeſs for any Diſtrict of Boroughs in that Part of *Great Britain* called *Scotland*, and ſhall make out a Commiſſion for any other Perſon as Commiſſioner, other than the Perſon who was choſen by the Majority as aforeſaid, and ſhall ſign or affix the common Seal of the Borough thereto; he ſhall for every ſuch Offence forfeit the Sum of five hundred Pounds Sterling, to the Perſon elected Commiſſioner for the ſaid Borough as aforeſaid, to be recovered by him or his Executors in the Manner herein after directed.

'XXVIII. And whereas by an Act paſſed in that Part of *Great Britain* called *Scotland*, the fifth Day of '*February* in the Year one thouſand ſeven hundred and ſeven, intituled, *Act ſettling the Manner of electing* '*the ſixteen Peers, and forty-five Commoners, to repreſent* Scotland *in the Parliament of* Great Britain; it is 'amongſt other Things enacted, That where the Votes of the Commiſſioners for the ſaid Boroughs met 'to chooſe Repreſentatives from their ſeveral Diſtricts to the Parliament of *Great Britain*, ſhall be equal; 'in that Caſe, the Preſident of the Meeting ſhall have a caſting or deciſive Vote, and that by and attour 'his Vote as a Commiſſioner from the Borough from which he is ſent, but no Proviſion is made in caſe 'of the Abſence of the Commiſſioner from the preſiding Borough, or of his refuſing to vote at ſuch Elec-'tion;' For Remedy thereof, be it enacted by the Authority aforeſaid, That if the Commiſſioner from the preſiding Borough ſhall be abſent from the Meeting of Commiſſioners for chooſing Burgeſſes to ſerve in Parliament, or ſhall refuſe to vote at ſuch Election, the Commiſſioner from the Borough which was the preſiding Borough at the laſt Election; and if he alſo be abſent or ſhall refuſe to vote as aforeſaid, the Commiſſioner from the Borough which was the preſiding Borough at the Election immediately preceding the laſt; and in caſe he ſhall be likewiſe abſent or ſhall refuſe to vote as aforeſaid, the Commiſſioner from the Borough which was the laſt preſiding Borough but two, ſhall have in the aforeſaid reſpective Caſes, beſides his own Vote, the caſting or deciſive Vote.

Who ſhall act in Abſence of the preſiding Commiſſioners.

No Objection againſt Non-reſidency, &c.

XXIX. And be it further declared by the Authority aforeſaid, That it is no Objection to any Commiſſioner for chooſing a Burgeſs. that he is not a Reſidenter within the Borough bearing all portable Charges with his Neighbours, or that he is no trafficking Merchant therein, or that he is not in Poſſeſſion of any Burgage Lands or Houſes holding of the ſaid Borough, and that ſuch Qualifications need not be engroſſed in his Commiſſion; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

What Votes ſhall be allowed.

Penalty.

XXX. And be it further enacted by the Authority aforeſaid, That at all Meetings of Commiſſioners for chooſing Burgeſſes to ſerve in Parliament, the common Clerk of the preſiding Borough ſhall allow the Votes of ſuch Perſons only who produce Commiſſions authenticated by the Subſcription of the common Clerk, and the common Seal of the reſpective Boroughs within the Diſtrict, and ſhall return to the Sheriff or Steward the Perſon elected by the major Part of the Commiſſioners aſſembled, whoſe Commiſſions are authenticated as aforeſaid; and if he neglect or refuſe to return ſuch Perſons ſo elected to the Sheriff or Steward, or if he ſhall return to the Sheriff or Steward any Perſon other than him who is ſo elected, he ſhall for every ſuch Offence, inſtead of the Penalty or Forfeiture to which he is made liable by the aforeſaid Act made in the ſeventh Year of his preſent Majeſty, forfeit the Sum of five hundred Pounds Sterling, to the Candidate elected by the Majority of the Commiſſioners aſſembled whoſe Commiſſions are authenticated as aforeſaid; to be recovered by him or his Executors, in the Manner herein after directed, and he ſhall alſo ſuffer Impriſonment for the Space of ſix Kalendar Months, and be for ever after diſabled to hold or enjoy his ſaid Office of common Clerk of the ſaid preſiding Borough as if he was naturally dead.

XXXI. And

XXXI. And be it enacted by the Authority aforeſaid, That every Sheriff or Steward in that Part of *Great Britain* called *Scotland*, ſhall annex to the Writ the Return made by the aforeſaid Clerk of the preſiding Borough; and if any ſuch Sheriff or Steward neglect or refuſe to annex to the Writ ſuch Return, or if he ſhall annex to the Writ any Return made by any other Perſon, he ſhall for every ſuch Offence, inſtead of the Penalty or Forfeiture to which he is made liable by the aforeſaid Act made in the ſeventh Year of his preſent Majeſty, forfeit the Sum of five hundred Pounds Sterling to the Candidate returned by the aforeſaid Clerk of the preſiding Borough, to be recovered by him or his Executors, in the Manner herein after directed. Writ and Return to be annexed. Penalty.

XXXII. Provided always, That if any Perſon to whom no Commiſſion is made out as aforeſaid, ſhall inſiſt that he was duly elected the Commiſſioner from any Royal Borough, the Perſon ſo claiming ſhall be admitted to the Meeting of the Commiſſioners for chooſing Burgeſſes to ſerve in Parliament, and may at the ſaid Meeting make Offer of taking all the Oaths required by Law, and declare for whom he would have voted, had he been duly commiſſioned; which Oaths the Clerk of the preſiding Borough is hereby required and impowered to adminiſter, and the ſaid Clerk ſhall alſo ſet down in the Minutes of Proceedings, the Declaration of ſuch Perſon as to the Candidate for whom he would have voted, had he been duly commiſſioned; but the ſaid Clerk ſhall upon no Pretence whatſoever receive or conſider ſuch Perſon as a legal Voter, or ſuch Declaration as a legal Vote at ſuch Election. Proviſo.

'XXXIII. And whereas Doubts have ariſen, whether the Act of Parliament made in the ſecond Year 'of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual preventing Bribery and Cor-* 'ruption in the Election of Members to ſerve in Parliament, extends to the Electors of Commiſſioners for 'chuſing Burgeſſes;' Be it hereby enacted by the Authority aforeſaid, That the Electors of Commiſſioners for any Royal Borough, within that Part of *Great Britain* called *Scotland*, for chuſing Burgeſſes to Parliament, are within the true Intent and Meaning of the ſaid Act, to be conſidered as Electors of the Member to ſerve in Parliament, and ſhall be ſo deemed and adjudged to all Intents and Purpoſes whatſoever, and ſhall be liable to all the Proviſions, Forfeitures and Incapacities, to which Perſons voting or claiming to vote for any Member to ſerve in Parliament are made liable by the ſaid Act. Act 2 Geo. 2. c. 24. extended to Elections of Delegates.

XXXIV. And be it further enacted by the Authority aforeſaid, That at every Election of Commiſſioners for chuſing Burgeſſes for the ſeveral Diſtricts of Boroughs in that Part of *Great Britain* called *Scotland*, and at the Election of a Burgeſs to ſerve in Parliament for the City of *Edinburgh*, every Magiſtrate, Town Counſellor, or Perſon having or claiming to have a Right to vote at ſuch Election, inſtead of the Oath preſcribed to be taken by the ſaid Act, before he is admitted to vote at the ſame Election, ſhall take the following Oath, in caſe the ſame ſhall be demanded by any one of the Electors; and which Oath any of the Magiſtrates, or in their Abſence any of the Town Council, are hereby impowered and required to adminiſter;

'I *A. B.* do ſolemnly ſwear, That I have not directly or indirectly, by Way of Loan or other Device 'whatſoever, received any Sum or Sums of Money, Office, Place, Employment, Gratuity or Re- 'ward, or any Bond, Bill or Note, or any Promiſe of any Sum or Sums of Money, Office, Place, Employ- 'ment or Gratuity whatſoever, either by myſelf or any other, to my Uſe or Benefit or Advantage, or to 'the Uſe, Benefit or Advantage of the City or Borough of which I am Magiſtrate, Counſellor or Burgeſs, 'in order to give my Vote at this Election.'

So help me God.

Oath to be taken by the Magiſtrates at the Election of a Burgeſs, &c.

XXXV. And be it further enacted by the Authority aforeſaid, That in all Elections of Commiſſioners for chuſing Burgeſſes, and before they proceed to Election, the common Clerk of each Borough ſhall take and ſubſcribe the Oath following, which any of the Magiſtrates, or in their Abſence any two of the Town Council are hereby impowered and required to adminiſter:

'I *A. B.* do ſolemnly ſwear, That I have not directly or indirectly, by Way of Loan or other Device 'whatſoever, received any Sum or Sums of Money, Office, Place, Employment, Gratuity or Re- 'ward, or any Bond, Bill or Note, or any Promiſe of any Sum or Sums of Money, Office, Place, Em- 'ployment or Gratuity whatſoever, either by himſelf or any other, to my Uſe or Benefit, or Advantage, 'to make out any Commiſſion for a Commiſſioner for chuſing a Burgeſs; and that I will duly make out 'a Commiſſion to the Commiſſioner who ſhall be choſen by the Majority of the Town Council aſſembled, 'and to no other Perſon.'

So help me God.

Oath to be taken by the common Clerk, before the Election of Commiſſioners to chuſe Burgeſſes.

And that at all Meeting of the Commiſſioners for chuſing Burgeſſes to ſerve in Parliament, and before they proceed to the Election, the Clerk of the preſiding Borough ſhall take and ſubſcribe the following Oath, which the Commiſſioner for the preſiding Borough, or in his Abſence any other of the Commiſſioners, is hereby required and impowered to adminiſter.

'I *A. B.* do ſolemnly ſwear that I have not directly or indirectly, by way of Loan, or other Device 'whatſoever, received any Sum or Sums of Money, Office, Place, Employment, Gratuity, or Re- 'ward, or any Bond, Bill, or Note, or any Promiſe of any Sum or Sums of Money, Office, Place, 'Employment, or Gratuity whatſoever, either by myſelf, or any other to my Uſe or Benefit, or Advan- 'tage, to make any Return at this Election of a Member to ſerve in Parliament; and that I will return 'to the Sheriff *or* Steward the Perſon elected by the major Part of the Commiſſioners aſſembled, whoſe

Oath of the Clerk of the preſiding Borough before Election.

'Commiſſions are authenticated by the Subſcription of the common Clerk, and common Seal of the re-'ſpective Boroughs of this Diſtrict.'

So help me God.

Penalty on the Clerk of the preſiding Borough's Neglect.

XXXVI. And be it further enacted by the Authority aforeſaid, That if the Clerk of the preſiding Borough ſhall neglect or refuſe to take the Oath aforeſaid, ſuch Clerk ſo refuſing or neglecting, ſhall be incapable to act as Clerk to the ſaid Meeting; and it ſhall be lawful to and for the ſaid Commiſſioners, and they are hereby impowered and required to chooſe another Clerk to the Meeting for the Election, and who ſhall have all the Powers and Authorities in the ſaid Meeting, and in the returning the Member choſen by them, that by Law are competent to the Clerk of the preſiding Borough.

XXXVII. And be it further enacted by the Authority aforeſaid, That all the Elections of a Member to ſerve in Parliament for any County or Stewartry in that Part of *Great Britain* called *Scotland*, the Clerk choſen by the Majority of ſuch Perſons as ſtand upon the ſaid Roll laſt made up by the Freeholders, whether at the *Michaelmas* Court, or at the laſt Election of a Member to ſerve in Parliament, ſhall immediately after his Election take and ſubſcribe the following Oath, which the Preſes of the Meeting is hereby required and impowered to adminiſter.

Oath of the Clerk at Election of Members.

'I *A. B.* ſo ſolemnly ſwear, That I have not directly or indirectly, by way of Loan or other Device 'whatſoever, received any Sum or Sums of Money, Office, Place or Employment, Gratuity or Re-'ward, or any Bond, Bill, or Note, or any Promiſe of any Sum or Sums of Money, Office, Place, Em-'ployment, or Gratuity whatſoever, by myſelf, or any other, to my Uſe, or Benefit, or Advantage, to 'make any Return at the preſent Election of a Member to ſerve in Parliament; and that I will return to 'the Sheriff *or* Steward the Perſon elected by the Majority of the Freeholders upon the Roll made up at 'this Election, and who ſhall be preſent and vote at this Meeting.'

So help me God.

Repeal of Part of the Act 2 Geo. 2. c. 24. as to Scotland.

'XXXVIII. And whereas by the ſaid Act of Parliament made in the ſecond Year of the Reign of his 'preſent Majeſty, it is enacted, That every Sheriff, Mayor, Bailiff, Headborough, or other Perſon be-'ing the Returning Officer of any Member to ſerve in Parliament, ſhall immediately after reading the 'Writ or Precept for the Election of ſuch Members, take and ſubſcribe the Oath contained in the afore-'ſaid Act;' Be it enacted by the Authority aforeſaid, That ſo much of the ſaid Act as requires the ſaid Oath to be taken by any Returning Officer within that Part of *Great Britain* called *Scotland*, ſhall be and is hereby repealed.

Penalties of Perjury.

XXXIX. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall preſume wilfully and falſely to ſwear and ſubſcribe any of the Oaths required to be taken by this Act, and ſhall thereof be lawfully convicted, he ſhall incur the Pains and Puniſhments of Perjury, and be proſecuted for the ſame according to the Laws and Forms in Uſe in *Scotland*.

Writs of Summons for calling a new Parliament, to be made out immediately.

XL. And be it further enacted by the Authority aforeſaid, That when any new Parliament ſhall at any Time hereafter be ſummoned or called, the Lord Chancellor, Lord Keeper, or Lords Commiſſioners of the Great Seal for the Time being, ſhall iſſue out the Writs for Election of Members to ſerve in Parliament for that Part of *Great Britain* called *Scotland*, with as much Expedition as the ſame may be done; and that as well upon the calling or ſummoning any new Parliament, as alſo in caſe of any Vacancy during this preſent or any future Parliament, the ſeveral Writs ſhall be delivered to the Sheriff or Steward to whom the Execution thereof does belong or appertain, and to no other Perſon whatſoever; and that every ſuch Sheriff or Steward, upon the Receipt of the Writ, ſhall upon the Back thereof endorſe the Day he received the ſame, and ſhall forthwith upon Receipt of the Writ, at leaſt within the Space of four Days after the Receipt thereof, make out a Precept to each Borough within his Juriſdiction, to elect a Commiſſioner for chooſing a Burgeſs to ſerve in Parliament, and ſhall cauſe the ſame to be delivered to the chief Magiſtrate of ſuch Borough reſiant in the Borough for the Time being; and in caſe ſuch Sheriff or Steward ſhall neglect to endorſe on the Back of the Writ the Day he received the ſame, or ſhall neglect to make out his Precept, and to deliver the ſame to the chief Magiſtrate within the Time and in the Manner above directed, he ſhall for every ſuch Offence forfeit the Sum of one hundred Pounds Sterling, to any Magiſtrate of the Borough to which the Precept is not timouſly delivered, who ſhall ſue for the ſame, to be recovered in Manner herein after directed.

Penalty on Sheriff's delaying the Precepts.

When the Council ſhall be called for ſetting a Day to chooſe a Commiſſioner for electing a Burgeſs.

XLI. And be it further enacted by the Authority aforeſaid, That ſuch chief Magiſtrate to whom the Precept ſhall be delivered in Manner above directed, upon the Receipt thereof, ſhall upon the Back of the Precept endorſe the Day he received the ſame, and ſhall within two Days after his Receipt of the Precept call and ſummon the Council of the Borough together, by giving Notice perſonally, or leaving Notice at the Dwelling-place of every Counſellor then reſiant in that Borough, which Council ſhall then appoint a peremptory Day for the Election of a Commiſſioner for chooſing a Burgeſs to ſerve in Parliament.

Two Days to be allowed between the Council Meeting and the Day of Election.

Chief Magiſtrate to indorſe the Day he received the Precept.

XLII. Provided always, That two free Days ſhall intervene betwixt the Meeting of the Council which appoints the Day of Election of the ſaid Commiſſioner, and the Day on which the Election of the Commiſſioner is to be made; and in caſe ſuch chief Magiſtrate ſhall neglect to endorſe the Day he received the Precept on the Back thereof, or to ſummon the Council within the Time and in the Manner above directed, he ſhall for every ſuch Offence, forfeit the Sum of one hundred Pounds Sterling, to any Magiſtrate or Counſellor of the ſaid Borough who ſhall ſue for the ſame, to be recovered in Manner herein after directed.

XLIII. And

XLIII. And be it further enacted by the Authority aforeſaid, That every Penalty or Forfeiture by this Act impoſed, in that Part of *Great Britain* called *Scotland*, ſhall and may be ſued for and recovered by way of ſummary Complaint, before the Court of Seſſion, upon thirty Days Notice to the Perſon complained of, without abiding the Courſe of any Roll; which ſaid Complaint the Court of Seſſion is hereby authorized and required to determine; as alſo to declare the Diſabilities and Incapacities, and to direct the Impriſonments as herein provided. Manner of recovering Penalties.

XLIV. Provided always, and it is hereby declared and enacted by the Authority aforeſaid, That no Perſon ſhall be made liable to any Incapacity, Diſability, Forfeiture or Penalty, by this Act impoſed, in that Part of *Great Britain* called *Scotland*, unleſs Proſecution be commenced within one Year after ſuch Incapacity, Diſability, Forfeiture, or Penalty ſhall be incurred. Limitation of Actions.

CAP. XII.

An Act for repealing the ſeveral Rates and Duties upon Victuallers and Retailers of Beer and Ale, within the Cities of *London* and *Weſtminſter*, and the Weekly Bills of Mortality; and for transferring the Exchequer Bills unſatisfied thereupon, to the Duties for Licences to ſell Spirituous Liquors and Strong Waters by Retail; and alſo for enabling his Majeſty to raiſe a certain Sum of Money for the Service of the Year one thouſand ſeven hundred and forty-three, to be further charged on the ſaid Duties for Licences.

'WHEREAS by an Act of Parliament made and paſſed in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt of Glorious Memory (intituled, *An Act for granting an Aid to his Majeſty, by laying a Duty upon all Victuallers and Retailers of Beer and Ale, within the Cities of* London *and* Weſtminſter, *and the Weekly Bills of Mortality; and for prohibiting their ſending Beer or Ale out of their Houſes to diſtant Places, in any Pots or Veſſels leſs than a Gallon; and alſo for adding one hundred additional Hackney Chairs to thoſe already licenſed, and for applying certain Arrears of former Land-taxes, towards the Supply granted to his Majeſty, for the Service of the Year one thouſand ſeven hundred and twenty-ſix; and for appropriating the Supplies granted in this Seſſion of Parliament*) it was amongſt other Things enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-ſix, a Sum not leſs than one Pound, nor more than ſix Pounds yearly, ſhould be paid to his Majeſty, his Heirs and Succeſſors, by every Victualler and Retailer of Beer and Ale, within the Cities of *London* and *Weſtminſter*, or either of them, or within the Weekly Bills of Mortality; and that no Innkeeper, Victualler, or other Perſon, within the Limits aforeſaid, ſhould preſume or offer to ſell any Beer or Ale, without firſt compounding for and obtaining a Licence from the Commiſſioners of Exciſe for that Purpoſe yearly, in the Manner and at the Times in the ſaid Act directed, under the Penalties therein mentioned, with divers Proviſions and Directions in the ſaid Act contained, for the managing, collecting, paying, and applying the ſaid Rates or Compoſition-money, and Penalties reſpectively: And whereas the Governor and Company of the Bank of *England* did advance and lend into the Receipt of his Majeſty's Exchequer for the Uſe of the Publick, the Principal Sum of five hundred thouſand Pounds, upon the Credit of the ſaid Rates and Duties to ariſe by ſuch Licences, and on ſuch Proviſion as is made in the ſaid Act, for making good any Deficiency that ſhould happen thereby, at an Intereſt after the Rate of three Pounds *per Centum per Annum*: And whereas it hath been found by Experience, that the leavying and collecting the ſaid Duty hath been attended with many Inconveniencies, and doth not anſwer the Ends propoſed by the ſaid Act, inſomuch that the Sum of four hundred eighty-one thouſand and four hundred Pounds, Part of the ſaid Sum of five hundred thouſand Pounds in Exchequer Bills, made forth in purſuance of the ſaid Act of the twelfth Year of his ſaid late Majeſty's Reign ſtill remains unſatisfied; and the ſaid Governor and Company of the Bank of *England* have conſented and agreed, that the ſaid Sum of four hundred eighty-one thouſand four hundred Pounds in Exchequer Bills now charged on the ſaid Rates and Duties on Victuallers and Retailers of Beer and Ale, ſhall be transferrable to, and charged upon, and made payable by and out of the Duties payable to his Majeſty for Licences to ſell Spirituous Liquors and Strong Waters in purſuance of another Act paſſed this preſent Seſſion of Parliament:' Now we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to eaſe your Majeſty's Subjects, by taking off the ſaid Rates and Duties on Victuallers and Retailers of Beer and Ale, within the Limits aforeſaid, and at the ſame Time to ſecure the Creditors of the Publick from any Injury and Damage they might ſuffer thereby, and having further reſolved, in order to raiſe the Supplies neceſſary for the Service of the preſent Year, in the leaſt burthenſome Manner, to give and grant to your Majeſty the Sum of five hundred and eighteen thouſand ſix hundred Pounds, to be raiſed upon the Duties ariſing by the ſaid Licences to ſell Spirituous Liquors or Strong Waters in Manner herein after mentioned; do moſt humbly beſeech your Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, the ſaid Rates and Duties impoſed by the ſaid Act of the twelfth Year of his ſaid late Majeſty's Reign, upon all Victuallers and Retailers of Beer and Ale, within the Cities of *London* and *Weſtminſter*, and within the Weekly Bills of Mortality, ſhall ceaſe, determine, and be no longer paid or payable; and that then and from thenceforth all the Powers and Authorities given or granted by the ſame Act, for the levying, ſecuring, collecting, compounding or recovering the Preamble, reciting the Act 12 Geo. 1. c. 12.

The Pot Act to be determined after June 24, 1743.

ſame, and all Penalties and Forfeitures relating thereto, ſhall alſo ceaſe, determine, and not be put in Execution, ſave only, and except in all Caſes relating to the recovering any Arrears, which may at that Time remain unpaid of the ſaid Rates and Duties on Victuallers and Retailers of Beer and Ale, within the Limits aforeſaid, or to any Penalties or Forfeitures in reſpect of the ſaid Duties which ſhall have ariſen or grown due and payable to his Majeſty, or may have been incurred at any Time before the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three; any Thing herein before contained to the contrary notwithſtanding.

481,400 l. and 518,600 l. charged upon Licences on Spirituous Liquors.

II. And be it further enacted by the Authority aforeſaid, That the ſaid principal Sum of four hundred and eighty-one thouſand four hundred Pounds in Exchequer Bills, remaining unſatisfied and undiſcharged as aforeſaid, ſhall, together with the Sum of five hundred and eighteen thouſand ſix hundred Pounds, by this Act agreed to be raiſed as aforeſaid, be charged upon, and payable out of, the ſaid Duties granted to his Majeſty on Licences for ſelling Spirituous Liquors and Strong Waters; and that the ſaid Sum of four hundred and eighty-one thouſand four hundred Pounds in Exchequer Bills remaining unſatisfied as aforeſaid, together with the Intereſt thereupon, and Charges of circulating the ſame, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, ſhall be tranferred from the ſaid Rates and Duties now charged with the ſame, and be charged upon, and payable out of, the Monies ariſen or to ariſe into the Exchequer, from time to time, for the ſaid Duties on Licences for ſelling Spirituous Liquors and Strong Waters as aforeſaid, ſubject to the ſame Orders, Rules, Methods, Directions, Powers and Authorities, relating to or concerning the circulating, paying off, and cancelling the ſame Exchequer Bills, and the Payment of the Intereſt, *Præmio*, and Charges thereupon, and for making good any Deficiency that may happen on the Income of the Duties chargeable with the Payment thereof (except where any other Proviſion is in this Act contained) and to the like Penalties and Forfeitures as were preſcribed, enacted or declared, in or by the ſaid Act of the twelfth Year of his ſaid late Majeſty's Reign, in relation to the ſaid Exchequer Bills.

Concerning Exchequer Bills ſee farther 33 *Geo.* 2. *c.* 1, 18, 21 & 23. 1 *Geo.* 3. *c.* 18 & 20.

Clauſe of Loan at 3 l. per Cent.

III. And be it further enacted by the Authority aforeſaid, That for and towards raiſing the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds, herein before given and granted to his Majeſty towards the Supplies of this preſent Year, it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, to raiſe the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned; and that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick and Corporate, to advance or lend to his Majeſty at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money, not exceeding the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds, upon the Credit of the Duties upon Licences herein before mentioned, and to have and receive for the Forbearance of the Money lent, Intereſt after a Rate not exceeding three Pounds *per Centum per Annum*; ſo as ſuch Loans be allowed to be made by the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, who are hereby authorized to iſſue their Warrants for that Purpoſe, as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover, that no Money ſo to be lent upon the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Tallies to be ſtruck.

IV. And be it further enacted, That all and every Perſon and Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally; in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, not exceeding the ſaid Rate of three Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal, in Manner herein after mentioned; and all ſuch Orders for Repayment of Money ſo to be lent, ſhall be regiſtered in Courſe, according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtered in the ſaid Regiſter Books, out of the ſaid Duties on Licences, next and immediately after the Sum of four hundred and eighty-one thouſand four hundred Pounds in Exchequer Bills, charged thereupon in the firſt Place, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators or Aſſigns, who ſhall have his or their Order or Orders firſt entered in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the Monies to ariſe by the ſaid Duties on Licences, in Manner afore mentioned; and he, ſhe, or they who ſhall have his, her or their Order or Orders next entered, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to ariſe by the ſaid Duties on Licences, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, without undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes herein before mentioned; and that no Fee, Reward or Gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's Subjects for providing or making of any ſuch Books or Regiſters, or any Entries, Views or Searches, in or for Payment of Money lent, or the Intereſt thereof as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made,

Orders regiſtred and paid in Courſe.

Penalty for taking Fees,

and for undue Preference,

made, either in Point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt or on the Caſe, to pay the Value of the Debt, with full Coſts of Suit, to the Party grieved, and ſhall be forejudged of his Place or Office; and if ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Place or Office; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Order of Loan, or the Clerk of the Pells record, or the Tellers make Payment upon ſuch Order, according to each Perſon's due Place and Order as before directed; then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

and full Coſts of Suit.

How to be recovered.

V. Provided always, and it is hereby declared, That if it ſhall happen that ſeveral Tallies of Loan or Orders for Payment as aforeſaid, bear Date or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference which of thoſe be entred firſt, ſo as he enters them all the ſame Day.

No undue Preference, where Tallies are dated or brought the ſame Day.

VI. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty, in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders, to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe; ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them, Intereſt upon Loans being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

No undue Preference if ſubſequent Orders are paid before others not coming to demand, if Money be reſerved for them.

VII. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtred by virtue of this Act, after Order entred in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his Order, may aſſign or transfer his Right, Title, Intereſt and Benefit of ſuch Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who hath or have made ſuch Aſſignment, to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

Transfers to be allowed.

VIII. And to the End there may be no Want or Failure of a certain Sum, not to exceed in the whole the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds, or any Part thereof, by Exchequer Bills inſtead of ſuch Loans as aforeſaid; that then they reſpectively are hereby authorized and impowered at any Time or Times to prepare and make, or cauſe to be prepared and made, at the Exchequer any Number of new Exchequer Bills for any Sum or Sums of Money, not exceeding in the whole the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form and Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of Parliament for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-three, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſame Act.

Treaſury may circulate Exchequer Bills, inſtead of taking Loans.

IX. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities contained in the ſaid laſt-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Aids, Taxes or Aſſeſſments granted by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made forth in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſame Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſes had been particularly repeated or re-enacted in the Body of this preſent Act.

All Powers, &c. granted by the Land Tax, relating to Loans or Exchequer Bills, ſhall be applied to this.

X. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more for the Advantage of the Publick (inſtead of raiſing the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds by Loans or Exchequer Bills as aforeſaid) to take in Subſcriptions for the ſaid Sum or any Part thereof in Annuities tranſferrable at the Bank of *England*; it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the ſaid High Treaſurer or Commiſſioners of his Majeſty's Treaſury for the Time being, to permit or ſuffer any Perſon

The Money may be raiſed Part by Subſcriptions for Bank Annuities.

or

or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute and pay to the firſt or chief Caſhier or Caſhiers of the Governor and Company of the Bank of *England* for the Time being, at or before the reſpective Days and Times to be limited and appointed by the ſaid Commiſſioners of his Majeſty's Treaſury, or the High Treaſurer for the Time being, in that Behalf, any Sum or Sums of Money not exceeding in the whole the ſaid Sum of five hundred and eighteen thouſand ſix hundred Pounds, for the Purchaſe of any Annuity or Annuities, to commence from the Feaſt Day of the Nativity of Saint *John* the Baptiſt, or from any other ſubſequent Feaſt Day to be limited and appointed in like Manner; which Annuities ſhall be a Joint-ſtock of Annuities, and be computed at the Rate of three Pounds for every one hundred Pounds, and in Proportion for any greater or leſs Sum, and be charged and chargeable upon, and payable out of the Duties on Licences herein before mentioned.

Other Clauſes in the foremention'd Act extended to this. 26 Geo. 2. c. 13.

XI. Provided alſo, and it is hereby likewiſe enacted by the Authority aforeſaid, That all and every the Clauſes, Powers, and Proviſoes, relating to the Contributions for ſuch Annuities, and for making Allowances not only to the Contributors for prompt Payment, but alſo to the ſaid Governor and Company, or their ſaid Caſhier or Caſhiers, and Accomptant General for receiving, paying, and accounting for ſuch Contribution-money, and the Annuities payable in reſpect thereof; as likewiſe for transferring the ſaid Annuities without Fee or Reward, in Books to be kept for that Purpoſe; and for exempting ſuch Annuities from all Taxes, Charges and Impoſitions whatſoever, and for redeeming ſuch Annuities, or making good any Deficiency that may at any Time happen in the Fund appropriated for Payment of ſuch Annuities; and all and every other the Powers, Privileges, Advantages, Penalties, Forfeitures, Diſabilities, Matters and Things contained in one other Act of this preſent Seſſion of Parliament, for raiſing one million eight hundred thouſand Pounds by Annuities, and a Lottery in Manner therein mentioned, ſo far as the ſame relate to the Annuities transferrable at the ſaid Bank of *England*, authorized by the ſaid Act, to be created or ſubſcribed for on Credit thereof (except ſuch Clauſes as do charge ſuch Annuities upon the Rates and Duties appropriated by the ſame Act for Payment thereof) ſhall be applied and extended to the Annuities to be ſubſcribed for or purchaſed on this Act, as amply, fully, and effectually, to all Intents and Purpoſes whatſoever, as if the ſaid Annuities had been originally authorized by the before mentioned Act; or as if the ſaid ſeveral Powers, Privileges, Advantages, Penalties, Forfeitures, Diſabilities, Matters and Things had been particularly repeated and re-enacted in the Body of this preſent Act; any thing in this Act before contained to the contrary thereof in any wiſe notwithſtanding.

A yearly Account to be made to the Treaſury, of the Money for licenſing Spirituous Liquors.

XII. And be it further enacted by the Authority aforeſaid, That yearly and every Year during the Continuance of the ſaid Loans, Exchequer Bills, or Annuities, or any of them, the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall or may on the Feaſt Day of the Nativity of Saint *John* the Baptiſt in every Year, or within twenty Days after, cauſe a true and perfect Account in Writing to be taken, and atteſted by the proper Officers, of all the Monies which ſhall in the preceding Year, have been paid in the Receipt of his Majeſty's Exchequer on account of ſuch Licences for ſelling ſuch Spirituous Liquors or Strong Waters, and how much thereof hath been applied, or will be neceſſary to be applied for or towards the Intereſt, Premium, or Rate on the ſaid ſeveral Loans, Exchequer Bills, or Annuities, amounting in the whole to one million, or other neceſſary Charges, in, about, or for circulating or exchanging the ſaid Exchequer Bills; and in caſe it ſhall appear that on any ſuch Feaſt Day there ſhall be or remain in the ſaid Exchequer, any Surplus ariſen from the ſaid Duties over and beyond what will ſatisfy ſuch Intereſt, Premium, or Rate and Charges to that Time, ſuch Surpluſſes ſhall be and are hereby appropriated, and ſhall be from time to time forthwith iſſued and applied, as far as the ſame will extend, for or towards the paying off in the firſt Place the principal Sums contained in ſuch Exchequer Bills, amounting to four hundred and eighty-one thouſand four hundred Pounds, remaining unſatisfied as aforeſaid, and cancelling and diſcharging the ſame in a numerical Courſe, until all the ſaid Bills ſhall be diſcharged; and that from and after ſuch Time as the ſaid principal Sum of four hundred and eighty-one thouſand four hundred Pounds ſhall be paid off, or Money ſufficient reſerved in the Exchequer for diſcharging the ſame, together with the Intereſt and other Charges thereupon; ſuch Surplus as ſhall then after from time to time yearly ariſe by the ſaid Duties, ſhall be ſtated, iſſued, and applied in ſuch and the like Manner for diſcharging in the next Place the remaining five hundred and eighteen thouſand ſix hundred Pounds in ſuch Loans, Exchequer Bills, or Annuities as aforeſaid, together with the Intereſt thereupon, and Charges of circulating the ſaid Exchequer Bills, ſubject nevertheleſs to ſuch Redemption by Parliament as is or ſhall be enacted by any future Act or Acts of Parliament in that Behalf.

Uſe of the Surpluſſes.

Monies iſſued out of the Sinking Fund

XIII. And be it further enacted by the Authority aforeſaid, That in caſe it ſhall appear that on ſuch Feaſt Day the Money ariſen into the Exchequer in the preceding Year, ſhall be ſo low or deficient that the ſame ſhall not be ſufficient to diſcharge all Intereſt, Premium, Rate, and Charges to that Time on the ſaid Loans, Exchequer Bills, or Annuities; ſuch Deficiency ſhall, from time to time, be made good out of the firſt Supply to be granted in Parliament, next after ſuch Deficiency ſhall appear; and in caſe no ſuch Supply ſhall be granted within ſix Months next after ſuch Deficiency ſhall happen, then the ſame ſhall be made good out of any Monies which at any time or times ſhall be or remain in the ſaid Receipt of the Exchequer of the Surpluſſes, Exceſſes, or Overplus-monies, commonly called the *Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be from time to time iſſued and applied accordingly.

XIV. Provided

XIV. Provided always, and be it enacted by the Authority aforeſaid, That whatſoever Monies ſhall be iſſued out of the ſaid Surpluſſes, Exceſſes, or Overplus-monies, commonly called the *Sinking Fund*, ſhall from time to time be replaced by and out of the firſt Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithſtanding. to be replaced out of the firſt Supplies.

CAP. XIII.

An Act for raiſing by Annuities and a Lottery in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three Pounds *per Centum per Annum*, for the Service of the Year one thouſand ſeven hundred and forty-three.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have cheerfully granted to your Majeſty, in the eaſieſt Manner we are able, for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majeſty, the Sum of one million eight hundred thouſand Pounds, to be raiſed in ſuch Manner and Form as herein after directed, and to that End do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Annuities which by this Act ſhall be granted and made payable in reſpect of the ſaid principal Sum of one million eight hundred thouſand Pounds, until Redemption thereof by Parliament in manner herein after mentioned, ſhall be charged and chargeable upon, and payable out of the Monies which ſhall from time to time ariſe, and be remaining in the Receipt of his Majeſty's Exchequer, of the Rates and Duties on Low Wines, Spirits, and Strong Waters granted to his Majeſty, by one other Act of this preſent Seſſion of Parliament, and the ſaid Rates and Duties aforeſaid are hereby appropriated for that Purpoſe accordingly, and for or towards raiſing the ſaid Sum or Sums of Money, not exceeding in the whole the ſaid Sum of one million eight hundred thouſand Pounds, for the Purpoſes aforeſaid; It is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance, and pay unto the firſt or chief Caſhier or Caſhiers of the Governor and Company of the Bank of *England* for the Time being, at or before the reſpective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money not exceeding one million, in Part of the ſaid whole Sum of one million eight hundred thouſand Pounds, for the abſolute Purchaſe of any certain Annuity or Annuities, to commence from the reſpective Days, on or before which the ſeveral Payments of the Contributors for the Purchaſe of the ſaid Annuities are herein after directed and limited to be paid, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate his her or their Executors, Adminiſtrators, Succeſſors, or Aſſigns reſpectively, in Manner herein after mentioned; ſo as ſuch Caſhier or Caſhiers do firſt give Security, to the good Liking of any three or more of the Commiſſioners of the Treaſury now being, or of the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer for the publick Uſe, the Monies ſo to be advanced and contributed, and to account duly for the ſame; which Annuities before mentioned ſhall be computed at the Rate of three Pounds *per Annum* for every one hundred Pounds, and proportionably for any greater or leſs Sum ſo to be advanced and paid; and the Purchaſe-money for every ſuch Annuity at the Rate aforeſaid, is hereby appointed to be paid unto the ſaid Caſhier or Caſhiers as aforeſaid, at or before the reſpective Days or Times herein after limited; that is to ſay, One fourth Part thereof on or before the eleventh Day of *April* one thouſand ſeven hundred and forty-three, one other fourth Part thereof on or before the fifteenth Day of *July* then next enſuing, one other fourth Part thereof on or before the twenty-ſeventh Day of *October* then next enſuing, and the remaining one fourth Part thereof on or before the twentieth Day of *December* then next following; all which Annuities ſo to be purchaſed, ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſts of the Birth of our Lord Chriſt, and the Nativity of Saint *John* the Baptiſt, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be computed and paid at the Rate of three Pounds *per Centum per Annum* on each proportional Sum advanced and paid by ſuch Contributors, for the Purchaſe of any Part of the ſaid Annuities, from the reſpective Days on or before which ſuch Payments are herein before limited and directed to be paid unto the Feaſt of the Birth of our Lord Chriſt which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-three, or within ſix Days after the ſaid Feaſt Day; nevertheleſs, the ſaid Annuities ſhall be redeemable according to the Purport and true Meaning of a Proviſo or Condition, herein after contained in that Behalf, and not otherwiſe; and the ſaid Caſhier or Caſhiers of the ſaid Governor and Company for the Time being, is or are hereby authorized and required, upon the advancing and paying to him or them any ſuch Sum or Sums of Money as aforeſaid, forthwith to give a Receipt in Writing ſigned by himſelf or themſelves, for each Payment, to the Contributor or Payer thereof (which Receipts ſhall be aſſignable by Indorſement thereon made at any time before the twentieth Day of *December* one thouſand ſeven hundred and forty-three, and no longer) and from time to time to pay into the Receipt of his Majeſty's Exchequer all the Monies which he or they ſhall receive of or for the ſaid Sum not exceeding one million, as faſt as he or they ſhall receive the ſame, or any Part thereof, or within five Days afterwards

1,800,000 l. granted to his Majeſty,

placed on the Duties on Spirituous Liquors.

Three per Cent. Annuities to be purchaſed by all Perſons, Natives or Foreigners, to be paid into the Bank.

Caſhiers to give Security.

Annuities to be 3 l. per Cent.

When the Purchaſe-money for Annuities is to be paid.

When the Annuities are to be paid.

Caſhiers to give Receipts for the Money paid them,

and to pay the Money into the Exchequer.

Caſhier's Allowance on accounting at the Exchequer.

wards at the fartheſt; and to account for all the Monies ſo to be advanced and paid to him or them in his Majeſty's Court of *Exchequer*, according to the due Courſe thereof; in which Account the ſaid Caſhier or Caſhiers ſhall have juſt Allowance of all Monies which he or they ſhall have allowed or paid for Premiums or Rewards, purſuant to this Act.

Books to be kept at the Bank,

II. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entered the Names of all who ſhall be Contributors for ſuch Annuities, after the Rate of three Pounds *per Centum per Annum* as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sums ſo paid; to which Book or Books it ſhall be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, from Time to Time, at all ſeaſonable Times, to have reſort, and to inſpect the ſame, without any Fee or Charge; and the ſaid Accomptant General for the Time being, ſhall on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, tranſmit an atteſted Duplicate, fairly written on Paper, of the ſaid Book or Books, into the Office of the Auditor of the Receipt of his Majeſty's *Exchequer* there to remain for ever.

to be kept for publick Peruſal.

A Copy of the Books to be tranſmitted into the Exchequer.

Contributors to have Annuities ſubject to Redemption.

III. And it is hereby enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act, duly paying the whole Conſideration or Purchaſe-money at the Rate aforeſaid, at or before the reſpective Days and Times in this Act before limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint, his, her or their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall have, receive and enjoy, and be intitled by virtue of this Act to have, receive and enjoy the reſpective Annuity and Annuities ſo to be purchaſed out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid; and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption in this Act afterwards contained, concerning the ſame; and that all the ſeveral and reſpective Annuities, payable in purſuance of this Act, after the Rate of three Pounds *per Centum per Annum*, and all and every the principal Sums for which the ſame are to be payable, ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

Annuities free from Taxes.

Two per Cent. allowed for prompt Payment.

IV. And it is hereby provided and enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall become intereſted in, or intitled to any Annuity or Annuites, Part of the ſaid Sum of one million to be ſubſcribed for, in purſuance of this, ſhall upon compleating the Payments of the whole Purchaſe-money, payable in reſpect thereof, be allowed and paid by Way of Rebate, a Premium or Allowance after the Rate of two Pounds *per Centum*, on the reſpective Sums they ſhall become intereſted in, or intitled unto as aforeſaid.

If only one of the four Payments be made, it ſhall be forfeited.

V. Provided alſo, That in caſe any ſuch Contributor as aforeſaid, who ſhall on or before the ſaid eleventh Day of *April* one thouſand ſeven hundred and forty-three, have advanced to the ſaid Caſhier or Caſhiers, one fourth Part of his, her or their Purchaſe-money, and his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, do not advance and pay to the ſaid Caſhier or Caſhiers, one other fourth Part of his, her or their Conſideration-money, ſo to be paid for ſuch reſpective Annuity or Annuities as aforeſaid, on or before the fifteenth Day of *July* then next enſuing; and another fourth Part thereof on or before the twenty-ſeventh Day of *October* then next enſuing; and the remaining fourth Part thereof on or before the twentieth Day of *December* then next following; then and in every ſuch Caſe reſpectively, ſo much of the Conſideration-money as ſhall have been actually paid in Part thereof only to the ſaid Caſhier or Caſhiers for ſuch reſpective Annuity, ſhall be forfeited for the Benefit of the Publick; and no Premium at the Rate aforeſaid ſhall be payable for the ſaid firſt Payment; any thing in this Act contained to the contrary notwithſtanding.

Inſtead of Annuities, the million may be raiſed by Exchequer Bills, at the Diſcretion of the Commiſſioners of the Treaſury.

VI. And to the end there may be no Want or Failure of a certain Sum not to exceed in the Whole, the ſaid Sum of one million for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more adviſable to raiſe the Sum of one million or any Part thereof by Exchequer Bills, inſtead of ſuch Annuities as aforeſaid, then and in ſuch Caſe, he or they are reſpectively hereby authorized and impowered at any Time or Times before the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-three, to prepare and make, or cauſe to be prepared or made at the Exchequer, any Number of Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the ſaid Sum of one million, in the ſame or like Manner, Form and Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-three*, are enacted or preſcribed concerning the Exchequer Bills to be made in purſuance of the ſame Act.

Part of the laſt Act relating to Exchequer Bills, applied to this.

VII. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities, contained in the ſaid laſt mentioned Act relating to the Exchequer Bills, authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Aids, Taxes or Aſſeſſments granted by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes, as if the ſame Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act.

VIII. And

On what Fund Exchequer Bills to be charged.

VIII. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills which ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate and Charges incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon, and ſhall be repaid, and borne by and out of the Rates and Duties on Low Wines, Spirits and Strong Waters afore mentioned; which ſaid Rates and Duties are hereby appropriated accordingly, for and towards paying off and diſcharging ſuch Exchequer Bills, Intereſts, Premium, Rate or Charges thereupon, until Redemption thereof by Parliament, in like Manner as is herein directed, concerning the Annuities authorized to be purchaſed upon Credit thereof, in caſe the ſaid whole Sum of one million had been advanced and contributed for the Purchaſe of ſuch Annuities.

Commiſſioners may enlarge the Time of paying the Purchaſe-money.

IX. Provided always, and it is hereby enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall find it neceſſary for the publick Service, to allow further Time for any of the Days of Payment by this Act before limited and appointed for the Contributors to pay in their Contribution-money to the ſaid Caſhier or Caſhiers of the Bank of *England*, for the purchaſe of the Annuities amounting to the principal Sum of one million as aforeſaid; then and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for Time being, by Notice to be publiſhed in the *London Gazette* fourteen Days before any of the reſpective Times of Payment by this Act limited in that Behalf as aforeſaid, to alter ſuch Day or Days of Payment accordingly, and to appoint ſuch further Days or Times for the ſaid Contributors, to pay in their Purchaſe-money for the ſaid Annuities, as to them ſhall ſeem moſt proper and fitting; any thing in this Act before contained to the contrary notwithſtanding.

800,000 l. Lottery Annuities charged on the Duties laid on Spirituous Liquors.

'X. And whereas it is intended that a further Sum not exceeding eight hundred thouſand Pounds, ſhall 'be raiſed by way of a Lottery for the Purchaſe of Annuities after the ſame Rate of three Pounds *per Cen-* '*tum per Annum*, in Manner hereafter mentioned, and be charged upon the ſame Rates and Duties on 'Low Wines, Spirits and Strong Waters; which ſaid Sum of eight hundred thouſand Pounds, together 'with the Sum of one million, before by this Act directed to be charged thereupon, will compleat the 'ſaid Sum of one million eight hundred thouſand Pounds, intended by this Act to be raiſed upon the 'Credit of the ſaid Rates and Duties;' Be it therefore enacted by the Authority aforeſaid, That from and after the Feaſt Day of the Nativity of Saint *John* the Baptiſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, the Annuities which ſhall become due and payable to the Contributors to the Lottery herein after mentioned, ſhall be charged upon, and payable out of the Monies which ſhall ariſe and be paid into the ſaid Receipt of the Exchequer, of or for the ſaid Rates and Duties on Low Wines, Spirits and Strong Waters, and the ſame are hereby declared and enacted to be a Fund and Security, not only for anſwering and paying the Annuities to grow due in reſpect of the ſaid Principal Sum of one million by this Act before directed to be advanced and lent upon the Credit of the ſaid Rates and Duties, but alſo all and every the Annuities which ſhall become due and payable to the Contributors to the Lottery herein after mentioned, their Executors, Adminiſtrators and Aſſigns, in Manner hereafter in this Act expreſſed, until Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf; and that the ſaid Annuites at the Rate of three Pounds *per Centum per Annum*, in reſpect of the ſaid Principal Sum of eight hundred thouſand Pounds, ſhall from Time to Time be paid half yearly, at the Feaſt of the Birth of our Lord Chriſt, and the Nativity of Saint *John* the Baptiſt, by even and equal Portions, the firſt Payment thereof to be due and payable at the Feaſt of the Birth of our Lord Chriſt one thouſand ſeven hundred and forty-four.

Lottery Annuities to be paid half yearly.

" Tickets to be 10*l.* each. Commiſſioners of the Treaſury to appoint Managers. Manner of the Lot-
" tery Books. Commiſſioners of the Treaſury to appoint Receivers. Receivers to cut the Tickets out,
" and deliver them to the Contributors. Tickets undiſpoſed of, to be delivered into the Exchequer.
" Other Books to be prepared in two Columns. The fortunate Tickets to be written upon, *viz.* upon
" two 10,000*l.* four 5000*l.* two 3000*l.* five 2000*l.* fifteen 1000*l.* twenty-five 500*l.* two hundred and forty-
" nine 100*l.* four hundred ſixty-nine 50*l.* eight thouſand ſix hundred and nineteen 20*l.* Which Sums
" together with 500*l.* to the firſt drawn Ticket, and 1000*l.* to the laſt drawn Ticket, will amount to
" 305,730*l.* which being added to 494,270*l.* on the remaining ſeventy thouſand ſix hundred and ten Blank
" Tickets, at 7*l.* each, do amount together to 800,000*l.* Management of the Tickets to be done pub-
" lickly. Manner of drawing the Lottery. Tickets to be filed as they are drawn, together with the
" Blank or Prize drawn againſt it. A Liſt of the Prizes to be printed. Penalty on counterfeiting Tic-
" kets or Certificates. Purchaſer not paying his whole Contribution-money by the Time fixed, ſhall
" loſe what he has paid. Tickets undiſpoſed of ſhall be delivered back into the Exchequer. Guardians
" of Infants may place their Money in the Lottery. Tickets to be exchanged for Certificates after the
" Lottery is drawn. EXP.

Timely Notice to be advertiſed, when Tickets will be taken in, and Certificates delivered.

XXVI. And be it further enacted, That ſuch of the ſaid Managers as any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall appoint to take in the ſaid Tickets, and deliver out the ſaid Certificates for and in lieu thereof, ſhall give timely Notice by Adverſtiſement, to be printed and publiſhed in Manner as they ſhall think fit, of the Days and Times for taking in the ſaid Tickets, and delivering out the ſaid Certificates for and in lieu of the ſame; and every Perſon's Certificate ſhall be numbered in Courſe, according to their bringing their Tickets to the ſaid Officer or Officers ſo to be appointed for exchanging the ſame; to which Purpoſe ſuch Officer or Officers ſhall

Names of Perſons exchanging Tickets.

enter or cauſe to be entred into a Book or Books, to be by him or them kept for that Purpoſe, the Name of every Perſon who brings any Ticket or Tickets to be exchanged for ſuch Certificate or Certificates, and the Number or Numbers of the Ticket or Tickets which ſhall be ſo brought by ſuch Perſon or Perſons, the Value in Principal Money payable thereupon, the Annuity attending the ſame, and the Day of the Month, and the Year of our Lord, when the ſame was ſo brought; which Book and Books ſhall lie open in the Office to be appointed for taking in the ſaid Tickets to be exchanged for ſuch Certificates, for all perſons concerned to peruſe; all which Certificates ſhall be ſigned by the Officer or Officers ſo to be appointed, or the major Part of them, and be directed to the Accomptant General of the Bank of *England* for the Time being.

Value of the Prizes, and the Annuities attending the ſame, &c. to be entred in a Book.

XXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall upon receiving and taking in the ſaid Certificates or any of them, give Credit to the Perſons named therein in the ſame Book or Books, with the Contributors for the Purchaſe of the Annuities, not exceeding one million herein before directed to be inſerted in a Book or Books, or in any other Book or Books to be by him provided and kept for that Purpoſe, for the Principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit ſuch Principal Sums ſhall be entred in the ſaid Book or Books, his, her or their Executors and Adminiſtrators, ſhall and may have Power to aſſign and transfer the ſame, or any Part, Share or Proportion thereof, to any other Perſon or Perſons, Bodies Politick and Corporate whatſoever, in other Books to be prepared and kept by the ſaid Accomptant General for that Purpoſe; and the principal Sums ſo aſſigned or transferred, ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authorities herein after mentioned, until the Redemption thereof as aforeſaid; and the ſaid Accomptant General of the Bank of *England* for the Time being, is hereby authorized and directed to cancel and file the Certificates as they ſhall from Time to Time be received and taken in by him, and to give the Perſons bringing in the ſame, a Note under his Hand, teſtifying the principal Money for which they have Credit in the ſaid Book or Books, by Reaſon or Means of the Certificates ſo received, taken in and cancelled as aforeſaid, and of the Annuities attending the ſame.

Annuities made transferrable.

XXVIII. And for the more eaſy and ſure Payment of the ſeveral and reſpective Annuities, amounting in the whole to one million eight hundred thouſand Pounds, by this Act authorized to be purchaſed as aforeſaid; it is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall from Time to Time, until the ſaid ſeveral and reſpective Annuities after the Rate of three Pounds *per Centum per Annum* ſhall be redeemed according to this Act, appoint and employ one ſufficient Perſon within their Office in the City of *London* to be their chief or firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office to be their Accomptant General, and that ſo much of the Monies from Time to Time ariſing in the Receipt of the Exchequer, of the Rates and Duties on Low Wines, Spirits and Strong Waters, by this Act appropriated for this Purpoſe, as ſhall be ſufficient from Time to Time to anſwer the ſaid ſeveral and reſpective Annuities and other Payments by this Act directed to be paid or diſcharged out of the ſame, ſhall by Order of the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or Commiſſioners of the Treaſury of his Majeſty, his Heirs and Succeſſors for the Time being, without any further or other Warrant, to be ſued for, had or obtained in that Behalf, from Time to Time at the reſpective half-yearly Feaſt Days, or Days of Payment in this Act before appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer to the ſaid firſt or Chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors for the Time being, by way of Impreſt and upon Accompt, for the Payment of the ſaid ſeveral and reſpective Annuities to be purchaſed upon this Act, at ſuch Times, and in ſuch Manner and Form as are by this Act preſcribed in that Behalf; and that all and every ſuch Caſhier or Caſhiers to whom the ſaid Monies ſhall from Time to Time be iſſued, ſhall from Time to Time without Delay apply and pay the ſame accordingly, and render his Account thereof according to the due Courſe of the Exchequer; any Thing herein contained to the contrary notwithſtanding.

Annuities to be paid at the Bank.

Money to be paid into the Bank by the Exchequer.

Caſhiers to account back into the Exchequer.

XXIX. And it is hereby alſo enacted, That the ſaid Accomptant General for the Time being, ſhall from Time to Time inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and every Perſon and Perſons whatſoever, who ſhall be intitled to any of the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a perſonal Eſtate, and the ſame ſhall not be liable to any foreign Attachment by the Cuſtom of *London* or otherwiſe, by any Law, Statute or Cuſtom to the contrary notwithſtanding.

Annuities to be deemed Perſonal Eſtate.

XXX. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed, or to which any Perſon or Perſons ſhall become intitled upon this Act, for or towards the ſaid Sum not exceeding one million eight hundred thouſand Pounds, ſhall be deemed, reputed and taken to be one Capital or Joint Stock, on which the ſaid ſeveral and reſpective Annuities after the Rate of three Pounds *per Centum per Annum* ſhall be attending; and that all and every Perſon and Perſons and Corporations whatſoever, in Proportion to the Money by him, her or them advanced, or to which they ſhall become intitled as aforeſaid upon this Act, ſhall have and be deemed to have a proportional Intereſt and Share in the ſaid Stock, and in the Annuity attending the ſame at the Rate aforeſaid; and that the ſaid whole Capital or Joint Stock, or any Share or Intereſt therein, and the proportional Annuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs, and not otherwiſe; and that there

Annuities amounting to 1,800,000l. to be deemed one Capital Stock;

which is made transferrable.

ſhall conſtantly be kept at all ſeaſonable Times in the Office of the ſaid Accomptant General for the Time being, within the City of *London* a Book or Books wherein all Aſſignments or Transfers of the ſaid whole Capital or Joint Stock or any Part thereof, and the proportional Annuity attending the ſame at the Rate aforeſaid, ſhall be entred and regiſtred; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Tranſfers; or if ſuch Parties be abſent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes, and that the Perſon or Perſons to whom ſuch Transfer ſhall be made, do underwrite his, her or their Acceptance thereof, and that no other Method of aſſigning or transferring the ſaid Stock, and the Annuities attending the ſame, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law. The Accomptant General to keep Transfer-books.

XXXI. Provided always, That any Perſon or Perſons poſſeſſed of ſuch Stock, with the Annuity or Annuities attending the ſame, or any Eſtate or Intereſt therein, may deviſe the ſame by Will in Writing atteſted by two or more credible Witneſſes; but that ſuch Deviſee ſhall receive no Payment thereupon, till ſo much of the ſaid Will as relates to the ſaid Stock or Annuity be entred in the ſaid Office; and in Default of ſuch Transfer or Deviſe, the ſaid Stock and Annuities attending the ſame, ſhall go to the Executors or Adminiſtrators; and that no Stamp Duties whatſoever ſhall be charged on the ſaid Tranſfers or any of them; any other Law or Statute to the contrary notwithſtanding. Annuities may be deviſed; but ſhall be entred in the Office. Transfers to be made without Stamps.

XXXII. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors (notwithſtanding the Redemption of all or any their own Funds, in purſuance of the Acts for eſtabliſhing the ſame or any of them,) ſhall continue a Corporation, with all the Powers Privileges and Advantages thereunto belonging, for the Purpoſes in this Act expreſſed, till all the Annuities to be purchaſed on this Act ſhall be redeemed by Parliament, according to the Proviſo herein after contained in that Behalf; and that the ſaid Governor and Company, or any Members thereof, ſhall not incur any Diſability for or by reaſon of their doing any Matter or Thing in purſuance of this Act. Bank of England to continue a Corporation till theſe Annuities are redeemed.

XXXIII. And it is hereby enacted by the Authority aforeſaid, That no Fee or Gratuity whatſoever ſhall be demanded or taken of any of his Majeſty's Subjects for receiving or paying the ſaid Contribution-monies or any of them, or for any Tallies or other Receipts concerning the ſame, or for iſſuing the Monies for paying the ſaid ſeveral Annuities or any of them; and that no Fee or Gratuity ſhall be demanded or taken for any Transfer of any Sum great or ſmall, to be made in purſuance of this Act, upon Pain that any Officer or Perſon offending, by taking or demanding any Fee or Gratuity, contrary to this Act, ſhall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Coſts of Suit in any of his Majeſty's Courts of Record at *Weſtminſter*. No Fees to be taken. Penalty on taking Fees.

XXXIV. Provided always, and it is hereby enacted by the Authority aforeſaid, That the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall have Power, and they are hereby authorized to ſettle and appoint ſuch Allowances (out of the Contributions to the Lottery herein before mentioned) as they ſhall think juſt and reaſonable for the Service, Pains and Labour of the Receiver or Receivers of the Contributions to the ſaid Lottery, for receiving and accompting for the ſame; as alſo for the Service, Pains and Labour of the Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, for receiving and accounting for the Contributions to the Annuities granted by this Act; and alſo ſuch further Allowances out of the Rates and Duties on Low Wines, Spirits and Strong Waters, appropriated by this Act, as they ſhall think juſt and reaſonable for receiving, paying and accompting for the ſeveral and reſpective Annuities payable in reſpect thereof; and alſo for the Service, Pains and Trouble of the Accomptant General of the ſaid Governor and Company, for performing the Duty and Truſt incumbent on him by this Act; all which Allowances hereby impowered to be made as aforeſaid, in reſpect of the Service, Pains and Labour of any Officer or Officers of the ſaid Governor and Company, ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only; any thing herein contained to the contrary notwithſtanding. Commiſſioners of the Treaſury to appoint the Salaries for the ſeveral Officers.

XXXV. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times the Produce of the ſaid Rates and Duties on Low Wines, Spirits and Strong Waters, ſhall happen to be ſo low or deficient as that the Monies ariſing thereby into the Exchequer ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities, and other Charges by this Act directed to be paid thereout, at the End of either of the reſpective half-yearly Days of Payment, at which the ſame are hereby directed to be paid; then and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of the Overplus Monies that ſhall or may happen to ariſe and be paid into the Exchequer, in any of the ſubſequent half Years, as the ſaid reſpective Annuities ſhall from Time to Time become due and payable; and in caſe ſuch Overplus Monies ſhall not be ſufficient to ſatisfy the Deficiencies hereby intended from Time to Time to be paid thereout, that then and in every ſuch Caſe, the Deficiencies ſo from Time to Time happening, ſhall from Time to Time be anſwered and made good by and out of the firſt Supplies which ſhall be granted in Parliament next after ſuch Deficiencies ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiencies ſhall happen, then the ſame ſhall be made good out of any the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes or Overplus Monies, commonly called the *Sinking Fund* (except ſuch Monies of the ſame Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be from Time to Time iſſued and applied accordingly. Manner of paying Deficiencies.

Sinking Fund to be repaid by the next Supplies.

XXXVI. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Sinking Fund, ſhall from Time to Time be replaced by and out of the firſt Supplies to be then after granted in Parliament.

Surpluſſes to be diſpoſed of by Parliament.

XXXVII. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid Rates or Duties, after the ſaid ſeveral and reſpective Annuities, and all Arrears thereof are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe; ſuch Surplus or Remainder ſhall from Time to Time be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament; any Thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding.

Proviſo of Redemption.

XXXVIII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the Half-yearly Feaſt Days for Payment of the ſaid reſpective Annuities, or either of them, and upon Repayment by Parliament of the reſpective principal Sums for which the ſaid reſpective Annuities, or either of them, ſhall be payable to ſuch reſpective Perſons or Corporations as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities; then, and not till then, the ſaid reſpective Annuities ſhall ceaſe and determine, and be underſtood to be redeemed, and from and after ſuch Redemption, the Monies ariſing from the ſaid Rates or Duties ſhall not be iſſued or applied to any other Uſe or Purpoſe, but as ſhall be directed by future Act or Acts of Parliament; any Thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding; and that any Vote or Reſolution of the Houſe of Commons ſignified by the Speaker in Writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice within the Words and Meaning of this Act.

Notice of Redemption.

General Iſſue.

Treble Coſts.

XXXIX. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times be ſued or proſecuted for any Thing by him or them done or executed in purſuance of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

" No dividing or letting out Tickets but for the whole Time. Office-keepers publiſhing Schemes for " gaming with Tickets not in their Poſſeſſion, to forfeit 500*l.* EXP.

CAP. XIV.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. XV.

An Act for the more eaſy and effectual Conviction of Offenders found at large within the Kingdom of *Great Britain*, after they have been ordered for Tranſportation.

' WHEREAS many Felons and other Offenders already ordered, or hereafter to be ordered for ' Tranſportation, or who have upon certain Conditions agreed to tranſport themſelves, either for ' Life, or for ſome Term or Number of Years, according to Law, have already or hereafter may come ' on Shore, or return into *Great Britain*, before they have been actually tranſported or tranſported themſelves to *America*, or have already, or may hereafter break Gaol or eſcape before ſuch Tranſportation: ' And whereas many of the Offenders aforeſaid have eſcaped by Reaſon of the great Expence that is ne' ceſſary for proſecuting ſuch Offenders to Conviction;' For Remedy whereof may it pleaſe it your moſt Excellent Majeſty that it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Felon or other Offender already ordered, or hereafter to be ordered for Tranſportation, or who hath already or hereafter ſhall agree to tranſport him or herſelf on certain Conditions, to any of his Majeſty's Colonies and Plantations in *America*, either for Life, or any Number of Years, ſhall be afterwards at large within any Part of the Kingdom of *Great Britain*, without ſome lawful Cauſe, before the Expiration of the Term for which he or ſhe were ſo ordered to be tranſported, or had ſo agreed to tranſport him or herſelf; all and every ſuch Perſon or Perſons being thereof lawfully convicted, ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

Convicts not tranſporting themſelves, or returning before their Time, to ſuffer Death.

Manner of trying Convicts returned from Tranſportation. 6 Geo. 1. c. 23.

II. And be it further enacted by the Authority aforeſaid, That every ſuch Offender or Offenders ſhall be tried for any of the Offences aforeſaid, before ſuch Judges, and in ſuch Manner, and the ſame Evidence made uſe of, for his or her Conviction, as is directed in and by the Statute made in the ſixth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the further preventing Robbery and Burglary, and other Felonies, and for the more effectual Tranſportation of Felons*, in Caſes of Felons returning from Tranſportation.

III. And

III. And for the Encouragement of ſuch as ſhall proſecute to Conviction any of the Offenders aforeſaid; Be it further enacted by the Authority aforeſaid, That whoever ſhall diſcover, apprehend, and proſecute to Conviction of Felony without Benefit of Clergy, any ſuch Offender or Offenders ſo found at large within the Kingdom of *Great Britain*, ſhall be intitled to a Reward of the Sum of twenty Pounds, for every ſuch Offender ſo convicted as aforeſaid, and ſhall have the like Certificate and like Payments made without Fee or Reward, as any Perſon or Perſons may be intitled unto for the apprehending, proſecuting, and convicting of Highwaymen, by any Law or Laws for that Purpoſe. Reward on Conviction of Offenders.

CAP. XVI.

An Act for enlarging the Term and Powers granted by an Act paſſed in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual repairing the Roads leading from* Wade's *Mill in the County of* Hertford, *to* Barley *and* Royſton *in the ſaid County.* P R.

The Act 6 Geo. 2. c. 24. continued for 21 Years.

CAP. XVII.

An Act for the Relief of Inſolvent Debtors. E X P.

CAP. XVIII.

An Act to empower Juſtices of the Peace to act in certain Caſes relating to Pariſhes and Places, to the Rates and Taxes of which they are rated or chargeable.

'WHEREAS Doubts have ariſen whether, according to the Laws and Statutes now in Force, his 'Majeſty's Juſtices of the Peace may lawfully act in any Caſe relating to the Pariſhes or Places to 'the Rates and Taxes of which ſuch Juſtices reſpectively are rated or chargeable:' May it pleaſe your Majeſty that it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for all and every Juſtice or Juſtices of the Peace for any County, Riding, City, Liberty, Franchiſe, Borough, or Town Corporate within their reſpective Juriſdictions, to make, do and execute all and every Act or Acts, Matter or Matters, Thing or Things appertaining to their Office as Juſtice or Juſtices of the Peace, ſo far as the ſame relates to the Laws for the Relief, Maintenance and Settlement of poor Perſons; for paſſing and puniſhing Vagrants; for Repair of the Highways; or to any other Laws concerning Parochial Taxes, Levies, or Rates; notwithſtanding any ſuch Juſtice or Juſtices of the Peace is or are rated to or chargeable with the Taxes, Levies, or Rates within any ſuch Pariſh, Townſhip or Place affected by any ſuch Act or Acts of ſuch Juſtice or Juſtices as aforeſaid. Inter paroch. Great Charte et Kennington, M. 16 Geo. 2. B. R. 15 *Geo.* 2. *c.* 24. Juſtices may enforce the Laws relating to Pariſh Taxes, &c. tho' they are chargeable themſelves.

II. And be it further enacted by the Authority aforeſaid, That no Act or Acts, Matter or Matters, Thing or Things, which hath or have been before the making this Act done, made or executed by any ſuch Juſtice or Juſtices of the Peace, ſhall hereafter be quaſhed or declared void, becauſe the ſame hath or have been ſo made, done or executed by any ſuch Juſtice or Juſtices ſo rated or chargeable as aforeſaid; any Law, Uſage or Cuſtom whatſoever to the contrary notwithſtanding. No Act of Juſtices heretofore done, ſhall be made void, becauſe themſelves are rated.

III. Provided always, and be it further enacted by the Authority aforeſaid, That this Act, or any thing therein contained, ſhall not authorize or impower any Juſtice or Juſtices of the Peace for any County or Riding at large, to act in the Determination of any Appeal to the Quarter-Seſſions for any ſuch County or Riding, from any Order, Matter or Thing relating to any ſuch Pariſh, Townſhip or Place, where ſuch Juſtice or Juſtices of the Peace is or are ſo charged, taxed, or chargeable as aforeſaid; any Thing herein contained to the contrary in any wiſe notwithſtanding. Proviſo. *Concerning Juſtices of Peace ſee farther* 18 *Geo.* 2. *c.* 20. 24 *Geo.* 2. *c.* 44. & 55. 26 *Geo.* 2. *c.* 14 & 27. 27 *Geo.* 2. *c.* 16 & 20. 1 *Geo.* 3. *c.* 13.

CAP. XIX.

An Act for enlarging the Term and Powers granted by an Act paſſed in the tenth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for repairing and amending the Highways from the North Part of* Harlow-buſh Common, *in the Pariſh of* Harlow, *to* Woodford *in the County of* Eſſex. P R.

The Act 10 Geo. 1. c. 9. continued for 21 Years.

CAP. XX.

An Act to explain and amend an Act paſſed in the twelfth Year of the Reign of his preſent Majeſty, for repairing the Road from the *Dun Cow* in *Dunchurch*, to *Hillmorton* in the County of *Warwick*, and from thence to Saint *James*'s End in the Town of *Northampton.* P R.

The Act 12 Geo. 2. c. 18. amended.

CAP. XXI.

An Act for continuing and making more effectual an Act paſſed in the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, *For repairing the Highways from the City of* Glouceſter *to the Top of*

of Birdlip-hill, *being the Road to* London; *and from the Foot of the ſaid Hill to the Top of* Crickley-hill, *being the Road to* Oxford. P R.

The Act 9 Geo. 1. c. 31. continued for 21 Years.

CAP. XXII.

An Act for repairing the Road leading from the Town of *Cirenceſter* in the County of *Glouceſter*, to a Place called the *Monument upon Lanſdown* in the ſame County. P R.

Certain Tolls granted for 21 Years.

CAP. XXIII.

An Act for continuing an Act made in the thirteenth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for amending and repairing the Roads from* Luton *in the County of* Bedford, *to* Weſtwood-gate *in the ſaid County, and for repairing the Roads from* Luton *to* Saint Alban's *in the County of* Hertford. P R.

The Act 13 Geo. 1. c. 17. continued for 21 Years.

CAP. XXIV.

An Act for rectifying Miſtakes in the Names of the Commiſſioners for the Land Tax for the Year one thouſand ſeven hundred and forty-two, and for the appointing other Perſons, together with thoſe named for the ſaid Year, to put in Execution an Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-three.* E X P.

CAP. XXV.

An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, and for applying a further Sum therein mentioned, for the Service of the Year one thouſand ſeven hundred and forty-three; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

Moſt Gracious Sovereign,

Preamble. WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous not only to raiſe ſuch Supplies as are neceſſary to enable your Majeſty to carry on the preſent War with Vigour, but alſo to uſe ſuch Ways and Means therein, as that your Majeſty may have the better and more ſpeedy Effect of the ſaid Supplies, have reſolved to give and grant unto your Majeſty the Sum of one million out of the Surpluſſes, Exceſſes, and Overplus Monies, commonly called *The Sinking Fund*, towards the Supply granted to your Majeſty for the Service of the Year one thouſand ſeven hundred and forty-three; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from Time to Time be and remain in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there

Treaſury to iſſue out of the Sinking Fund 1,000,000l. ſhall and may be iſſued and applied, a Sum not exceeding one million, for and towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and forty-three; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

Other Money appropriated to the Service of the preſent Year. II. And be it further enacted by the Authority aforeſaid, That the Sum of twelve thouſand four hundred ninety-two Pounds ten Shillings and five Pence three Farthings, now remaining in the Receipt of his Majeſty's Exchequer, granted for the Service of the Year one thouſand ſeven hundred and forty-two, but not applied for the Service of that Year, ſhall and may be iſſued and applied as Part of his Majeſty's Supply granted for the Service of the Year one thouſand ſeven hundred and forty-three; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding.

Clauſe of Loan at 3 l. per Cent. III. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the High Treaſurer for the Time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million, or any Part thereof, by Loans or Exchequer Bills, in Manner hereafter mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money not exceeding the ſaid Sum of one million, upon the Credit of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Intereſt after a Rate not exceeding three Pounds *per Centum per Annum*, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury,

ſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, who are hereby authorized to iſſue their Warrants for that Purpoſe as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover that no Money ſo to be lent upon the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Tallies of Loan to be ſtruck.

IV. And be it further enacted, That all and every Perſon and Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, not exceeding the ſaid Rate of three Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtred in Courſe according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators, or Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes, and Overplus Monies; and he, ſhe and they, who ſhall have his, her or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes, and Overplus Monies, commonly called *The Sinking Fund* as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors, or Aſſigns reſpectively, without undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever (other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid;) and that no Fee, Reward, or Gratuity directly or indirectly ſhall be demanded or taken of any of his Majeſty's Subjects for providing or making of any ſuch Books or Regiſters, or any Entries, Views, or Searches in or for Payment of Money lent, or the Intereſt thereof as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or Demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt with full Coſts of Suit to the Party grieved, and ſhall be forejudged of his Office or Place; and if ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages, and Coſts, and ſhall be for ever after incapable of his Office or Place; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Tellers make Payment upon ſuch Order, according to each Perſon's due Place and Order as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe granted or allowed.

The Manner of Payment.

No undue Preference.

No Fee to be taken,

on Pain of Treble Damages, and Coſts.

Penalty for undue Preference.

Proviſoes relating to undue Preferences.

V. Provided always, and it is hereby declared, That if it ſhall ſo happen that ſeveral Tallies of Loan or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtered, then it ſhall be interpreted no undue Preference which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

VI. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Method of transferring.

VII. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtered by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators, or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his, her or their Order, may aſſign or transfer his, her or their Right, Title, Intereſt, and Benefit of ſuch Order, or any Part thereof to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to the Benefit thereof, and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

VIII. And

VIII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the ſaid Sum of one million, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of one million, or any Part thereof, by Exchequer Bills, inſtead of ſuch Loans as aforeſaid, that then they reſpectively are hereby authorized and impowered at any Time or Times to prepare and make, or cauſe to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the ſaid Sum of one million, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form, or Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of Parliament for granting an Aid to his Majeſty by a Land Tax, for the Service of the Year one thouſand ſeven hundred and forty-three, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſaid Act.

The Money may be raiſed by Exchequer Bills.

IX. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Aids, Taxes, or Aſſeſſments granted by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſaid Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated or re-enacted in the Body of this preſent Act.

All Advantages and Penalties contained in the former Act, relating to Loans or Exchequer Bills, extended to this Act.

X. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills as ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate, and Charges incident to, or attending the ſame, ſhall be and are hereby charged and chargeable upon and ſhall be repaid and borne by or out of the growing Produce of the ſaid Surpluſſes, Exceſſes, and Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

The Exchequer Bills to be paid out of the Sinking Fund.

Application of the Supplies.

Land Tax.

XI. Provided always, and be it further enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-three*; and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and forty-three*; and ſo much Money (if any ſuch be) of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made, or to be made on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo the Sum of five hundred eighteen thouſand ſix hundred Pounds coming into the Exchequer, by Loans, Exchequer Bills, or Annuities, upon one other Act of this Seſſion of Parliament, intituled, *An Act for repealing the ſeveral Rates and Duties upon Victuallers and Retailers of Beer and Ale within the Cities of* London *and* Weſtminſter, *and the Weekly Bills of Mortality, and for transferring the Exchequer Bills unſatisfied thereupon to the Duties for Licences to ſell Spirituous Liquors and Strong Waters by Retale; and alſo for enabling his Majeſty to raiſe a certain Sum of Money for the Service of the Year one thouſand ſeven hundred and forty-three, to be further charged on the ſaid Duties for Licences*; and charged upon the Duties to ariſe by Licences for ſelling Spirituous Liquors and Strong Waters; and alſo all the Monies coming into the Exchequer by Annuities, after the Rate of three Pounds *per Centum per Annum*, and by Contributions by Way of a Lottery, upon one other Act of this Seſſion of Parliament, intituled, *An Act for raiſing by Annuities and a Lottery, in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three Pounds* per Centum per Annum, *for the Service of the Year one thouſand ſeven hundred and forty-three*; and the Sum of twelve thouſand four hundred and ninety-two Pounds two Shillings and five Pence three Farthings, granted for the Service of the Year one thouſand ſeven hundred and forty-two, but not applied for the Service of that Year; and alſo the Sum of one million by this Act granted as aforeſaid, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents, and Purpoſes herein after expreſſed; that is to ſay, It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied, any Sum or Sums of Money not exceeding two million two hundred ſixty-eight thouſand five hundred and fifty-eight Pounds thirteen Shillings and five Pence, for or towards the Naval Services herein after

Malt Tax.

Licences for retailing Spirituous Liquors.

Lottery Annuities.

2,268,558l. 13s. 5d. for Naval Services.

after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Halfpay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance performed and to be performed.

133,871 l. 8 s. 11 d. for Freight of Tranſports.

XII. And it is hereby enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred thirty-three thouſand eight hundred ſeventy-one Pounds eight Shillings and eleven Pence, for Freight of Tranſports, between the firſt Day of *January* one thouſand ſeven hundred and forty-one, and the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-two; and the Sum of thirty-five thouſand and ſeventy-five Pounds nine Shillings and one Penny, for the Expence of Victuals provided for his Majeſty's Land Forces, between the firſt Day of *January* one thouſand ſeven hundred and forty-one, and the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-two.

35,075 l. 9 s. 1 d. for Victuals for the Land Forces,

10,000 l. to Greenwich Hoſpital.

XIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ten thouſand Pounds, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

244,686 l. 7 s. to the Office of Ordnance.

XIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two hundred forty-four thouſand ſix hundred and eighty-ſix Pounds and ſeven Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and forty-three, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

2,209,800 l. 17 s. 8 d. for Guards, Garriſons, and Marines.

XV. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two million two hundred and nine thouſand and eight hundred Pounds ſeventeen Shillings and eight Pence, for defraying the Charge of Guards, Garriſons, and Marines, and the contingent Charges thereof in *Great Britain*, *Guernſey*, and *Jerſey*, and for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons of *Annapolis Royal*, *Canſo*, *Placentia*, *Providence*, *Gibraltar*, and *Georgia*, for the Year one thouſand ſeven hundred and forty-three; and for or towards defraying the Charge of his Majeſty's Army abroad in the *Low Countries*, *Germany*, or elſewhere; and for other Services relating thereto, within or for one Year, to be reckoned from the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding forty-one thouſand four hundred and thirty-five Pounds eighteen Shillings and eight Pence Halfpenny, for defraying ſeveral extraordinary Expences and Services incurred in the Year one thouſand ſeven hundred and forty-two, and not provided for by Parliament; and any Sum or Sums of Money not exceeding two hundred ſixty-five thouſand one hundred ninety-one Pounds ſix Shillings and two Pence Farthing, for defraying the Charge of five thouſand five hundred and thirteen Horſe and ten thouſand ſeven hundred and fifty-five Foot, of the Troops of *Hanover*, together with the General Officers and Train of Artillery, in the Pay of *Great Britain*, from the thirty-firſt of *Auguſt* to the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-two, both incluſive; and any Sum or Sums of Money not exceeding twenty-ſix thouſand one hundred thirty-ſeven Pounds and ten Pence, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and forty-three, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding three thouſand nine hundred and eighteen Pounds, for paying of Penſions to Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and forty-three; which ſaid Sum of three thouſand nine hundred and eighteen Pounds ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts, or other Directions, and with and ſubject to ſuch Conditions, Qualifications, or other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint.

Expence of the Army in the Low Countries, &c.

41,435 l. 18 s. 8 d. Halfpenny, for extraordinary Expences.

265,191 l. 6 s. 2 d. 1 q. for Hanoverian Troops.

26,137 l. 10 d. for Half-pay Officers.

3,918 l. for Penſions to reduced Officers Widows.

500,000 l. to ſupport the Houſe of Auſtria, &c.

XVI. And it is alſo hereby enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding five hundred thouſand Pounds, upon Account, towards enabling his Majeſty to concert proper Meaſures, and form ſuch Alliances, or enter into ſuch Engagements with other Powers as his Majeſty ſhall judge neceſſary for the Support of the Houſe of *Auſtria*, and reſtoring the Balance of Power in *Europe*.

3,819 l. 2 d. to make good the Deficiency of additional Stamp Duties.

42,000 l. for Intereſt of Money borrowed on the Salt Duties.

XVII. And it is hereby enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding three thouſand eight hundred nineteen Pounds and two Pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding forty-two thouſand Pounds, to replace to the Sinking Fund the like Sum paid out of the ſame, for one Year's Intereſt due on or before the fifth Day of *November* one thouſand ſeven hundred and forty-two on the principal Sum of one million two hundred thouſand Pounds, lent on the Credit of the Salt Duties towards the Supply of the

13,786 l. 10 s. 11 d. Halfpenny, for Deficiency on Sweets, and Low Wines.

4,333 l. 10 s. 1 d. Deficiency of the Pot Act.

10,000 l. towards maintaining the African Forts.

4,000 l. for repairing St. Peter's Church, Weſtminſter.

12,000 l. for eſtabliſhing the Colony of Georgia.

Year one thouſand ſeven hundred and forty-one; and the Sum of thirteen thouſand ſeven hundred and eighty-ſix Pounds ten Shillings and eleven Pence Halfpenny, to replace to the ſaid Sinking Fund, the like Sum paid out of the ſame, to make good the Deficiency of the Duty of twelve Shillings *p r* Barrel, on Sweets or Wines made from *Britiſh* or foreign Fruits or Sugar at *Michaelmas* one thouſand ſeven hundred and forty-two; and the Sum of four thouſand three hundred and thirty-three Pounds ten Shillings and one Penny, to replace to the ſaid Sinking Fund, the like Sum paid out of the ſame, to make good the Deficiency of the Duty upon all Victuallers and Retailers of Beer and Ale, within the Cities of *London* and *Weſtminſter*, and the weekly Bills of Mortality, at *Michaelmas* one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, to be applied towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coaſts of *Africa*; and any Sum or Sums of Money, not exceeding four thouſand Pounds, towards the repairing and finiſhing the Collegiate Church of *Saint Peter*, *Weſtminſter*; and there ſhall and may be iſſued to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, any Sum or Sums of Money not exceeding twelve thouſand Pounds, by them to be applied for further ſettling and improving the ſaid Colony.

25,000 l. towards building Weſtminſter Bridge.

XVIII. And it is alſo hereby enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and paid to the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore in the County of *Surrey*, or any ſeven or more of them, or to ſuch Perſon or Perſons as ſhall be appointed under the Hands and Seals of the ſaid Commiſſioners, or any ſeven or more of them to receive the ſame, the Sum of twenty-five thouſand Pounds, without Account, other than as is directed for the other Monies raiſed by virtue of the ſeveral former Acts of Parliament paſſed during the Reign of his preſent Majeſty for building the ſaid Bridge, to be applied towards enabling the ſaid Commiſſioners to finiſh the ſaid Bridge, and to perform the other Truſts repoſed in them.

58,869 l. 15 s. 7 d. three Farthings towards the Deficiency of the General Fund

XIX. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding fifty-eight thouſand eight hundred ſixty-nine Pounds fifteen Shillings and ſeven Pence three Farthings, for making good the Deficiency of the General Fund for the Year ended at *Michaelmas* one thouſand ſeven hundred and forty-two.

XX. And be it further enacted, That the ſaid Aids or Supplies provided as aforeſaid ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules for the Application of Half-pay. *See* 17 *Geo.* 2. c. 33.

XXI. And as to the ſaid Sum of twenty-ſix thouſand one hundred thirty-ſeven Pounds and ten Pence, by this Act appropriated on Account of Half-pay as aforeſaid; It is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company, in which he ſerved was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Employment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame who has reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the reduced Officers of the five Regiments of Dragroons, and eight Regiments of Foot, lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

15 Geo. 2. c. 19.

'XXII. And whereas by an Act of Parliament made in the fifteenth Year of his preſent Majeſty's 'Reign, intituled, *An Act for granting to his Majeſty the Sum of eight hundred thouſand Pounds, to be raiſed 'by Annuities tranſferrable at the Bank of* England; *and for aſcertaining the Cuſtoms and Duties upon Quick-'ſilver taken as Prize during the preſent War*; *and for the further appropriating the Supplies granted in this 'Seſſion of Parliament*; ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, 'were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which, any Sum or Sums of 'Money not exceeding twenty-ſeven thouſand nine hundred ſixty-eight Pounds two Shillings and ſix 'Pence, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, 'ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by 'the aforeſaid Act were preſcribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of twenty-ſeven thouſand nine hundred ſixty-eight Pounds two Shillings and ſix Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers according to the Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers as are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity; or to the Widows or Children of ſuch Officers, according to ſuch Warrant

The Overplus of laſt Year's Half-pay, to be applied to the Compaſſionate Liſt.

or Warrants, under his Majeſty's Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act or the ſaid former Act to the contrary notwithſtanding.

CAP. XXVI.

An Act for continuing ſeveral Laws relating to the Allowance upon the Exportation of *Britiſh* made Gunpowder; to the Importation of Naval Stores from the *Britiſh* Colonies in *America*; to the additional Number of one hundred Hackney Chairs; and to the Powers given for regulating Hackney Coaches and Chairs; for puniſhing the Venders of unſtamped News Papers; for allowing the Importation of Hemp or Flax manufactured in *Ireland*, though not ſworn to be of the Growth of *Ireland*; and for the Relief of *Bryan Blundell*, in reſpect to the Duty on ſome White Salt loſt in a Storm at Sea.

'WHEREAS the Laws herein after mentioned, which have by Experience been found uſeful and beneficial, are near expiring;' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the fourth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting an Allowance upon the Exportation of* Britiſh *made Gunpowder*, which was to continue in Force for five Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-one, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the tenth Year of the Reign of his preſent Majeſty was further continued for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, ſhall be and the ſame is hereby further continued from the Expiration thereof until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament.

4 Geo. 2. c. 29. for allowing a Bounty on Exportation of Gunpowder.

10 Geo. 2. c. 27. continued to 24 June 1750, &c.

'Farther continued by 24 Geo. 2. c. 52.' *and again by* 31 *Geo.* 2. *c.* 36.

II. And be it further enacted by the Authority aforeſaid, That ſo much of an Act made in the eighth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act giving further Encouragement for the Importation of Naval Stores, and for other Purpoſes therein mentioned*, as relates to the Importation of Wood and Timber, and of the Goods commonly called *Lumber*, therein particularly enumerated, from any of his Majeſty's *Britiſh* Plantations or Colonies in *America*, in the Manner therein mentioned, free from all Cuſtoms and Impoſitions whatſoever granted to his Majeſty, his Heirs or Succeſſors, which was to be in Force for twenty-one Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-two, ſhall be and is hereby further continued from the Expiration thereof until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament.

8 Geo. 1. c. 12. for encouraging Importation of Naval Stores,

continued to June 24, 1750, &c.

'Farther continued by 24 Geo. 2. c. 57.' *and by* 31 *Geo.* 2. *c.* 35 *to* 29 *Sep.* 1764.

III. And be it further enacted by the Authority aforeſaid, That ſo much of an Act made in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for granting an Aid to his Majeſty, by laying a Duty upon all Victuallers and Retailers of Beer and Ale within the Cities of* London *and* Weſtminſter, *and the weekly Bills of Mortality; and for prohibiting their ſending Beer or Ale out of their Houſes to diſtant Places, in any Pots or Veſſels leſs than a Gallon; and alſo for adding one hundred additional Hackney Chairs to thoſe already licenſed, and for applying certain Arrears of former Land-taxes, towards the Supply granted to his Majeſty, for the Service of the Year one thouſand ſeven hundred and twenty-ſix, and for appropriating the Supplies granted in this Seſſion of Parliament*, as relates to the additional Number of one hundred Hackney Chairs therein mentioned, which was to continue in Force for eighteen Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-ſix, ſhall be and is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament.

12 Geo. 1. c. 12. §. 15. for an additional Number of Chairs,

continued to 24 June 1760, &c. *Farther continued by* 33 *Geo.* 2. *c.* 25.

IV. And be it further enacted by the Authority aforeſaid, That the ſeveral Clauſes in an Act made in the ninth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for licenſing and regulating Hackney Coaches and Chairs; and for charging certain new Duties on Stampt Vellum, Parchment and Paper, and on Cards and Dice; and on the Exportation of Rock Salt for* Ireland; *and for ſecuring thereby, and by a weekly Payment out of the Poſt Office, and by ſeveral Duties on Hides and Skins, a yearly Fund of one hundred eighty-ſix thouſand ſix hundred and ſeventy Pounds, for thirty-two Years, to be applied to the Satisfaction of ſuch Orders as are therein mentioned, to the Contributors of any Sum, not exceeding two millions, to be raiſed for carrying on the War, and other her Majeſty's Occaſions*; and in an Act made in the tenth Year of the Reign of her ſaid late Majeſty, intituled, *An Act for laying ſeveral Duties upon all Soap and Paper made in* Great Britain, *or imported into the ſame; and upon chequered and ſtriped Linens imported; and upon certain Silks, Callicoes, Linens and Stuffs, printed, painted or ſtained; and upon ſeveral Kinds of Stampt Vellum, Parchment and Paper; and upon certain printed Papers, Pamphlets and Advertiſements; for raiſing the Sum of one million eight hundred thouſand Pounds, by way of a Lottery, towards her Majeſty's Supply; and for licenſing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for*

9 Annæ, c. 23.

10 Annæ, c. 19. §. 158.

better ſecuring her Majeſty's Duties to ariſe in the Office for Stamp Duties, by Licences for Marriages and otherwiſe; and for Relief of Perſons who have not claimed their Lottery Tickets in due Time, or have loſt Exchequer Bills, or Lottery Tickets; and for borrowing Money upon Stock, Part of the Capital of the South Sea *Company, for the Uſe of the Publick*; and in one other Act made in the twelfth Year of the Reign of her ſaid late Majeſty, intituled, *An Act for explaining the Acts for licenſing Hackney Chairs*; and alſo in an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better regulating Hackney Coaches, Carts, Drays, Carrs and Waggons, within the Cities of* London *and* Weſtminſter, *and the Weekly Bills of Mortality; and for preventing Miſchiefs occaſioned by the Drivers riding upon ſuch Carts, Drays, Carrs and Waggons*, relating to the Juriſdiction, Powers and Authorities of the Commiſſioners for licenſing and regulating Hackney Coaches and Chairs, and of Juſtices of the Peace, and to the Rules, Penalties and Forfeitures, Orders and Directions therein mentioned; which ſaid ſeveral Clauſes were to have Continuance from the ſeveral Times of the Commencement thereof, for the reſpective Terms therein mentioned, ſhall be and are hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament.

12 Ann. ſt. 1. c. 14.

1 Geo. 1. c. 57. relating to the Commiſſioners of Hackney Coaches,

continued till 24 June 1760, &c.

Further continued by 33 Geo. 2. c. 25.

'V. And whereas great Numbers of News Papers, Pamphlets, and other Papers, ſubject and liable 'to the Stamp Duties, and which are not duly ſtampt according to Law, are daily ſold, hawked, carried 'about, uttered, and expoſed to Sale by divers obſcure Perſons, who have no known or ſettled Habita-'tion, to the great Loſs of the fair Trader, and the Prejudice of his Majeſty's Revenue; and as ſeveral 'Doubts and Difficulties have ariſen, relating to the Execution of the Laws formerly made, and now in 'Being, for preventing of ſuch Practices, and puniſhing the Offenders:' Wherefore for remedying and preventing ſuch Abuſes and Offences for the future, and rendering the Laws more effectual in that Behalf; It it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall, from and after the firſt Day of *May* one thouſand ſeven hundred and forty-three, ſell, hawk, carry about, utter or expoſe to Sale any News Paper, or any Book, Pamphlet or Paper, deemed or conſtrued to be a News Paper, within the Intention and Meaning of any of the Acts of Parliament, relating to the Stamp Duties now in Force, not being ſtampt or marked, as in the ſaid Acts are directed or appointed, it ſhall and may be lawful for any Juſtice of the Peace to commit every ſuch Offender, being thereof convicted before him by their own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes, to the Houſe of Correction, for any Time not exceeding three Months; and it ſhall and may be lawful for any Perſon to ſeize, apprehend and carry before a Juſtice of the Peace of the County, City, Riding, Diviſion or Place where ſuch Offence ſhall be committed, any ſuch Perſon ſo offending as afore-mentioned; and every Perſon ſo ſeizing or apprehending ſuch Offender, and carrying him or her before ſuch Juſtice of the Peace as aforeſaid, ſhall upon Conviction of every ſuch Offender, and producing a Certificate of ſuch Conviction, under the Hand of ſuch Juſtice (which Certificate ſuch Juſtice is hereby required to give, without Fee or Reward to be taken for the ſame) be intitled to the Reward of twenty Shillings, to be paid by the Receiver General of his Majeſty's Stamp Duties.

Any Perſon may take up Hawkers of unſtampt News Papers; and any Juſtice may commit them to the Houſe of Correction for three Months.

A Reward of 20s. for every Hawker convicted.

Concerning Stamp Duties ſee farther 29 Geo. 2. c. 12 & 13. 30 Geo. 2. c. 19. 32 Geo. 2. c. 35.

'VI. And whereas by an Act made in the ſeventh and eighth Years of the Reign of King WILLIAM 'the Third, for encouraging the Linen Manufacture of *Ireland*, and bringing Flax and Hemp into, and 'the making of Sail Cloth in this Kingdom, it is amongſt other Things enacted, That it ſhall be lawful 'to import into *England* directly from *Ireland*, all Sorts of Hemp or Flax, and all the Production there-'of, as Thread, Yarn, and Linen of the Growth and Manufacture of *Ireland*, free from all Manner of 'Cuſtoms, Duties and Impoſitions, the Maſter or other chief Officer of the Veſſel importing the ſame, 'bringing with him or them a Certificate or Certificates from the chief Officer or Officers of the Port or 'Ports in *Ireland*, where ſuch Goods ſhall be put on Board, expreſſing amongſt other Things the Name 'or Names, Place or Places of Abode of ſuch Perſon or Perſons, that ſhall have ſworn the Goods therein 'mentioned, to be *bona fide* of the Growth and Manufacture of the Kingdom of *Ireland*, without Fraud 'or Covin: And whereas the Manufactures of Thread, Yarn and Linen are greatly increaſed, and there 'is not a ſufficient Growth of Hemp and Flax in *Ireland* to make the ſame, ſo that the obliging Perſons 'to ſwear, that ſuch Manufactures are made of the Growth of the ſaid Kingdom of *Ireland* will prevent 'the Importation thereof into *England*, and be a great Diſcouragement to the ſaid Manufactures;' Therefore be it enacted by the Authority aforeſaid, That in caſe the Certificate directed by the ſaid recited Act of the ſeventh and eighth Years of the Reign of King WILLIAM the Third, to be brought by the Maſter or chief Officer of any Ship or Veſſel importing from *Ireland* any of the Manufactures made there of Hemp or Flax into *England*, ſhall expreſs the Name or Names, Place or Places of Abode of the Perſon or Perſons who ſhall have *bona fide* ſworn the ſame to be of the Manufacture of *Ireland*, without Fraud or Covin, and the other Directions in the ſaid recited Act of the ſeventh and eighth Years of the Reign of King WILLIAM the Third (excepting the Exporter or other Perſon ſwearing ſuch Goods were of the Growth of *Ireland*) ſhall be purſued; it ſhall and may be lawful, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, to import directly from *Ireland* into *England* any Manufactures made of Hemp or Flax in *Ireland* (as may now by Law be imported into *England*) free from all Manner of Cuſtoms, Duties and Impoſitions; any Thing in the ſaid recited Act of the ſeventh and eighth Years of the Reign of King WILLIAM the Third contained to the contrary thereof in any wiſe notwithſtanding.

7 Will. 3. c. 39. 1 Ann. St. 2. c. 8.

All Manufactures made of Hemp or Flax in Ireland, to be imported Duty-free.

Salt loſt at Sea, the Duty forgiven.

VII. And whereas in the Month of *Auguſt* one thouſand ſeven hundred and forty-one, at *Liverpool* in the County of *Lancaſter*, there was ſhipped on Board the *Mary Anne* Sloop, *Andrew Creigh*, Maſter, by *Bryan Blundell* of *Liverpool* aforeſaid, Merchant, two thouſand five hundred Buſhels of White Salt to be carried to *Limerick* in *Ireland*, for the Duty whereof Bond was given by the ſaid *Bryan Blundell*; and the

ſaid

aid Ship in her Paſſage thither met with tempeſtuous and ſtormy Weather, whereby nine hundred ſixty-four Buſhels, and one Gallon of the ſaid Salt was loſt; Be it therefore enacted by the Authority aforeſaid, That the ſaid Bond or Bonds given by the ſaid *Bryan Blundell*, for and in reſpect of the Duty of the ſaid nine hundred ſixty-four Buſhels, and one Gallon of Salt ſo loſt, ſhall forthwith be delivered up, diſcharged and vacated, and the ſame is and are hereby diſcharged and vacated accordingly; any Act or Acts of Parliament to the contrary notwithſtanding.

CAP. XXVII.

An Act to continue an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the committing of Frauds by Bankrupts.*

'WHEREAS an Act made in the fifth Year of the Reign of his preſent Majeſty, (intituled, *An Act to prevent the committing of Frauds by Bankrupts*) which was to continue in Force for three Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the ninth Year of the Reign of his preſent Majeſty, (intituled, *An Act for reviving and continuing the Acts therein mentioned, and for explaining and amending a Clauſe in an Act made in the firſt Year of the Reign of his late Majeſty King* GEORGE *the Firſt*, (*intituled*, An Act for making the Laws for repairing the Highways more effectual, relating to the appointing Scavengers in Cities and Market Towns; and the ordering the Aſſeſſments for the repairing and cleanſing the Streets therein) was further continued until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-three, and from thence to the End of the then next Seſſion of Parliament, hath by Experience been found uſeful and beneficial, and is now near expiring:' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid firſt herein before mentioned Act, ſhall be, and is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* in the Year of our Lord one thouſand ſeven hundred and fifty, and from thence until the End of the then next Seſſion of Parliament.

5 Geo. 2. c. 30.

9 Geo. 2. c. 18.

Act 5 Geo. 2. c. 30. continued till Sept. 29, 1750.

'Farther continued by 24 Geo. 2. c. 57. §. 8.' *and again by* 31 *Geo.* 2. *c.* 35. *to* 29 *Sept.* 1764.

CAP. XXVIII.

An Act to make the Hamlet of *Bethnal Green* in the Pariſh of *Saint Dunſtan*, *Stepney*, in the County of *Middleſex*, a ſeparate and diſtinct Pariſh, and for erecting a Pariſh Church therein. P R.

CAP. XXIX.

An Act for allowing Carts to be drawn with four Horſes.

'WHEREAS by an Act paſſed in the fifth Year of his late Majeſty King GEORGE the Firſt, intituled, *An Act for making more effectual the ſeveral Acts paſſed for repairing and amending the Highways of this Kingdom*; it is amongſt other Things enacted, That if any Cart travelling or carrying for Hire, ſhall at any Time from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and nineteen go, travel, or be drawn with more than three Horſes, that the Owner or Driver of ſuch Cart ſo travelling for Hire, ſhall forfeit and loſe all the Horſes above three, with all Geers, Bridles, Halters and Accoutrements, to the ſole Uſe and Benefit of any Perſon or Perſons who ſhall ſeize or diſtrain the ſame, except as therein is excepted: And whereas by an Act of the fourteenth Year of his preſent Majeſty, intituled, *An Act for the Preſervation of the publick Roads in that Part of* Great Britain *called* England, it is enacted, That the ſaid Act of the fifth Year of his late Majeſty, and all and ſingular the Clauſes, Penalties and Forfeitures therein contained, ſhall extend, and be conſtrued to extend to all Carts, and to the Owners and Drivers thereof, his and their Horſes, with the Geers, Bridles, Halters and Accoutrements, whether travelling for Hire, or not for Hire, or in any Manner whatſoever: And whereas the confining the drawing of Carts to three Horſes only, is found inconvenient to Farmers and others, and highly detrimental to the Markets of this Kingdom;' For Remedy whereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *April* in the Year of our Lord one thouſand ſeven hundred and forty-three, the ſaid Number of three Horſes ſhall be enlarged to four Horſes, under all the Proviſions, Exceptions and Limitations in the ſaid recited Acts mentioned.

5 Geo. 1. c. 12.

14 Geo. 2. c. 42.

The Number of three Horſes ſettled by the former Acts, enlarged to four.

Concerning Highways ſee further 18 *Geo.* 2. *c.* 33. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP. XXX.

An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpoſe, and alſo for amending ſo much of an Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from Popiſh Recuſants*, as relates to the Time for receiving the Sacrament of the Lord's Supper now limited by the ſaid Act.

'WHEREAS divers Perſons, who on Account of their Offices, Places, Employments or Profeſſions, or any other Cauſe or Occaſion, ought to have taken and ſubſcribed the Oaths or the
1 Geo. 1. c. 13. 'Aſſurance reſpectively appointed to be taken by ſuch Perſons in and by an Act made in the firſt Year of 'the Reign of his late Majeſty King GEORGE of glorious Memory, intituled, *An Act for the further 'Security of his Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs* Sophia, *being Proteſtants*; *and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and his*
13 Car. 2. ſt. 2. c. 1. *open and ſecret Abettors*; or to have qualified themſelves according to an Act made in the thirteenth Year 'of the Reign of King CHARLES the Second, intituled, *An Act for the well governing and regulating Cor-*
25 Car. 2. c. 2. *porations*; or to have qualified themſelves according to another Act made in the twenty-fifth Year of 'the Reign of King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen 'from Popiſh Recuſants*, by receiving the Sacrament of the Lord's Supper, according to the Uſage of the 'Church of *England*, and making and ſubſcribing the Declaration againſt Tranſubſtantiation therein 'mentioned, or to have taken, made and ſubſcribed the Declaration ſet forth in the Statute made in the
30 Car. 2. ſt. 2. 'thirtieth Year of the Reign of the late King CHARLES the Second, intituled, *An Act for the more effec-*
'tual preſerving his Majeſty's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Par-
'liament, have, through Ignorance of the Law, Abſence, Miſtake or ſome unavoidable Accident, omit-
'ted to take and ſubſcribe the ſaid Oaths and Aſſurance, or to make and ſubſcribe the ſeveral Declara-
'tions before mentioned, or otherwiſe to qualify themſelves as aforeſaid, within ſuch Time, and in ſuch
'Manner, as in and by the ſaid Acts reſpectively, or by any other Act of Parliament in that Behalf
'made and provided is required, whereby they may be in Danger of incurring divers Penalties and Diſ-
'abilities:' For quieting the Minds of his Majeſty's Subjects, and for preventing any Inconveniencies that might otherwiſe happen by Means of ſuch Omiſſions, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon and Perſons who hath or have taken and ſubſcribed, or who ſhall on or before the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-three, take and ſubſcribe the Oaths and Aſſurance reſpectively, in ſuch Caſes wherein by Law the ſaid Oaths or Aſſurance ought to have been taken or ſubſcribed, in ſuch Manner and Form, and ſuch Place and Places, as are appointed in and by the ſaid Act made in the firſt Year of the Reign of his ſaid late Majeſty King GEORGE, or by any other Act or Acts of Parliament in that Behalf made and provided; and alſo hath or have received, or ſhall before the ſaid thirty-firſt Day of *December* receive the Sacrament of the Lord's Supper, according to the Uſage of the Church of *England*, and hath or have made and ſubſcribed, or ſhall on or before the ſaid thirty-firſt Day of *December* make and ſubſcribe the ſaid Declaration againſt Tranſubſtantiation, in ſuch Caſes wherein the ſaid Sacrament ought to have been received, and the ſaid Declaration ought to have been made and ſubſcribed, and alſo hath or have made and ſubſcribed, or ſhall on or before the ſaid thirty-firſt Day of *December* make and ſubſcribe the ſaid Declaration in the ſaid Statute made in the thirtieth Year of the Reign of the ſaid King CHARLES the Second, ſhall be and are hereby indemnified, freed and diſcharged of, from and againſt all Penalties, Forfeitures, Incapacities and Diſabilities incurred, or to be incurred, for or by reaſon of any former Neglect or Omiſſion of taking or ſubſcribing the ſaid Oaths or Aſſurance, or receiving the Sacrament, or making or ſubſcribing the ſaid Declarations reſpectively, according to the above mentioned Acts, or any of them, or any other Act or Acts concerning Perſons in Offices or Places of Truſt, and is and are, and ſhall be fully and actually recapacitated and reſtored to the ſame State and Condition as ſuch Perſon and Perſons were in before ſuch Neglect or Omiſſion, and ſhall be deemed and adjudged to have duly qualified him, her or themſelves, according to the above mentioned Acts, and every of them; and that all Acts done or to be done by any ſuch Perſon or Perſons, or by Authority derived from him or them, are and ſhall be of the ſame Force and Validity as the ſame or any of them would have been if ſuch Perſon or Perſons had taken the ſaid Oaths or Aſſurance, and received the Sacrament of the Lord's Supper, and made and ſubſcribed the ſaid Declarations reſpectively, according to the Direction of the ſaid Acts, and every of them; and that ſuch Perſon or Perſons qualifying themſelves in Manner, and within the Time appointed by this Act, ſhall be to all Intents and Purpoſes as effectual, as if ſuch Perſon or Perſons had reſpectively taken the ſaid Oaths and Aſſurance, and received the Sacrament, and made and ſubſcribed the ſaid Declarations within the Time, and in the Manner appointed by the ſeveral Acts before mentioned.

Further Time allowed for taking the ſeveral Oaths.

'II. And whereas ſeveral Perſons who have been preſented or collated to, or put in Eccleſiaſtical Be-
'nefices or Promotions, within that Part of *Great Britain* called *England*, the Dominion of *Wales*, and
'the Town of *Berwick upon Tweed*, by reaſon of Sickneſs, Impriſonment, Diſability of Body, or other-
'wiſe, could not or did not read the Morning and Evening Prayers, according to the Book of Com-

mon

'mon Prayers, and declare his and their unfeigned Aſſent and Conſent to the Uſe of all Things in the 'ſaid Book contained and ſubſcribed, within the Time limited by an Act paſſed in the Parliament holden 'in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act* 13 & 14 Car. 2. c. 4. '*for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments, and other Rites, and for eſtabliſhing* '*the Form of making, ordaining and conſecrating Biſhops, Prieſts and Deacons, in the Church of* England;' Now to prevent any Inconveniencies that may happen by reaſon of ſuch Omiſſions; Be it declared and enacted by the Authority aforeſaid, That all and every Perſon and Perſons who hath or have ſo omitted to read the ſaid Prayers, and to declare his or their ſaid Aſſent and Conſent within the Time limited by the ſaid Act, but hath or have ſince performed the ſame, or who ſhall on or before the ſaid thirty-firſt Day of *December* perform the ſame, ſhall be, and he and they is and are, by virtue of the Authority aforeſaid, indemnified and recapacitated, and ſhall and may hold and enjoy the ſaid Benefices and Promotions in as large and ample Manner, to all Intents and Purpoſes, as if he or they had qualified themſelves according to the Direction of the ſaid Act; any thing in the ſaid Act, or in any Laws or Statute whatſoever, to the contrary in any wiſe notwithſtanding.

Farther Time allowed to Perſons reading Common Prayer, and giving their Aſſent thereto.

'III. And whereas by the ſaid Act of the twenty-fifth Year of the Reign of King CHARLES the Second, 'amongſt other Things it is enacted, That all and every Perſon and Perſons that ſhall be admitted, en-'tred, placed or taken into any Office or Offices, Civil or Military, or ſhall receive any Pay, Salary, 'Fee or Wages, by reaſon of any Patent or Grant of his Majeſty, or ſhall have Command or Place of 'Truſt, from or under his Majeſty, his Heirs or Succeſſors, or by his or their Authority, or by Autho-'rity derived from him or them, within this Realm of *England*, Dominion of *Wales* or Town of *Berwick* '*upon Tweed*, or in his Majeſty's Navy, or in the ſeveral Iſlands of *Jerſey* or *Guernſey*, ſhall receive the 'Sacrament of the Lord's Supper, according to the Uſage of the Church of *England*, within three Months 'after his or their Admittance in, or receiving their ſaid Authority and Employment, in ſome Publick 'Church, upon ſome Lord's Day, commonly called *Sunday*, immediately after Divine Service and Ser-'mon; which Time of three Months ſo limited in the ſaid Act, is found to be too ſhort and inconveni-'ent:' Now, for Remedy thereof, and for amending the ſaid Act by enlarging the ſaid Time; Be it enacted by the Authority aforeſaid, That from and after the ſaid thirty-firſt Day of *December*, all and every ſuch Perſon and Perſons as aforeſaid, ſhall receive the Sacrament of the Lords Supper, according to the Uſage of the Church of *England*, within ſix Months after his or their Admittance in, or receiving their ſaid Authority and Employment, in ſome Publick Church upon ſome Lord's Day, commonly called *Sunday*, immediately after Divine Service and Sermon.

Perſons choſe into Offices may receive the Sacrament within ſix Months after.

IV. Provided always, and it is hereby further enacted by the Authority aforeſaid, That all and every Perſon and Perſons aforeſaid, that ſhall neglect or refuſe to receive the Sacrament of the Lord's Supper, within the Time, and at the Places aforeſaid, according to the Direction of this Act, ſhall be liable to, and incur all ſuch Diſabilities, Incapacities, Penalties, and Forfeitures, as in and by the ſaid Act of the twenty-fifth Year of the Reign of King CHARLES the Second, are provided and inflicted for not receiving the Sacrament as aforeſaid.

Perſons not complying with this Act, ſhall incur all the Diſabilities of the Act 25 Car. 2. c. 2.

V. Provided alſo, That this Act or any Thing herein contained ſhall not extend, or be conſtrued to extend, to reſtore or intitle any Perſon or Perſons, to any Office or Imployment, Benefice, Matter, or Thing whatſoever, already actually avoided by Judgment of any of his Majeſty's Courts of Record, or already filled up or enjoyed by another Perſon; but that ſuch Office, Employment, Benefice, Matter, or Thing ſo avoided, or filled up and enjoyed as aforeſaid, ſhall be and remain in and to the Perſon or Perſons who is or are now intitled to the ſame, as if this Act had never been made.

This Act ſhall not indemnify Perſons already removed.

CAP. XXXI.

An Act for the further Puniſhment of Perſons who ſhall aid or aſſiſt Priſoners to attempt to eſcape out of lawful Cuſtody.

FOR the further Puniſhment of Perſons who ſhall aid or aſſiſt Priſoners to attempt to eſcape out of lawful Cuſtody, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon ſhall, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, by any Means whatſoever be aiding or aſſiſting to any Priſoner to attempt to make his or her Eſcape from any Gaol, although no Eſcape be actually made, in caſe ſuch Priſoner then was attainted or convicted of Treaſon, or any Felony, except Petty Larceny, or lawfully committed to or detained in any Gaol for Treaſon, or any Felony, except Petty Larceny, expreſſed in the Warrant of Commitment or Detainer, every Perſon ſo offending, and being thereof lawfully convicted, ſhall be deemed and adjudged guilty of Felony, and ſhall be tranſported to one of his Majeſty's Colonies or Plantations in *America*, for the Term of ſeven Years; and in caſe ſuch Priſoner then was convicted of, committed to, or detained in any Gaol for Petty Larceny, or any other Crime, not being Treaſon or Felony, expreſſed in the Warrant of his or her Commitment or Detainer as aforeſaid, or then was in Gaol upon any Proceſs whatſoever, for any Debt, Damages, Coſts, Sum or Sums of Money, amounting in the whole to the Sum of one hundred Pounds, every Perſon ſo offending as aforeſaid, and being thereof lawfully convicted, ſhall be deemed and adjudged to be guilty of a Miſdemeanor, for which he or ſhe ſhall be liable to a Fine and Impriſonment.

8 & 9 W. 3. c. 27. 1 Ann. St. 2. c. 6. 5 Ann. c. 9.

Where a Perſon aſſiſting a Priſoner to eſcape, ſhall be deemed guilty of Felony;

and where deemed a Miſdemeanor.

II. And

After 24 June 1743, any Perſon conveying any Diſguiſe, Inſtrument, or Arms, to help an Eſcape, without the Knowledge of the Keeper, if the Priſoner be attainted of Treaſon or Felony, or committed for Treaſon or Felony; the Offender ſhall be deemed guilty of Felony, and be tranſported.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, convey, or cauſe to be conveyed into any Gaol or Priſon, any Vizor, or other Diſguiſe, or any Inſtrument or Arms proper to facilitate the Eſcape of Priſoners; and the ſame ſhall deliver, or cauſe to be delivered to any Priſoner in any ſuch Gaol, or to any other Perſon there, for the Uſe of any ſuch Priſoner, without the Conſent or Privity of the Keeper, or Under-keeper of any ſuch Gaol or Priſon; every ſuch Perſon, although no Eſcape or Attempt to eſcape be actually made, ſhall be deemed to have delivered ſuch Vizor, or other Diſguiſe, Inſtrument, or Arms, with an Intent to aid and aſſiſt ſuch Priſoner to eſcape or attempt to eſcape; and in caſe ſuch Priſoner then was attainted or convicted of Treaſon, or any Felony, except Petty Larceny, or lawfully committed to, or detained in any ſuch Gaol for Treaſon, or any Felony, except Petty Larceny, expreſſed in the Warrant of Commitment or Detainer, every Perſon ſo offending, and being thereof lawfully convicted, ſhall in like Manner be deemed and adjudged Guilty of Felony, and ſhall be tranſported to one of his Majeſty's Colonies or Plantations in *America*, for the Term of ſeven Years; but in caſe the Priſoner to whom, or for whoſe Uſe, ſuch Vizor or Diſguiſe, Inſtrument or Arms, ſhall be ſo delivered, then was convicted, committed, or detained for Petty Larceny, or any other Crime, not being Treaſon or Felony, expreſſed in the Warrant of Commitment or Detainer, or upon any Proceſs whatſoever, for any Debt, Damages, Coſts, Sum or Sums of Money, amounting in the whole to the Sum of one hundred Pounds, every ſuch Perſon ſo offending, and being thereof lawfully convicted, ſhall be deemed and adjudged to be guilty of a Miſdemeanor, for which he or ſhe ſhall be in like Manner liable to a Fine and Impriſonment.

Diſguiſe, Inſtruments, or Arms, given to one detained for any leſs Crime, or for Debt, Damages, &c. amounting to 100l. the Offender ſhall be deemed guilty of a Miſdemeanor.

To aſſiſt any Perſon to eſcape from a Conſtable, being charged with Treaſon or Felony; or from any Boat, &c. carrying Felons for Tranſportation; the Offender ſhall be deemed guilty of Felony, and ſhall be tranſported for ſeven Years.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, aid or aſſiſt any Priſoner to attempt to make his or her Eſcape from the Cuſtody of any Conſtable, Headborough, Tythingman, or other Officer or Perſon who ſhall then have the lawful Charge of ſuch Priſoner, in order to carry him or her to Gaol, by virtue of a Warrant of Commitment for Treaſon, or any Felony (except Petty Larceny) expreſſed in ſuch Warrant; or if any Perſon ſhall be aiding or aſſiſting to any Felon to attempt to make his Eſcape from on Board any Boat, Ship, or Veſſel, carrying Felons for Tranſportation, or from the Contractor for the Tranſportation of ſuch Felons, his Aſſigns, or Agents, or any other Perſon to whom ſuch Felon ſhall have been lawfully delivered, in order for Tranſportation; then every Perſon ſo offending, and being lawfully convicted thereof, ſhall be deemed and adjudged to be guilty of Felony, and ſhall be tranſported to one of his Majeſty's Colonies or Plantations in *America*, for the Term of ſeven Years.

The Proſecution to commence within a Year.

IV. Provided always, and be it enacted, That there ſhall be no Proſecution for any of the ſaid Offences, unleſs ſuch Proſecution be commenced within one Year after ſuch Offence committed.

Perſons ordered for Tranſportation, and found at large before the Expiration of the Term, how to be dealt with.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon who ſhall be ordered for Tranſportation, in purſuance of this Act, ſhall return from Tranſportation, or be at large in any Part of *Great Britain*, without ſome lawful Cauſe, before the Expiration of the Term for which he or ſhe ſhall have been ordered to be tranſported, every ſuch Perſon ſhall be liable to the ſame Puniſhment, and to the like Methods of Proſecution, Trial, and Conviction, for returning from ſuch Tranſportation, or for being at large in any Part of *Great Britain*, as other Felons tranſported, or ordered to be tranſported, are liable unto by Virtue of the Laws now in Force.

Concerning Priſoners ſee further 27 *Geo.* 2. *c.* 3 & 17. 32 *Geo.* 2. *c.* 28.

CAP. XXXII.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers, Deviſees, and Leſſees. EXP.

Time given to 28 *Nov.* 1743.

Anno

Anno decimo ſeptimo GEORGII II. Regis.

'AT the Parliament begun and holden at *Weſtminſter* the firſt Day of *December*, *Anno Domini* one thouſand ſeven hundred and forty-one, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the firſt Day of *December* one thouſand ſeven hundred and forty-three; being the third Seſſion of this preſent Parliament.

CAP. I.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſend ſeven hundred and forty-four. EXP. At 4s. in the Pound.

CAP. II.

An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-four. EXP.

Buyers of Cyder and Perry for their private Uſe, not to be charged

I. Provided always, and it is hereby enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge any Perſon or Perſons with the Duty upon Cyder or Perry, ſuch Perſon or Perſons buying the ſame for his or their private Uſe only, and not being a Dealer or Dealers in Cyder or Perry, or a Retailer or Retailers thereof.

Perſons ſelling leſs than 20 Gallons, to be deemed Retailers.

II. And be it further enacted by the Authority aforeſaid, That every Perſon or Perſons whatſoever, who ſhall, after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſell any Quantity of Cyder or Perry, or either of them, in leſs Quantity than twenty Gallons at a Time, whether the ſame be made from Fruit of his, her, or their own Growth, or from bought Fruit, ſhall be deemed and taken to be a Dealer in Cyder and Perry, and a Retailer thereof, and ſhall be ſubject and liable to the Duty of four Shillings *per* Hogſhead, for ſuch Quantity of Cyder and Perry ſo ſold, over and above all other Duties payable for Cyder and Perry ſold by Retale; and that every Dealer in, and Retailer of Cyder and Perry, and other Perſon and Perſons receiving into his, her or their Cuſtody or Cuſtodies, any Quantity of Cyder or Perry, or either of them, for Sale; and every Perſon and Perſons who ſhall buy any Fruit to make into Cyder and Perry, or either of them, for Sale, ſhall make a true and particular Entry in Writing of the ſeveral and reſpective Store-houſes, Rooms, Cellars, Vaults, and other Place or Places by him, her or them reſpectively made uſe of, for the making or keeping of Cyder and Perry, or either of them, at the Office of Exciſe within the Compaſs or Limits whereof ſuch reſpective Storehouſes, Rooms, Cellars, Vaults, and other Place or Places ſhall be ſituated; on Pain of forfeiting the Sum of fifty Pounds for every ſuch Storehouſe, Room, Cellar, Vault, or other Place, which from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four ſhall be made uſe of by any ſuch Dealer or Retailer, Receiver or Maker reſpectively, without making ſuch Entry thereof as aforeſaid: And that all Duties, Fines, Penalties, and Forfeitures by this Act impoſed, ſhall be ſued for, levied, recovered, or mitigated by ſuch Ways, Means, and Methods, as any Duty, Fine, Penalty, or Forfeiture, is or may be recovered or mitigated by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall diſcover, inform, or ſue for the ſame; and if any Perſon or Perſons ſhall at any Time be ſued for any Thing done by him or them in purſuance of this Act, he and they ſhall and may plead the General Iſſue, and give this Act for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant, or the Plaintiff be nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

Theſe two Clauſes have been continued in every ſubſequent Act.

CAP. III.

An Act to oblige Overſeers of the Poor to give publick Notice of Rates made for the Relief of the Poor, and to produce the ſame.

'WHEREAS great Inconveniences do often ariſe in Cities, Towns Corporate, Pariſhes, Townſhips and Places, by reaſon of the unlimited Power of the Churchwardens and Overſeers of the Poor, who frequently on frivolous Pretences, and for private Ends, make unjuſt and illegal Rates in a ſecret and clandeſtine Manner, contrary to the true Intent and Meaning of a Statute made in the forty and third Year of the Reign of Queen ELIZABETH, intituled, *An Act for the Relief of the Poor*;' For Remedy whereof, and preventing the like Abuſes for the future, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in 43 Eliz. c. 2.

Poors Rates to be publiſhed in the Church.

in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May* one thouſand ſeven hundred and forty-four, the Churchwardens and Overſeers, or other Perſons authorized to take Care of the Poor in every Pariſh, Townſhip or Place, ſhall give or cauſe to be given, publick Notice in the Church, of every Rate for the Relief of the Poor, allowed by the Juſtices of Peace, the next *Sunday* after the ſame ſhall have been ſo allowed; and that no Rate ſhall be eſteemed or reputed valid and ſufficient, ſo as to collect and raiſe the ſame, unleſs ſuch Notice ſhall have been given.

The Rates to be inſpected by any Inhabitant, and Copies taken.

II. And be it further enacted, That the Churchwardens and Overſeers of the Poor, or other Perſons authorized as aforeſaid, in every Pariſh, Townſhip or Place, ſhall permit all and every the Inhabitants of the ſaid Pariſh, Townſhip or Place, to inſpect every ſuch Rate at all ſeaſonable Times, paying one Shilling for the ſame, and ſhall upon Demand forthwith give Copies of the ſame or any Part thereof, to any Inhabitant of the ſaid Pariſh, Townſhip or Place, paying at the Rate of ſix Pence for every twenty-four Names.

Penalty on not permitting any Inhabitant to inſpect, &c. *Concerning Poor ſee further* 17 *Geo.* 2. *c.* 37 & 38. 31 *Geo.* 2. *c.* 11.

III. And be it further enacted, That if any Churchwarden or Overſeer of the Poor or other Perſon authorized as aforeſaid, ſhall not permit any Inhabitant or Pariſhioner to inſpect the ſaid Rates, or ſhall refuſe or neglect to give Copies thereof as aforeſaid, ſuch Churchwarden or Overſeer, or other Perſon authorized as aforeſaid, for every ſuch Offence, ſhall forfeit and pay to the Party aggrieved, the Sum of twenty Pounds, to be ſued for and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

CAP. IV.

An Act for enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty, for repairing and widening the Road from that Part of *Chatham* which lies next to the City of *Rocheſter*, to Saint *Dunſtan*'s Croſs near the City of *Canterbury* in the County of *Kent*. PR.

The Act 3 Geo. 2. c. 15. continued for 21 Years.

CAP. V.

For former Proviſions refer to 39 *El. c.* 17. 7 *Jac.* 1. *c.* 4. 21 & 12 *W.* 3. *c.* 18. 1 *Ann. ſtat.* 2. *c.* 13. 5 *Ann. c.* 32. 6 *Geo.* 1. *c.* 19. 24 *Geo.* 2. *c.* 33.

An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds and other idle and diſorderly Perſons, and to Houſes of Correction.

'WHEREAS the Number of Rogues, Vagabonds, Beggars and other idle and diſorderly Perſons, daily increaſes, to the great Scandal, Loſs and Annoyance of the Kingdom;' For Remedy thereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Perſons who threaten to run away and leave their Wives or Children to the Pariſh; and all Perſons who ſhall unlawfully return to ſuch Pariſh or Place from whence they have been legally removed by order of two Juſtices of the Peace, without bringing a Certificate from the Pariſh or Place whereunto they belong; and alſo all Perſons who, not having wherewith to maintain themſelves, live idle without Employment, and refuſe to work for the uſual and common Wages given to other Labourers in the like Work, in the Pariſhes or Places where they then are; and alſo all Perſons going about from Door to Door, or placing themſelves in Streets, Highways or Paſſages, to beg or gather Alms in the Pariſhes or Places where they dwell, ſhall be deemed idle and diſorderly Perſons; and it ſhall and may be lawful for any Juſtice of the Peace to commit ſuch Offenders (being thereof convicted before him, by his own View, or by their own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes) to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding one Month: And it ſhall and may be lawful for any Perſon to apprehend and carry before a Juſtice of the Peace, any ſuch Perſons going about from Door to Door, or placing themſelves in Streets, Highways or Paſſages, to beg or gather Alms in the Pariſhes or Places where they dwell; and if they ſhall reſiſt, or eſcape from the Perſon apprehending them, they ſhall be ſubject to the ſame Puniſhment as Rogues and Vagabonds are made liable to by this Act: And it ſhall and may be lawful for the ſaid Juſtice, by Warrant under his Hand and Seal, to order any Overſeer of the Poor of the Pariſh or Place where ſuch Offender ſhall be apprehended, to pay the Sum of five Shillings to any Perſon or Perſons in any ſuch Pariſh or Place ſo apprehending them, for every Offender ſo apprehended; which Sum ſhall be allowed to ſuch Overſeer in his Account, he producing the Juſtice's Order, and a Receipt under the Hand of the Perſon or Perſons to whom ſuch Sum was paid: But if ſuch Overſeer ſhall neglect or refuſe to pay the ſaid Sum, the ſaid Juſtice, on Oath thereof made, may by Warrant under his Hand and Seal, order the ſame to be levied by Diſtreſs and Sale of the Goods of ſuch Overſeer; and the Overplus (if any) after the Charges of ſuch Diſtreſs ſatisfied, ſhall be returned to ſuch Overſeer, who in ſuch Caſe ſhall not be allowed the Sum ſo levied in his Account.

Particular Offences, and their Puniſhments.

Offences of a higher Nature.

Five Shillings Reward for apprehending Offenders.

Penalty on Overſeer not paying the Reward.

Other Offences, and their Puniſhments.

II. And be it further enacted by the Authority aforeſaid, That all Perſons going about as Patent-gatherers or Gatherers of Alms, under Pretences of Loſs by Fire, or other Caſualty; or going about as Collectors for Priſons, Gaols or Hoſpitals; all Fencers and Bearwards; all common Players of Interludes; and all Perſons who ſhall for Hire, Gain or Reward, act, repreſent or perform, or cauſe to be acted, repreſented or performed, any Interlude, Tragedy, Comedy, Opera, Play, Farce or other Entertainment of the Stage, or any Part or Parts therein, not being authorized by Law; all Minſtrels, Jugglers; all

Perſons

Perſons pretending to be Gypſies, or wandring in the Habit or Form of Egyptians, or pretending to have Skill in Phyſiognomy, Palmeſtry or like crafty Science, or pretending to tell Fortunes, or uſing any ſubtil Craft to deceive and impoſe on any of his Majeſty's Subjects, or playing or betting at any unlawful Games or Plays; and all Perſons who run away and leave their Wives or Children, whereby they become chargeable to any Pariſh or Place; and all Petty Chapmen and Pedlars wandring abroad, not being duly licenſed or otherwiſe authorized by Law; and all Perſons wandring abroad, and lodging in Alehouſes, Barns, Outhouſes, or in the open Air, not giving a good Account of themſelves; and all Perſons wandring abroad and begging, pretending to be Soldiers, Mariners, Seafaring Men, or pretending to go to Work in Harveſt; and all other Perſons wandring abroad and begging, ſhall be deemed Rogues and Vagabonds within the true Intent and Meaning of this Act.

Proviſo. III. Provided always, That this Act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to Soldiers wanting Subſiſtence, having lawful Certificates from their Officers or the Secretary at War, or to Mariners or Seafaring Men licenſed by ſome Teſtimonial or Writing under the Hand and Seal of ſome Juſtice of the Peace, ſetting down the Time or Place of their Landing or Diſcharge, and the Place to which ſuch Soldiers or Mariners are to paſs, and the Names of the chief Towns or Places through which they are to paſs, and limiting the Time of ſuch their Paſſage, while they continue in the direct Way to the Place to which they are to paſs, and during the Time ſo limited; or to any Perſon or Perſons going Abroad to work at any lawful work in the Time of Harveſt, ſo as he, ſhe or they carry with him, her or them a Certificate in Writing, ſigned by the Miniſter and one of the Churchwardens or Chapel-wardens, or one of the Overſeers of the Poor for the Time being, of the Pariſh, Chapelry, or Place where they ſhall reſpectively inhabit, declaring that he, ſhe or they hath or have a dwelling-houſe, or Place there, in which he, ſhe or they inhabit.

Incorrigible Rogues. 13 Geo. 1. c. 25. IV. And be it further enacted by the Authority aforeſaid, That all End-gatherers offending againſt an Act made in the thirteenth Year of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better Regulation of the Woollen Manufacture, and for preventing Diſputes among the Perſons concerned therein; and for limiting a Time for proſecuting for the Forfeiture appointed by an Act of the twelfth Year of his Majeſty's Reign, in caſe of Payment of the Workmens Wages in any other Manner than in Money*, being convicted of ſuch Offence; and all Perſons apprehended as Rogues and Vagabonds, and eſcaped from the Perſons apprehending them, or refuſing to go before a Juſtice or Juſtices of the Peace, or to be examined upon Oath before ſuch Juſtice or Juſtices, or refuſing to be conveyed by any ſuch Paſs as is herein after directed, or knowingly giving a falſe Account of themſelves on ſuch Examination, after Warning given them of their Puniſhment; and all Rogues or Vagabonds who ſhall break or eſcape out of any Houſe of Correction, before the Expiration of the Term for which they were committed or ordered to be confined by virtue of this Act; and all Perſons who after having been puniſhed as Rogues and Vagabonds, and diſcharged, ſhall again commit any of the ſaid Offences, ſhall be deemed incorrigible Rogues within the true Intent and Meaning of this Act.

Any Perſon may apprehend Offenders. V. And be it further enacted by the Authority aforeſaid, That if any Perſons ſhall be found offending againſt this Act, it ſhall and may be lawful for any Perſon whatſoever to apprehend the Perſon ſo offending, and to convey or cauſe to be conveyed to ſome Juſtice of the Peace, the Perſons ſo apprehended, to be proceeded againſt in ſuch Manner as is herein after directed: And in caſe any Conſtable or other ſuch Officer, ſhall refuſe or neglect to uſe his beſt Endeavours to apprehend or convey to ſome Juſtice of the Peace any ſuch Offender; it ſhall be deemed a neglect of Duty in ſuch Conſtable or Officer, and he ſhall be puniſhed in ſuch Manner as is herein after directed: And in caſe any other Perſon, being charged by any Juſtice of the Peace ſo to do, ſhall refuſe or neglect to uſe his beſt Endeavours to apprehend and deliver to the Conſtable or ſuch other Officer, or to carry ſuch Offender before ſome Juſtice of the Peace, where no Conſtable or other ſuch Officer can be found; ſuch Perſon ſo offending as aforeſaid, being thereof convicted upon View, or by the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace, ſhall forfeit the Sum of ten Shillings, to the Uſe of the Poor of the Pariſh or Place wherein ſuch Offence ſhall be committed; to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant from any Juſtice or Juſtices; and the Overplus (if any) after the Charges of ſuch Diſtreſs ſatisfied, ſhall be returned to ſuch Offender: And in caſe any Perſon not being a Conſtable or other ſuch Officer, ſhall apprehend any ſuch Rogue or Vagabond, and ſhall deliver him or her to a Conſtable or other ſuch Officer, or ſhall convey or cauſe him or her to be conveyed to ſome Juſtice or Juſtices of the Peace, according to the Directions of this Act; or if any Conſtable or other ſuch Officer ſhall ſo apprehend and convey ſuch Rogue or Vagabond, it ſhall and may be lawful for ſuch Juſtice or Juſtices to reward any ſuch Conſtable or other Perſon, by making an Order under Hand and Seal upon the High or Chief Conſtable, to pay the Sum of ten Shillings to the Perſon ſo apprehending him or her, within one Week after Demand, and producing ſuch Order, and upon his giving a Receipt for the ſame; and the ſame ſhall be allowed or paid by the Treaſurer of the County, Riding, Diviſion or Liberty to ſuch High or Chief Conſtable on his paſſing his Accounts, and delivering ſuch Order and Receipt, and alſo his own Receipt for the ſame to ſuch Treaſurer; and the ſaid Juſtices at the General or Quarter-Seſſions, ſhall allow the ſame to ſuch Treaſurer in his Accounts, upon his producing and delivering up the Vouchers aforeſaid: And in Cities, Boroughs, Towns Corporate and other Places where there are no High or Chief Conſtables, ſuch Petty Conſtables and other Officers ſhall pay or retain ſuch Reward as aforeſaid, and be allowed what they ſhall ſo pay or retain by virtue of this Act in their reſpective Accounts, upon their producing and delivering up the like Vouchers: And in caſe any High or Chief Conſtable, or where there is no High or Chief Conſtable, ſuch Petty Conſtable or other Officer, ſhall refuſe or neglect to pay ſuch Reward on Demand, it ſhall and may be lawful for ſuch Juſtice or Juſtices of

Penalty on Officers neglecting their Duty.

Reward for taking up Vagabonds, &c.

Penalty on not paying the Reward.

the Peace, by Warrant under Hand and Seal, to levy the Sum of twenty Shillings, by Diſtreſs and Sale of the Goods of ſuch Officer, and thereout to allow to the Perſon intitled thereto the ſaid Reward of ten Shillings, and ſuch other Recompence for his Trouble, Loſs of Time and Expences, as the ſaid Juſtice or Juſtices ſhall think fit; and the Overplus (if any) ſhall be returned to ſuch Officer upon Demand.

General privy Searches to made.

VI. And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace for every County, Riding, City, Borough, Town Corporate, Diviſion or Liberty, or any two of them, ſhall four Times in the Year at leaſt, or oftner (if need be) meet in their reſpective Diviſions, and by their Warrant, command the Conſtables or other Peace-officers of every Hundred, Pariſh, Town and Hamlet, in their ſeveral Diviſions, who ſhall be aſſiſted with ſufficient Men of the ſame Places, to make a general Privy Search in one Night, throughout their ſeveral and reſpective Limits, for the finding and apprehending of Rogues and Vagabonds; and every Juſtice of the Peace ſhall alſo, on receiving Information that Rogues and Vagabonds are in any Place within his Juriſdiction, iſſue his Warrant to the Conſtable or other Officer of ſuch Place, to ſearch for and apprehend ſuch Rogues and Vagabonds; and ſuch Rogues and Vagabonds as they ſhall find and apprehend upon ſuch Searches, they ſhall cauſe to be brought before any Juſtice or Juſtices of the Peace of the ſame County, Riding, City, Borough, Town Corporate, Diviſion or Liberty.

Juſtices to puniſh Vagabonds, &c. taken up at privy Searches.

VII. And be it further enacted by the Authority aforeſaid, That where any Rogues or Vagabonds, apprehended by any Conſtable, or ſuch other Officer or Perſon as aforeſaid, or upon ſuch Search as aforeſaid, ſhall be brought before any Juſtice or Juſtices of the Peace, it ſhall and may be lawful for ſuch Juſtice or Juſtices, and he or they are hereby required to inform himſelf or themſelves, by the Examination upon Oath of the Perſon or Perſons apprehended, or of any other Perſon of the Condition and Circumſtances of the Perſon or Perſons ſo apprehended, and of the Pariſh or Place, where he, ſhe or they were laſt legally ſettled; the Subſtance of which Examination or Examinations ſhall be put into Writing, and be ſubſcribed or ſigned by the Perſon or Perſons ſo examined; and the ſaid Juſtice or Juſtices ſhall likewiſe ſign the ſame, and tranſmit it to the next General or Quarter-Seſſions of the Peace to be holden for the ſame County, Riding, City, Borough, Town Corporate, Diviſion or Liberty, there to be filed and kept on Record; and ſuch Juſtice or Juſtices of the Peace, ſhall and are hereby required to order all ſuch Perſons ſo apprehended, to be publickly whipt by the Conſtable, Petty Conſtable or Tythingman, or ſome other Perſon to be appointed by ſuch Conſtable, Petty Conſtable or Tythingman of ſuch Pariſh or Place where ſuch Perſons were apprehended; or to order ſuch Perſons to be ſent to the Houſe of Correction, there to remain until the next General or Quarter-Seſſions, or for any leſs Time, as ſuch Juſtice or Juſtices ſhall think proper; and after ſuch Whipping or Confinement, ſuch Juſtice or Juſtices may, and are hereby impowered, if they think convenient, by a Paſs under Hand and Seal, in the Manner and Form hereafter directed, to cauſe ſuch Perſons to be conveyed to the Place of their laſt legal Settlement; but if it cannot be found, then to the Place of their Birth; or if ſuch Perſons or any of them, be under the Age of fourteen Years, and have any Father or Mother living, then to the Place of the Abode of ſuch Father or Mother, there to be delivered to ſome Church-warden, Chapel-warden or Overſeer of the Poor of ſuch Pariſh, Town or Place; which Paſs ſhall be in the Form or to the Effect following:

Different Sorts of Vagabonds, how to be paſſed.

To the Conſtable of in the County of [*or to the Tythingman or other Officer, as the Caſe ſhall be, or if the Offender is committed to the Houſe of Correction, then to the Governor or Maſter thereof*] And alſo to all Conſtables and other Officers whom it may concern, to receive and convey; and to the Church-wardens, Chapel-wardens or Overſeers of the Poor of the Pariſh, Town or Place (*as the Caſe ſhall be*) of in the County of or either of them, to receive and obey.

Form of the Paſs.

'WHEREAS was (*or were*) apprehended in the Pariſh of (*or in the Town of or other Place, deſcribing it*) as a Rogue and Vagabond, *or* as Rogues and Vagabonds, *videlicet*, wandering and begging there (*or as the Caſe ſhall be*) and upon Examination of the ſaid taken before upon Oath (which Examination is hereunto annexed) it doth appear, that his, *her or their* laſt legal Settlement is at in this County (*or, in the County of*) *or*, that the ſaid was (*or were*) born in the Pariſh of in this County (*or, in the County of*) and hath (*or have*) not ſince obtained any legal Settlement; *or* that the ſaid is (*or are*) under the Age of fourteen Years, and hath (*or have*) a Father or Mother living or abiding in the Pariſh (*or Town*) of (*or other Place deſcribing it.*) Theſe are therefore to require you the ſaid Conſtable or other Officer, (*or Governor or Maſter of the Houſe of Correction, as the Caſe ſhall be*) to convey the ſaid in the next direct Way to the ſaid Pariſh (*or Town*) of (*or other Place*) within the ſaid County, and there to deliver him (*her or them*) to ſome Church-warden, Chapel-warden or Overſeer of the Poor of the ſame Pariſh (*Town or Place*) to be there provided for according to Law (*or in caſe the ſaid Pariſh, Town or Place to which ſuch Perſon or Perſons is or are to be ſent, lies in ſome other County, Riding, Diviſion, Corporation or Franchiſe having ſeparate General or Quarter-Seſſions of the Peace, then the Form ſhall be as followeth*, videlicet, To convey the ſaid to the Pariſh (*or Town*) of that being the firſt Pariſh (*or Town*) in the next Precinct through which he (*ſhe or they*) ought to paſs in the direct Way to the ſaid Pariſh (*or Town*) of to which he (*ſhe or they*) is (*or are*) to be ſent, and to deliver him (*her or them*) to the Conſtable or other Officer of ſuch firſt Town (*or Pariſh*) in ſuch next Precinct, together with this Paſs, and the Duplicate of the Examination of the ſaid

taking

'taking his Receipt for the ſame; and the ſaid is (*or are*) to be thence conveyed on in like 'Manner to the ſaid Pariſh (*or Town*) of there to be delivered to ſome Churchwarden, 'Chapel-warden, or Overſeer of the Poor of the ſame Pariſh (*Town or Place*) to be there provided for ac- 'cording to Law; and you the ſaid Church-wardens, Chapel-wardens, and Overſeers of the Poor, are 'hereby required to receive the ſaid Perſon (*or Perſons*) and provide for him (*her or them*) as aforeſaid.

Duplicate of the Paſs and Examination to be filed at the next General or Quarter Seſſions.

VIII. And be it further enacted by the Authority aforeſaid, That ſuch Juſtice or Juſtices ſhall make or cauſe to be made a Duplicate of ſuch Paſs and Examination; and ſign the ſame; and ſhall afterwards tranſmit the Duplicate of the ſaid Paſs annexed to the Examination to the next General or Quarter Seſſions of the Peace, there to be filed and kept on Record; and ſhall annex the Duplicate of the Examination to the Paſs, and ſend it with the ſame; and the ſaid Paſs, Examination, and Duplicates thereof, ſhall and may be read in any Court of Record in *England*, *Wales*, or the Town of *Berwick upon Tweed*, as Evidence.

Power of Juſtices over Vagabonds and incorrigible Rogues.

IX. And be it further enacted by the Authority aforeſaid, That where any Offender againſt this Act ſhall be committed, as aforeſaid, to the Houſe of Correction, there to remain until the next General or Quarter Seſſions; and the Juſtices at ſuch Seſſions ſhall, on Examination of the Circumſtances of the Caſe, adjudge ſuch Perſon a Rogue or Vagabond, or an Incorrigible Rogue; they may, if they think convenient, order ſuch Rogue or Vagabond to be detained and kept in the ſaid Houſe of Correction to hard Labour, for any further Time not exceeding ſix Months, and ſuch Incorrigible Rogue, for any further Time, not exceeding two Years, nor leſs than ſix Months from the Time of making ſuch Order of Seſſions; and during the Time of ſuch Perſon's Confinement, to be corrected by Whipping, in ſuch Manner, and at ſuch Times and Places within their Juriſdictions, as according to the Nature of ſuch Perſon's Offence, they in their Diſcretion ſhall think fit; and ſuch Perſon may (if the Juſtices at the ſaid Seſſions ſhall think convenient) afterwards be ſent away by ſuch Paſs, *mutatis mutandis*, as aforeſaid; and if ſuch Perſon, being a Male, is above the Age of twelve Years, the Juſtices at their Seſſions may and are hereby impowered, at any Time before he is diſcharged from the Houſe of Correction, to ſend him to be imployed in his Majeſty's Service, either by Sea or Land, if they ſhall judge proper; and in caſe any ſuch Incorrigible Rogue, ſo ordered by the ſaid General or Quarter Seſſions to be detained and kept in the ſaid Houſe of Correction, ſhall before the Expiration of the Time for which he or ſhe ſhall be ſo ordered to be there detained and kept, break out or make his or her Eſcape from the ſaid Houſe of Correction, or ſhall offend again in the like Manner; in every ſuch Caſe, every ſuch Perſon ſhall be deemed and taken to be guilty of Felony, and being legally convicted thereof, ſhall and may be tranſported for any Time not exceeding ſeven Years, in the ſame Manner as by the Laws now in being other Felons may be tranſported.

Juſtices to regulate the Paſſes by giving the Officers Certificates.

X. And to prevent unneceſſary Expence in the paſſing or conveying of Rogues, Vagabonds, and Incorrigible Rogues, Be it enacted by the Authority aforeſaid, That the Juſtice or Juſtices of the Peace who ſhall make the Paſs, ſhall at the ſame Time, with the ſaid Paſs, cauſe likewiſe to be delivered to the Conſtable, or other Officer appointed to convey them, a Note or Certificate, aſcertaining how they are to be conveyed, by Horſe, Cart, or on Foot, and what Allowance ſuch Conſtable or other Officer is to have for conveying them (according to the Rates or Allowances appointed by the General or Quarter Seſſions of the Peace, as is herein after directed) in the Form, or to the Effect following, *videlicet*:

Form of the Certificate.

'WHEREAS by a Paſs (*reciting the Subſtance or Effect of the ſaid Paſs*) I (*or we*) do hereby order 'and direct the ſaid Perſon (*or Perſons*) to be conveyed on Foot (*or in a Cart, or by Horſe, et cetera*) 'to the ſaid Town (*or Pariſh*) of in (*or other Place, deſcribing it*) in the 'Way to ſuch Pariſh (*Town or Place, as the Caſe ſhall be*) in Days Time; for which the ſaid 'Conſtable (*et cetera*) is to be allowed the Sum of and no more.

Given under my Hand (or Our Hands) *this Day*, et cetera.

The Duty of Officers with ſuch Paſs and Certificate. Amended by 26 Geo. 2. c. 34.

XI. And be it further enacted by the Authority aforeſaid, That the Conſtable, or other Officer, who ſhall receive ſuch Paſs and Certificate, ſhall and is hereby required to convey, or cauſe to be conveyed, the Perſon or Perſons named in ſuch Paſs, in ſuch Manner, and in ſuch Time, as by the ſame Paſs ſhall be directed, the next direct Way to the Place where he, ſhe or they are ordered to be ſent, if ſuch Place be in the ſame County, Riding, Diviſion, Corporation or Franchiſe, where the ſaid Perſon or Perſons were apprehended; but if the Place to which the Perſon or Perſons ſo apprehended is or are to be ſent, lies in ſome other County, Riding, Diviſion, Corporation or Franciſe, he ſhall deliver the ſaid Perſon or Perſons to the Conſtable or ſuch other Officer of the firſt Town, Pariſh or Place, in the next County, Riding, Diviſion, Corporation or Franchiſe, in the direct Way to the Place to which ſuch Perſon or Perſons is or are to be conveyed, together with the ſaid Paſs and Duplicate of Examination, taking his Receipt for the ſame; and ſuch Conſtable or other Officer ſhall, without Delay, apply to ſome Juſtice of the Peace in the ſame County, Riding, Diviſion, Corporation or Franchiſe, who ſhall make the like Certificate as before (*mutatis mutandis*) and deliver it to the ſaid Conſtable or other Officer, who ſhall and is hereby required with all Speed to convey the Perſon or Perſons unto the firſt Pariſh, Town or Place in the next County, Riding, Diviſion, Corporation or Franchiſe, in the direct Way to the Place to which ſuch Perſon or Perſons is or are to be conveyed; and ſo in like Manner from one County, Riding, Diviſion, Corporation or Franchiſe, to another, till they come to the Place to which ſuch Perſon or Perſons is or are ſent; and the Conſtable or other Officer, who ſhall deliver ſuch Perſon or Perſons to the Churchwarden or other Perſon ordered to receive them by ſuch Paſs, ſhall at the ſame Time deliver the ſaid Paſs, with

with the Duplicate of Examination, taking their Receipt for the ſame; and if the Churchwarden or other Perſon, who ſhall receive any Perſon ſo ſent, ſhall think the Examination to be falſe, he is hereby impowered to carry the Perſon ſo ſent, before ſome Juſtice of the Peace, who, if he ſee Cauſe, may commit ſuch Perſon to the Houſe of Correction till the next Quarter-Seſſions, and the Juſtices there, if they ſee Cauſe, may deal with ſuch Perſon as an incorrigible Rogue; but the Perſon ſo ſent ſhall not be removed from the Place to which ſent, but by Order of two Juſtices, in the ſame Manner as other poor Perſons are removed to the Place of their Settlement.

Perſons ſhall pay for their own Paſſage if they are found able.

'XII. And whereas it often happens that Perſons commit Acts of Vagrancy when they are in Circum-'ſtances ſufficient to pay for their Journey home;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Juſtice of the Peace before whom any Vagrants ſhall be carried, to order ſuch Vagrants to be ſearched, and their Bundles to be inſpected by the Conſtable, Tythingman, Churchwarden or Overſeer of the Poor, in the Preſence of the ſaid Juſtice; and if it ſhall appear that any ſuch Vagrant ſhall be found to have ſufficient wherewithal to pay for their Paſſage, either in the Whole or in Part, to the Pariſh to which they belong, then the ſaid Juſtice or Juſtices ſhall order ſo much of the Money to be paid, or other Effects found with or upon ſuch Vagrants, to be ſold and employed for and towards the Expence of taking up and paſſing ſuch Vagrants as aforeſaid, returning the Overplus (if any be) after deducting the Charges of ſuch Sale, to ſuch Vagrants.

Regulations for paſſing Vagrants into Scotland.

XIII. And be it further enacted by the Authority aforeſaid, That the Conſtable or other Officer of any Pariſh or Place, within the Counties of *Cumberland*, *Northumberland*, *Durham*, or Town of *Berwick upon Tweed*, ſhall, and they are hereby authorized and required, upon any Perſon or Perſons being delivered to them by a Paſs and Examination, who ſhall have been apprehended within the ſaid Counties or Town, or brought to them according to the Direction of this Act, whoſe Place of legal Settlement is in that Part of *Great Britain* called *Scotland*, to deliver the ſaid Examination to the Clerk of the Peace for ſuch reſpective County, to be kept among the Records of the Seſſions of that County, and to convey or cauſe to be conveyed, ſuch Perſon or Perſons, with the ſaid Paſs, into the next adjoining Shire, Stewartry or Place in that Part of the United Kingdom; and to deliver him, her or them to ſome Conſtable or other Officer of the next Pariſh, Diſtrict or Place within the ſaid Shire, Stewartry or Place, taking his Receipt for him, her or them; and ſuch Officer is hereby required to receive ſuch Perſon or Perſons, and give ſuch Receipt, and to diſpoſe of him, her or them according to Law; and in caſe any ſuch Vagrant, after being ſo ſent and conveyed into that Part of *Great Britain* called *Scotland*, ſhall, after being ſo ſent as aforeſaid, be found wandering, begging or miſbehaving him or herſelf within that Part of *Great Britain* called *England*, contrary to the true Intent and Meaning of this Act; every ſuch Perſon ſo offending ſhall be deemed an incorrigible Rogue, and be puniſhed as incorrigible Rogues are to be puniſhed by this Act.

'XIV. And whereas divers Vagrants have been conveyed from County to County, in order to be 'ſent to Places in *Ireland*, the Iſles of *Man*, *Jerſey*, *Guernſey* or *Scilly* (their laſt legal Settlement) but for 'want of Authority to compel Maſters of Ships and Veſſels to take them on Board, in order to be car-'ried thither at reaſonable Rates, they may be very chargeable to the Maritime Counties, Towns and 'Places in *England* and *Wales*, where they may lie for ſuch Exportation;' Be it therefore enacted by the Authority aforeſaid, That all and every Maſter and Maſters of any Ship or Veſſel or Packet Boat bound for *Ireland*, the Iſles of *Man*, *Jerſey*, *Guernſey* or *Scilly*, ſhall, and they and each of them is and are hereby required, upon Warrant to him or them directed under the Hand and Seal of a Juſtice of the Peace of the County, Town or Place where ſuch Ship, Veſſel or Packet Boat ſhall lie, to take on Board the ſame ſuch Vagrant and Vagrants as ſhall be named and expreſſed in the ſaid Warrant, and convey him, her or them to ſuch Place in *Ireland*, the Iſles of *Man*, *Jerſey*, *Guernſey* or *Scilly*, as ſuch Ship, Veſſel or Packet Boat ſhall be bound to or ſhall arrive at; and for the Charges thereof ſuch Maſter ſhall take, and the Conſtable or Perſon who ſerves him with the ſaid Warrant ſhall pay him ſuch Rate *per* Head, as the Juſtices of the Peace at their Quarter-Seſſions ſhall from time to time appoint for every ſuch Vagrant ſo brought and delivered to him; and ſuch Maſter ſhall and is hereby required, on the Back of the ſaid Warrant, to ſign a Receipt for the Money ſo paid, and alſo for the Vagrant or Vagrants ſo brought and delivered; which Warrant ſo endorſed ſhall then be produced to the Juſtice of the Peace who ſigned and ſealed the ſame, and upon his Allowance thereof, under his Hand, the Money ſo paid ſhall be repaid by the County, in ſuch Manner as by this Act the Money to be paid for conveying Vagrants from County to County is directed; and every Maſter of ſuch Ship, Veſſel or Packet Boat, neglecting or refuſing to receive on Board, or to tranſport ſuch Vagrant or Vagrants, or to indorſe and ſign ſuch Receipt as aforeſaid, ſhall forfeit five Pounds to the Uſe of the Poor of the Pariſh or Place where the Offence ſhall be committed; to be levied by Diſtreſs and Sale of the ſaid Ship, or any Goods within the ſame, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſame County, City or Town Corporate, returning the Overplus (if any be) upon Demand, after the ſaid Penalty and Charges of levying the ſame are ſatisfied.

Regulations for paſſing Vagrants into Ireland, &c.

Penalty on Maſters of Ships refuſing to take Vagrants on Board.

Maſters not obliged to take on Board more than one Vagrant for every 20 Tons Burthen.

XV. Provided always, and it is hereby declared, That no Maſter of any ſuch Packet Boat, Ship or Veſſel, ſhall be compelled to take on Board more than one Vagrant for every twenty Tons Burthen of any ſuch Boat, Ship or Veſſel.

Juſtices to limit the Rates per Mile for paſſing Vagrants, &c.

XVI. And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace of any County, Riding, City, Borough, Town Corporate, Diviſion or Liberty, ſhall and may at the General or Quarter-Seſſions of the Peace from time to time, limit, appoint and direct what Rates and Allowances *per* Mile, or otherwiſe, ſhall be made for the paſſing, conveying or maintaining of Rogues, Vagabonds or incorrigible Rogues, to be paſſed or conveyed as aforeſaid; and may likewiſe make ſuch other Orders, Rules and Directions, for the more regular proceeding or acting therein, within their reſpective Limits and Juriſdictions, as they in their Diſcretion ſhall think proper; which Rates, Allowances, Orders,

Rules and Directions ſhall from time to time be obſerved and ſubmitted to by all Juſtices of the Peace, Conſtables, Officers and other Perſons within the ſame Limits and Juriſdictions reſpectively.

The High Conſtable to pay the Rates to Petty Conſtables, &c. for paſſing Vagrants.

XVII. And be it further enacted, That in caſe any Petty Conſtable, or other ſuch Officer of any Pariſh or Place, ſhall bring to any High or Chief Conſtable any ſuch Certificate as aforeſaid, as ſhall be given him by any Juſtice or Juſtices of the Peace for the proper County or Place, aſcertaining how and for what Rates or Allowances he ſhall be required to convey any Rogues, Vagabonds or incorrigible Rogues as aforeſaid, together with a Receipt or Note from any Conſtable or other Officer or Perſon to whom the Perſon or Perſons ſo to be conveyed was or were delivered, the ſaid High or Chief Conſtable ſhall and may pay unto ſuch Petty Conſtable or other Officer, the Rates or Allowances aſcertained in and by ſuch Certificate, and no more, taking from ſuch Petty Conſtable or other Officer ſuch Certificate, and his Receipt for the ſame; and the ſaid High or Chief Conſtable ſhall be allowed the ſame by the Treaſurer of the County, Riding, Liberty, Diviſion, Corporation or Franchiſe, on his paſſing his Accounts, upon his producing and delivering up ſuch Certificate and Receipt, and giving his own Receipt for the ſame to ſuch Treaſurer; and the Juſtices at the General or Quarter Seſſions ſhall allow the ſame to ſuch Treaſurer in his Accounts, upon his producing and delivering up the Vouchers aforeſaid: And in caſe any High or Chief Conſtable ſhall refuſe or neglect to pay the ſaid Petty Conſtable, or other Officer or Perſon, the Rates or Allowances aſcertained in and by ſuch Certificate and Receipt, on Demand; it ſhall and may be lawful for any Juſtice or Juſtices of the Peace, by Warrant under Hand and Seal to levy double the Sum aſcertained by ſuch Certificate, by Diſtreſs and Sale of the Goods of ſuch High or Chief Conſtable, and thereout to allow the ſaid Petty Conſtable, or other Officer or Perſon, the Sum aſcertained in and by ſuch Certificate and Receipt, and ſuch other Recompence for his Trouble, Loſs of Time and Expences, as the ſaid Juſtice or Juſtices ſhall think fit; and the Overplus (if any) ſhall be returned to ſuch High or Chief Conſtable upon Demand; and in Cities, Towns Corporate and other Places where there is no High or Chief Conſtable, ſuch Petty Conſtables or other Officers ſhall be allowed what they ſhall ſo pay purſuant to the Directions of ſuch Certificate in their reſpective Accounts, upon their producing and delivering up ſuch Vouchers; or in caſe any Governor or Maſter of a Houſe of Correction ſhall deliver ſuch Certificate and Receipt to any Treaſurer as aforeſaid, ſuch Treaſurer ſhall pay the Rates therein aſcertained to ſuch Governor or Maſter of a Houſe of Correction, taking his Receipt for the ſame, which ſhall be allowed to ſuch Treaſurer in his Accounts on his producing and delivering up ſuch Vouchers.

Penalty on the High Conſtable's refuſing to pay, as directed by the Juſtices Warrant. *Altered by* 26 *Geo.* 2. *c.* 34. *ſ.* 2.

Penalty on counterfeiting or altering Certificates, Receipts, or Notes.

Penalty on the Officer not paſſing according to Order; and on the Officer's not receiving the Paſs.

Manner of levying the Penalty.

XVIII. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe any ſuch Petty Conſtable, or other Officer or Governor or Maſter of any Houſe of Correction, ſhall counterfeit any ſuch Certificate, Receipt or Note, or make, or knowingly permit to be made any Alteration in any ſuch Certificate, Receipt or Note, he ſhall forfeit the Sum of fifty Pounds; and in caſe he ſhall not convey or cauſe to be conveyed, the Perſons to the Place where they ought to be conveyed, or ſhall not deliver them to the proper Perſon; or if any Conſtable, or other Officer or Perſon, ſhall refuſe to receive any ſuch Perſons ſent to them, or to give a Receipt or Note as before directed; that in any of the ſaid Caſes, the Conſtable or other Officer or Perſon ſhall forfeit the Sum of twenty Pounds; which ſaid reſpective Forfeitures ſhall be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant or Order of the Juſtices of the Peace where ſuch Offence ſhall be committed, at their General or Quarter-Seſſions; one Moiety to be paid to the Perſon or Perſons who ſhall firſt make Information againſt any ſuch Offender, and the other Moiety to be paid to the Treaſurer of the County or Place, to be applied by him as Part of the publick Stock; and the Overplus (if any) after ſuch Forfeitures levied, and the Charges of Diſtreſs ſatisfied, ſhall be returned to ſuch Conſtable or other Officer or Perſon upon Demand.

Vagabonds, &c. to be ſet to work.

XIX. And be it enacted by the Authority aforeſaid, That the Pariſh or Place to which any Rogue, Vagabond or incorrigible Rogue ſhall be conveyed by Paſs as aforeſaid, ſhall take Care to employ in Work, or place in ſome Workhouſe or Almſhouſe, the Perſon or Perſons ſo conveyed to them, until he, ſhe or they ſhall betake themſelves to ſome Service or other Employment: And in caſe any ſuch Perſon or Perſons ſhall refuſe to work, or ſhall not betake themſelves to ſome Service or Employment, the Overſeers of the Poor of the ſame Pariſh or Place, or the major Part of them, may cauſe ſuch Perſon or Perſons to be carried before ſome Juſtice of the Peace in order to be ſent to the Houſe of Correction, there to be kept to hard Labour.

Lunaticks to be confined by Warrant of Juſtices.

'XX. And whereas there are ſometimes Perſons, who by Lunacy, or otherwiſe, are furiouſly mad, or 'are ſo far diſordered in their Senſes that they may be dangerous to be permitted to go abroad;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for any two or more Juſtices of the Peace where ſuch Lunatick or mad Perſon ſhall be found, by Warrant under their Hands and Seals, directed to the Conſtables, Churchwardens and Overſeers of the Poor of the Pariſh, Town or Place, or ſome of them, to cauſe ſuch Perſon ſo to be apprehended, and kept ſafely locked up in ſome ſecure Place, within the County or Precinct where ſuch Pariſh, Town or Place ſhall lie, as ſuch Juſtices ſhall under their Hands and Seals direct and appoint; and (if ſuch Juſtices find it neceſſary) to be there chained, if the laſt legal Settlement of ſuch Perſon ſhall be in any Pariſh, Town or Place within ſuch County or Precinct; and if ſuch Settlement ſhall not be there, then ſuch Perſon ſhall be ſent to the Place of his or her laſt legal Settlement by a Paſs, *mutatis mutandis*, as aforeſaid, and ſhall be locked up or chained, by Warrant of two Juſtices of the County or Precinct to which ſuch Perſon is ſo ſent, in Manner aforeſaid; and the reaſonable Charges of removing, and of keeping, maintaining and curing ſuch Perſon during ſuch Reſtraint (which ſhall be for and during ſuch Time only as ſuch Lunacy or Madneſs ſhall continue) ſhall be ſatisfied and paid (ſuch Charges being firſt proved upon Oath) by Order of two or more Juſtices of the Peace, directing the Churchwardens or Overſeers where any Goods,

Goods and Eſtates of Lunaticks to be ſeized, to pay the Charge of their Maintenance.

Chattels,

Chattels, Lands or Tenements of ſuch Perſon ſhall be, to ſeize and ſell ſo much of the Goods and Chattels, or receive ſo much of the annual Rents of the Lands and Tenements as is neceſſary to pay the ſame; and to account for what is ſo ſeized, ſold or received, to the next Quarter-Seſſions; but if ſuch Perſon hath not an Eſtate to pay and ſatisfy the ſame, over and above what ſhall be ſufficient to maintain his or her Family, then ſuch Charges ſhall be ſatisfied and paid by the Pariſh, Town or Place to which ſuch Perſon belongs, by Order of two Juſtices, directed to the Churchwardens or Overſeers for that Purpoſe.

Otherwiſe at the Charge of the Pariſh.

Proviſo.

XXI. Provided always, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to reſtrain or abridge the Prerogative of the King, or the Power or Authority of the Lord Chancellor, Lord Keeper or Commiſſioners of the Great Seal of *Great Britain* for the Time being, or the Chancellor or Vice Chancellor of the County Palatine of *Lancaſter* for the Time being, or of the Chamberlain or Vice Chamberlain of the County Palatine of *Cheſter* for the Time being, touching or concerning ſuch Lunaticks, or to reſtrain or prevent any Friend or Relation of ſuch Lunaticks from taking them under their own Care and Protection; any Thing in this Act contained to the contrary notwithſtanding.

Penalty on Officers not doing their Duty; and on Perſons hindering the Execution of this Act, or reſcuing a Priſoner.

XXII. And be it further enacted by the Authority aforeſaid, That in caſe any Conſtable or other Officer, or Governor or Maſter of any Houſe or Correction, ſhall be defective, remiſs, or negligent in his Duty in the Execution of this Act, in any Caſe for which no Puniſhment is herein before particularly provided; or in caſe any Perſon or Perſons ſhall diſturb or hinder the Execution of this Act, or ſhall reſcue any Perſon apprehended or paſſing from Place to Place by virtue thereof, or ſhall be adviſing, aiding or aſſiſting to his or her Eſcape, and ſhall be thereof convicted upon the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace where ſuch Offence ſhall be committed (which Oath the ſaid Juſtice or Juſtices are hereby impowered to adminiſter) the Perſon or Perſons ſo offending, for every ſuch Offence ſhall forfeit any Sum not exceeding five Pounds, nor leſs than ten Shillings, to the Uſe of the Poor of the Pariſh or Place where ſuch Offence ſhall be committed; to be levied by Diſtreſs and Sale of the Offenders Goods by Warrant from ſuch Juſtice or Juſtices, returning the Overplus (if any be) upon Demand, after the ſaid Forfeiture and Charges of making and keeping the ſaid Diſtreſs ſhall be paid and ſatisfied; and if ſufficient Diſtreſs cannot be found, it ſhall and may be lawful to and for one or more ſuch Juſtice or Juſtices to commit the Perſons ſo offending to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding two Months.

To be levied by Diſtreſs and Sale, &c.

'XXIII. And whereas Perſons herein before deſcribed to be Rogues, Vagabonds or incorrigible Rogues, 'are much encouraged in wandering about, by the Reception they too often meet with in Villages and 'Places where they are permitted to lodge in Houſes, Barns or other Outhouſes or Buildings, by Means 'whereof, and their falling ſick there, great Expences are ſometimes brought upon Pariſhes;' For Remedy thereof, Be it enacted by the Authority aforeſaid, That if any Perſon ſhall knowingly permit or ſuffer any ſuch Rogue, Vagabond or incorrigible Rogue, to lodge or take Shelter in his or her Houſe, Barn or other Outhouſe or Buildings, and ſhall not apprehend and carry ſuch Rogue, Vagabond or incorrigible Rogue before ſome Juſtice of the Peace, or give Notice to ſome Conſtable or other ſuch Officer ſo to do; ſuch Perſon being thereof lawfully convicted, either on Confeſſion or upon Oath of one or more credible Witneſs or Witneſſes, before one or more of his Majeſty's Juſtices of the Peace where ſuch Offence ſhall be commited, ſhall forfeit any Sum not exceeding forty Shillings, nor leſs than ten Shillings; one Moiety thereof to the Informer, and the other Moiety to the Uſe of the Poor of the Pariſh or Place where ſuch Offence ſhall be committed; to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Offender, by Warrant from ſuch Juſtice or Juſtices, returning the Overplus (if any) upon Demand, after ſuch Forfeiture and Charges of ſuch Diſtreſs ſhall be ſatisfied; and if any Charge ſhall be brought upon any Pariſh or Place by Means of any ſuch Offence, the ſame ſhall be anſwered to the ſaid Pariſh or Place by ſuch Offender, and be levied by Diſtreſs and Sale of his or their Goods and Chattels as aforeſaid: And if ſufficient Diſtreſs cannot be found, ſuch Offender ſhall be committed to the Houſe of Correction by the Juſtice or Juſtices, for any Time not exceeding one Month.

Penalty for ſheltering Vagabonds.

'XXIV. And whereas Perſons are often found offending againſt this Act, having Children with them, 'whom they bring up in a diſſolute Courſe of Life, deſtructive to ſuch Children, and prejudicial to the 'Kingdom, in which a Race of diſorderly Perſons will increaſe, if ſuch Children are ſuffered to remain 'with ſuch Offenders:' Be it therefore enacted by the Authority aforeſaid, That if any ſuch Child, above the Age of ſeven Years, ſhall be committed to the Houſe of Correction as aforeſaid, it ſhall and may be lawful for the Juſtices at the Quarter-Seſſions, if they ſee convenient, at any Time before ſuch Child be diſcharged, to order ſuch Child to be placed out in ſuch Manner as they ſhall think fit, as a Servant or Apprentice to any Perſon within their reſpective Juriſdictions, who is willing to take ſuch Child, to ſerve ſuch Perſon till ſuch Child ſhall arrive at the Age of twenty-one Years, or for any leſs Time, as to the ſaid Juſtices ſhall ſeem meet: And if any Offender who was found with ſuch Child as aforeſaid, ſhall be again found with the ſame Child (which was ſo placed out as aforeſaid) offending againſt this Act, ſuch Offender ſhall be deemed an incorrigible Rogue.

Beggars with Children how to be ordered.

'XXV. And whereas Women wandering and begging, are often delivered of Children in Pariſhes 'and Places to which they do not belong, whereby they become chargeable to the ſame;' Be it therefore enacted by the Authority aforeſaid, That where any ſuch Woman ſhall be ſo delivered, and become chargeable, it ſhall and may be lawful for the Churchwardens or Overſeers of the Poor of ſuch Pariſh or Place, to detain ſuch Woman in their Cuſtody, until they can ſafely convey her to ſome Juſtice of the Peace, who ſhall examine her, and commit her to the Houſe of Correction, until the next General or Quarter-Seſſions, who may (if they ſee convenient) order her to be publickly whipt, and detained in

How to order Women delivered of Children in the Street.

the

the Houſe of Correction, for any further Time, not exceeding ſix Months; and upon Application by the Churchwardens or Overſeers of the Place, where ſhe was ſo delivered, the Juſtices at ſuch Seſſions ſhall order the Treaſurer of the County or Diſtrict to pay them ſuch a Sum of Money as ſhall be adjudged a reaſonable Satisfaction for the Charges ſuch Place has been put to on ſuch Woman's Account; and if ſuch Woman ſhall be detained and conveyed to a Juſtice as aforeſaid, the Child of which ſhe is delivered, if a Baſtard, ſhall not be ſettled in the Place where ſo born, nor be ſent thither for Want of other Settlement, by a Paſs, by virtue of this Act, but the Settlement of ſuch Woman ſhall be deemed the Settlement of ſuch Child; any Law to the contrary notwithſtanding.

Perſons aggrieved may appeal to the next General or Quarter-Seſſions.

XXVI. And be it further enacted by the Authority aforeſaid, That any Perſons aggrieved by any Act of any Juſtice or Juſtices of the Peace out of Seſſions, in or concerning the Execution of this Act, may appeal to the next General or Quarter-Seſſions of the County, Riding, Liberty or Diviſion, giving reaſonable Notice thereof, whoſe Order thereupon ſhall be final.

This Act not to alter the Manner of paſſing Vagrants, as ſettled by ſpecial Acts.

XXVII. Provided always, and be it further enacted, That in all Cities and Towns, where, by virtue of ſpecial Acts of Parliament the Charge of paſſing Vagrants is to be defrayed in other Manner than is by this Act directed, or where ſuch Vagrants, by virtue of ſpecial Statutes, are to be apprehended and conveyed to the Places whither they are to be ſent by any Perſon or Perſons, or Officers, other than thoſe named for that Purpoſe in this Act, ſuch Charge ſhall be born and defrayed in ſuch Cities and Towns, in like Manner as before the making of this Act; and the Perſon or Officer liable to ſuch Service in the ſaid Cities and Towns, by virtue of the ſaid ſpecial Acts of Parliament, ſhall continue liable, as if this Act had never been made; and if any Perſon ſhall be delivered to a Bedel or Conſtable within the City or Liberties of the City of *London*, to be conveyed on, as directed by this Act, the ſaid Bedel or Conſtable ſhall not deliver ſuch Perſon in any other Precinct within the ſaid City or Liberties, but in the next County, as directed by this Act.

How to order Vagrants, whoſe Settlements cannot be found.

XXVIII. And be it further enacted by the Authority aforeſaid, That where any Perſons offending againſt this Act, have been committed as aforeſaid, to the Houſe of Correction, there to remain until the next General or Quarter-Seſſions, if upon the Examination of the Perſon ſo committed as aforeſaid, no Place can be found to which they may be ſent by a Paſs as aforeſaid, the ſaid Juſtices ſhall at the ſaid Seſſions order ſuch Perſons to be detained and employed in the Houſe of Correction, until they can provide for themſelves, or until the Juſtices of the Peace, at their General or Quarter-Seſſions, can place them out in ſome lawful Calling, as Servants, Apprentices, Soldiers, Mariners or otherwiſe, either within this Realm, or his Majeſty's Colonies or Plantations in *America*, which the ſaid Seſſions are impowered to do in ſuch Manner as they ſhall think fit.

Proviſo for the Heirs or Aſſigns of John Dutton.

XXIX. Provided always, That this Act or any thing therein contained, or any Authority thereby given, ſhall not in any wiſe extend to diſinherit, prejudice or hinder the Heirs or Aſſigns of *John Dutton* of *Dutton*, late of the County of *Cheſter*, Eſquire, deceaſed, their Heirs or Aſſigns, for, touching or concerning the Liberty, Privilege, Pre-eminence or Authority, Juriſdiction or Inheritance, which they, their Heirs or Aſſigns, now lawfully uſe, or have, or lawfully may, or ought to uſe within the County Palatine of *Cheſter*, and County of *Cheſter*, or either of them, by reaſon of any ancient Charters of any Kings of this Land, or by reaſon of any Preſcription, or lawful Uſage, or Title whatſoever.

Clauſe concerning erecting or enlarging Houſes of Correction.

XXX. And for the better Execution of this Act, Be it further enacted by the Authority aforeſaid, That upon the Preſentment of the Grand Jury or Grand Juries at the Aſſizes, Great Seſſion, or General Gaol Delivery, held for any County or Liberty, that there is no Houſe of Correction; and that it will be neceſſary to provide one or more Houſe or Houſes of Correction in any ſuch County, or in any Riding, Liberty, or Diviſion, in any ſuch County; or that the Houſe or Houſes of Correction already provided therein reſpectively, is or are not ſufficient, and that it will be neceſſary to provide one or more Houſe or Houſes of Correction there, or that ſuch Houſe or Houſes of Correction is or are not ſufficient or convenient, or want to be enlarged; the Juſtices of the Peace of any County, Riding, Liberty, or Diviſion, being at the General or Quarter-Seſſions aſſembled, ſhall have full Power and Authority to build, erect, or enlarge, one or more fit or convenient Houſe or Houſes of Correction, or to buy or hire one or more fit or convenient Houſe or Houſes for that Purpoſe, with a convenient Backſide or Outlet, or convenient Backſides or Outlets thereto adjoining, or to purchaſe Land, and erect ſuch Houſe or Houſes of Correction upon Part thereof, and to lay out the reſt of ſuch Land for ſuch Backſide or Backſides, Outlet or Outlets, within any ſuch County, Riding, Liberty, or Diviſion, according to the true Intent and Effect of ſuch Preſentment; and the ſaid Juſtices, being ſo aſſembled at the General or Quarter-Seſſions, may and ſhall conclude and agree upon raiſing ſuch Sums of Money, as upon Examination of able and ſufficient Workmen, or any other Perſons, ſhall appear to be neceſſary for building, erecting, or enlarging ſuch Houſe or Houſes of Correction, or for Purchaſing or hiring a Houſe, Houſes, or Land (if thought neceſſary) for that Purpoſe: And if it ſhall be thought neceſſary for that Purpoſe, to buy or Purchaſe any Houſe, Houſes, or Land, the Houſe, Houſes, or Land ſo purchaſed, ſhall be conveyed to ſuch Perſon or Perſons as the ſaid Juſtices ſo aſſembled at their General or Quarter-Seſſions, ſhall think fit, in Truſt and for the Uſe and Purpoſes aforeſaid.

Houſes of Correction to be under the Management of the Juſtices; except thoſe maintained by private Founders.

XXXI. And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace for any County, Riding, City, Borough, Town Corporate, Diviſion, or Liberty, at their General or Quarter-Seſſions, ſhall, and are hereby required, from time to time, to take effectual Care that the Houſes of Correction already provided, or hereafter to be provided, within the Limits of their reſpective Juriſdictions, except ſuch Houſes of Correction as have been, or ſhall be erected or maintained by any particular Founder or Founders, ſhall be duly fitted up, furniſhed, and ſupplied with ſufficient Implements, Materials,

rials, and Furniture for keeping, relieving, ſetting to work, employing, and correcting all idle and diſorderly Perſons, Rogues, Vagabonds, incorrigible Rogues, and others, who ſhall be ſent to, confined or continued in the ſame; and two of the Juſtices of the Peace within the reſpective Hundreds, Diviſions, or Juriſdictions, where there ſhall be any Houſe or Houſes of Correction, or any two Juſtices who ſhall be appointed at the General or Quarter-Seſſions for that Purpoſe, ſhall and are hereby required to viſit the ſame twice, or oftner if need be, in every Year, and to examine into the Eſtate and Management thereof and to report the ſame to the next General or Quarter-Seſſions; to the Intent, that if any thing be amiſs therein, the ſame may, by Order of ſuch General or Quarter-Seſſions, be reformed and amended; and the ſaid Juſtices at their reſpective General or Quarter-Seſſions, ſhall have the like Power and Authority over the Houſes of Correction to be erected or purchaſed by virtue of this Act, as they have by virtue of any Law now in Force, over thoſe already erected and provided; and further, that if the ſaid Governors or Maſters of the ſaid Houſes of Correction ſhall not ſet or keep the ſaid idle and diſorderly Perſons, Rogues, Vagabonds, or incorrigible Rogues to hard Labour, and puniſh and correct them according to the Directions of the Warrants or Orders by which they ſhall be committed to, or detained in their Cuſtody, or ſhall otherwiſe miſbehave themſelves, or be defective, remiſs, or negligent in their Duty; the ſaid Juſtices, at their ſaid General or Quarter-Seſſions, are hereby required to ſet and impoſe ſuch Fines and Penalties upon them, as they ſhall think fit and convenient, in the ſame Manner as Fines and Penalties may be ſet and impoſed on Governors or Maſters of Houſes of Correction, for the Neglect therein mentioned, by an Act of Parliament paſſed in the ſeventh Year of the Reign of King JAMES the Firſt, intituled, *An Act for the due Execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds, and Sturdy Beggars, and other lewd and idle Perſons*; which Fines and Penalties ſhall be paid to the Treaſurer of the County, Riding, Liberty, or Diviſion, and ſhall be accounted for by him as Part of the Publick or County Stock; and the ſaid Juſtices at their reſpective General or Quarter-Seſſions, may from time to time appoint and remove the Governor or Governors, Maſter or Maſters, or other Officers of ſuch Houſes of Correction, and make ſuch Orders and Regulations as they ſhall think fit, for the better governing and regulating of the ſaid Houſes of Correction, and for employing, relieving, and puniſhing the Perſons therein, or for ſending them to or from thence, according to the true Intent and Meaning of this Act; which ſaid Order or Orders of ſuch Juſtices ſhall be final to all Intents and Purpoſes, and no *Certiorari* ſhall be granted for the Removal of the ſame: And in Caſe the Perſon or Perſons removed by Order of any General or Quarter-Seſſions, ſhall refuſe or neglect to quit the Poſſeſſion of ſuch Houſe of Correction, from whence he or they are ordered to be removed, for the Space of ten Days next after Notice given him or them in Writing by the Clerk of the Peace; it ſhall and may be lawful to and for any two or more Juſtices of the Peace of the ſame County, Riding, Diviſion, or Place (upon producing to them ſuch Order of Seſſions, or an atteſted Copy thereof, and upon Oath made before them by one or more credible Witneſs or Witneſſes, of ſuch Notice having been given to the Perſon or Perſons ſo removed, and of his or their having refuſed or neglected to quit Poſſeſſion) by Warrant under their Hands and Seals, to direct the Sheriff of the ſame County, Riding, Diviſion, or Place, to remove him or them out of ſuch Houſe of Correction, and he is hereby authorized and required to clear the Poſſeſſion thereof, in like Manner as upon a Writ of *Habere facias poſſeſſionem*.

Maſters of Houſes of Correction to be fined for Miſbehaviour;

7 Jac. 1. c. 4.

or turned out, at the Diſcretion of the Juſtices.

'XXXII. And whereas Doubts have ariſen, and may ariſe, where Authority is given to any Juſtice 'or Juſtices of the Peace, to commit Offenders to the Houſe of Correction for Offences cognizable be- 'fore them, out of the General or Quarter-Seſſions of the Peace, how long Offenders may be there de- 'tained, and in what Manner treated, where the Time and Manner of their Puniſhment is not by Law 'expreſly directed, limited, or appointed; Be it therefore enacted by the Authority aforeſaid, That where any Offenders ſhall be committed as aforeſaid, by virtue of any Law now in being, or hereafter to be made, and the Time and Manner of their Puniſhment is not expreſly limited, directed and appointed, the ſaid Juſtice or Juſtices ſhall commit ſuch Offender to the Houſe of Correction, there to be kept to hard Labour until the next General or Quarter-Seſſions, or until diſcharged by due Courſe of Law; and it ſhall and may be lawful for two Juſtices (of which the Juſtice who committed ſuch Offender to be one) to diſcharge the ſaid Offender before the ſaid Seſſions, if they ſee Cauſe; and if he ſhall not be ſo diſcharged, the ſaid Seſſions may either diſcharge him, or continue him in Cuſtody for ſuch Time as they ſhall ſee fit, not exceeding three Months.

Power of Juſtices in committing Offenders.

XXXIII. And to defray the Expences of apprehending, paſſing, conveying, and maintaining Rogues, Vagabonds, and incorrigible Rogues, and likewiſe the Expences of erecting, purchaſing, hiring enlarging, altering, and repairing Houſes of Correction, and of purchaſing Land to erect them upon, and for Backſides and Outlets, and of fitting up and furniſhing ſuch Houſes of Correction, and of ſending Perſons to and from the ſame, and employing them there, according to the Directions of this Act, and for defraying all other Expences neceſſary for the Execution of this Act, not herein before provided for; Be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace at the General or Quarter-Seſſions, may and ſhall cauſe ſuch Sums of Money as ſhall be neceſſary for all or any of the Purpoſes aforeſaid, to be raiſed in the ſame Manner as Rates are directed to be raiſed by an Act made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for the more eaſy aſſeſſing, collecting and levying of County Rates*.

Juſtices to raiſe Money to defray all Expences by Rates as directed by 12 Geo. 2. c. 29.

XXXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued for any Matter or Thing which he or they ſhall do in Execution of this Act, he or they may plead the General Iſſue, and give the Special Matter in Evidence; and if a Verdict ſhall paſs for the Defendant, or the Plaintiff ſhall be nonſuited, or diſcontinue his Suit, the Defendant may recover Treble Coſts;

General Iſſue. Treble Coſts.

Coſts; and that this Act ſhall be deemed to commence from the firſt Day of *June* one thouſand ſeven hundred and forty-four; and from that Time an Act made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for amending and enforcing the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and for reducing the ſame into one Act of Parliament*; and alſo *for amending the Laws for erecting, providing, and regulating Houſes of Correction, ſhall be, and his hereby repealed*; but all *the Acts therein mentioned to be repealed, are hereby declared to be repealed, and continue repealed.*

Act 13 Geo. 2. c. 24. repealed. See farther 25 Geo. 2. c. 36. and 26 Geo. 2. c. 34.

CAP. VI.

An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Goverment.

'WHEREAS this Nation is threatened with an Invaſion by a *French* Power, in concert with diſ-
'affected Perſons at Home, to the Subverſion of the Proteſtant Religion, and the Laws and Liber-
'ties of this Kingdom;' For the better Preſervation of his Majeſty's Sacred Perſon, and for ſecuring the Peace of the Kingdom in this Time of imminent Danger, Be it enacted, *&c.*

" Perſons in Priſon may be detained for Treaſon, or Suſpicion, *&c.* until 29 *April* 1744. Act againſt
" wrongous Impriſonments in *Scotland* ſuſpended. Proviſo for Privilege of Parliament."

CAP. VII.

An Act for taking and ſwearing Affidavits to be made uſe of in any of the Courts of the County Palatine of *Lancaſter*.

'WHEREAS it hath been found inconvenient, that no Perſon or Perſons is or are impowered to
'grant Commiſſions for the taking and ſwearing of Affidavits, to be read and made uſe of in the
'Court of *Chancery* of and for the County Palatine of *Lancaſter*, and in the Courts of Seſſion held in
'and for the ſaid County Palatine before his Majeſty's Juſtices, as well of Pleas of the Crown, as of
'Common Pleas, and all Manner of Pleas whatſoever within the ſaid County Palatine, in the ſeveral
'Matters and Cauſes depending in the ſaid Courts reſpectively;' For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Chancellor of the Dutchy and County Palatine of *Lancaſter*, or his Vice Chancellor of the ſaid County Palatine for the Time being, ſhall and may, by one or more Commiſſion or Commiſſions under the Seal of the ſaid County Palatine from time to time, as Need ſhall require, impower what and as many Perſons as ſhall be thought fit and neceſſary to take and ſwear all and every ſuch Affidavit and Affidavits, as any Perſon or Perſons ſhall be willing and deſirous to make before any of the Perſons ſo impowered, in or concerning any Cauſe, Matter, or Thing depending, or hereafter to be depending, or any wiſe concerning any of the Proceedings to be in any of the ſaid Courts, as Maſters of *Chancery* in extraordinary do uſe to do; which ſaid Affidavits taken as aforeſaid, ſhall be filed in the ſeveral and reſpective Offices of the ſaid Courts the ſame do concern; and the ſame ſhall and may be read and made uſe of in the ſaid reſpective Courts, to all Intents and Purpoſes, as other Affidavits taken in the ſaid Courts now are; and that all and every Affidavit and Affidavits taken as aforeſaid, ſhall be of the ſame Force as Affidavits taken in the ſaid reſpective Courts now are; and all and every Perſon and Perſons forſwearing him, her or themſelves in ſuch Affidavit or Affidavits, ſhall incur and be liable unto the ſame Penalties, as if ſuch Affidavit or Affidavits had been made and taken in open Court: Which ſaid Commiſſions ſhall be made out by the Curſitors of the ſaid County Palatine, upon a Fiat or Warrant from the ſaid Chancellor or Vice Chancellor; and the ſaid Curſitors ſhall cauſe Entries to be made in a Book to be kept for that Purpoſe, of the Names of the Perſons to whom ſuch Commiſſions are from time to time granted, and the reſpective Times when iſſued; and the following Fees ſhall be paid for each Commiſſion, and no more; to wit, the Sum of two Shillings for the Fiat or Warrant, the Sum of four Shillings for making out the ſaid Commiſſion, beſides the King's Duty, and the Value of the Parchment, and the Sum of four Shillings for Sealing the ſame; and every Commiſſioner, or Perſon ſo impowered, ſhall take and receive for the Swearing of every Affidavit before him, the Sum or Fee of one Shilling and no more.

For former Laws concerning Lancaſter refer to 33 *H.* 6. *c.* 2. 37 *H.* 8. *c.* 19. 5 & 6 *Ed.* 6. *c.* 26. 2 & 3 *P. & M. c.* 20.

Chancellor of the Dutchy may give Commiſſions to take Affidavits.

Fees for taking Commiſſions.

II. Provided always, and it is hereby declared, That ſuch Officers of the ſaid Courts reſpectively as have heretofore taken or ſworn Affidavits, ſhall and may continue ſo to do in the ſame Manner as if this Act had not been made.

Proviſo

CAP. VIII.

An Act to prevent the committing of Abuſes in the weighing and packing of Butter, in the Town and Borough of *New Malton* in the County of *York*. PR.

'WHEREAS great Quantities of Butter made and produced in ſeveral Parts of the County of *York*, are brought into the Town and Borough of *New Malton*, where there is a navigable River, in order to be from thence tranſported beyond the Seas, and otherwiſe ſold and diſpoſed of: And whereas there hath been for Time out of Mind a free Market for Butter within the ſaid Town and Borough of *New Malton*; but there is not (as in ſome other adjacent Markets) any particular Place provided and appointed within the ſaid Town and Borough, to which ſuch Butter ſhall be brought, in order to be ſearched, weighted and ſealed before the ſame be ſold at the ſaid Market; and for want of which, great Frauds and Impoſitions have been made and committed by ſeveral Farmers, Dairymen and other Perſons trading in Butter, which hath tended to the Diſparagement of the ſaid Commodity, in the Markets both at Home and Abroad, and to the great Prejudice of the fair Dealer, and of the Butter Trade in general:' Wherefore for preventing ſuch Frauds and Abuſes for the future, and for the better encouraging the ſaid Butter Trade; may it pleaſe your moſt Excellent Majeſty, at the humble Requeſt of the Borough Bailiff, and Inhabitants of the ſaid Borough of *New Malton*, and of ſeveral other Perſons reſiding near the ſaid Borough, that it may be enacted, *&c.*

"Borough Bailiff to appoint the Place where the Market is to be kept. Duty for ſearching, weighing, "*&c.* Penalty for not bringing Butter to Market. Officer for ſearching, *&c.* to be appointed by the "Bailiff."

CAP. IX.

An Act for repairing and widening the Road leading from a Place called *Harlow Buſh Common*, in the Pariſh of *Harlow* in the County of *Eſſex*, to *Stump Croſs*, in the Pariſh of *Great Cheſterford* in the ſaid County. PR.

Certain Tolls granted for 21 Years.

CAP. X.

An Act for enlarging the Term and Powers granted by an Act paſſed in the fourth Year of the Reign of his preſent Majeſty, for repairing the Road leading from *Chapel on the Heath* in the County of *Oxon*, to the Quarry above *Bourton on the Hill* in the County of *Glouceſter*. PR.

The Act 4 Geo. 2. c. 23. continued for 21 Years.

CAP. XI.

An for raiſing and eſtabliſhing a Fund for a Proviſion for the Widows and Children of the Miniſters of the Church of *Scotland*, and of the Heads, Principals and Maſters of the Univerſities of Saint *Andrew*'s, *Glaſgow* and *Edinburgh*.

'WHEREAS the Widows and Children of the Miniſters of the Church of *Scotland*, and of the Heads, Principals and Maſters, in the Uuiverſities in that Part of *Great Britain* called *Scotland*, are often left in indigent Circumſtances, without any Proviſion for their Subſiſtence or Education: And whereas all the charitable Deſigns, that have hitherto been propoſed for the Relief of ſuch Widows and Orphans, have proved ineffectual: And whereas the general Aſſembly of the Church of *Scotland*, after Conſultation had with all the Miniſters of the ſaid Church, did, by their Act dated the twenty-third Day of *May* one thouſand ſeven hundred and forty-three, approve of a Plan or Method for providing for the Widows and Children of the Miniſters of the Church of *Scotland*, whereby the ſaid Miniſters are to pay out of their Stipends, at their Option, ſome one of the annual Rates following, *videlicet*, Two Pounds twelve Shillings and ſix Pence, or three Pounds eighteen Shillings and nine Pence, or five Pounds five Shillings, or ſix Pounds eleven Shillings and three Pence, of lawful Money of *Great Britain*, to be applied to the Payment of Life-rent Annuities to the reſpective Widows of ſuch Miniſters, amounitng to ten Pounds, or fifteen Pounds, or twenty Pounds, or twenty-five Pounds, of like Money, in Proportion to ſuch of the ſaid annual Rates as they ſhall reſpectively have paid; and alſo to the making Proviſion reſpectively for the Children of the ſaid Miniſters, amounting to the Sum of one hundred Pounds, or of one hundred and fifty Pounds. or of two hundred Pounds, or of two hunhundred and fifty Pounds of like Money, and in the like Proportion: And whereas it was intended by the aforeſaid Act of Aſſembly, that the Heads, Principals and Maſters of the four Univerſities in that Part of *Great Britain* called *Scotland*, ſhould be comprehended in the aforeſaid charitable Deſign, provided that the ſaid Univerſities did agree thereto: And whereas the Univerſity of *Edinburgh* did apply to the ſaid General Aſſembly, and the Univerſities of Saint *Andrew*'s and *Glaſgow* did ſeverally apply to the Commiſſion of the General Aſſembly, that their reſpective Heads, Principals and Maſters might be comprehended in the ſaid intended charitable Deſign: And whereas the ſaid charitable Deſign cannot be effectually carried into Execution, without the Aid of Parliament;' May it therefore pleaſe your moſt

' Amended by 22 Geo. 2. c. 21.'

moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, every Miniſter, who ſhall be ordained and admitted to a Benefice in the Church of *Scotland*, and every Perſon who ſhall be admitted as Head, Principal or Maſter, in any of the ſaid Univerſities of Saint *Andrew*'s, *Glaſgow* and *Edinburgh*, and who was not on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, a Miniſter having Right to a Benefice in the Church of *Scotland*, or a Head, Principal or Maſter in any of the ſaid Univerſities of Saint *Andrew*'s, *Glaſgow* or *Edinburgh*, ſhall be ſubject and liable to one or other of the annual Rates following, *videlicet*, either to the Sum of two Pounds twelve Shillings and ſix Pence, or of three Pounds eighteen Shillings and nine Pence, or of five Pounds five Shillings, or of Six Pounds eleven Shillings and three Pence, of lawful Money of *Great Britain*, and proportionably for an half Year, payable at the Terms after mentioned, and in the Option of the ſaid Miniſters, Heads, Principals and other Maſters reſpectively, to be made within the Time, and in the Manner herein after directed.

Miniſters and Heads of Colleges, ſubject to annual Rates.

II. And be it enacted by the Authority aforeſaid, That every ſuch Miniſter, who ſhall be ordained and admitted to a Benefice in the Church of *Scotland*, and every Perſon who ſhall be admitted to the Office of Head, Principal or Maſter, in any of the ſaid three Univerſities, after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, and who was not before intitled to ſuch Benefice or Office, ſhall at the Term of *Candlemas* next after his Admiſſion, and after he hath enjoyed and had Right to his Benefice or Salary reſpectively for one whole Year, make Payment of one Year's Rate, and ſo from thenceforth yearly, at the ſaid Term of *Candlemas* during his Life; and in caſe he, at the Term of *Candlemas* next after his Admiſſion, hath or ſhall have enjoyed and had Right to his ſaid Benefice or Salary reſpectively, only for one Half-year, he ſhall only be liable at the ſaid firſt Term of *Candlemas* to the Payment of one Half of the ſaid yearly Rate, and to the full Year's Rate at the Term of *Candlemas* next thereafter; and to the like Rate yearly at each Term of *Candlemas*, during his Life; all which Rates ſhall be paid to the General Collector or Receiver herein after appointed at his Office in *Edinburgh*.

When to be paid.

III. And be it enacted by the Authority aforeſaid, That if the ſaid Miniſters of the Church of *Scotland*, or the Heads, Principals or other Maſters in the aforeſaid three Univerſities, ſhall at their reſpective Deaths, have only Right to one Half of the Benefice or Salary of that Year in which they happen to die, that one half of the ſaid yearly Rate ſhall be payable for that Year, out of their Benefice or Salary, to the General Collector or Receiver herein after mentioned, at his Office in *Edinburgh*, at the Term of *Candlemas* which ſhall be firſt after the Death of the ſaid Miniſters, Heads, Principals or Maſters reſpectively; and the other Half ſhall be payable by thoſe having Right to the Ann, or where no Ann is due, by the Heirs and Executors of the Miniſter, Head, Principal or Maſter in the ſaid three Univerſities reſpectively, who was liable to the ſaid yearly Rate during his Life, in the Manner herein after directed.

When Half Rates only are to be paid.

IV. And be it enacted by the Authority aforeſaid, That every Miniſter who ſhall be ordained, or admitted to a Benefice in the Church of *Scotland*, and every Head, Principal or other Maſter, who ſhall be admitted into any of the ſaid three Univerſities after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſhall make his Election of one of the four above mentioned yearly Rates, to which he chooſes to be ſubject during his Life, by a Writing ſigned by him, addreſſed to the Truſtees herein after appointed, and which he ſhall deliver or cauſe to be delivered at the General Collector or Receiver's Office at *Edinburgh*, on or before the firſt Term of *Candlemas*, that ſhall be after the ſaid Miniſter of the Church of *Scotland*, or Head, Principal or other Maſter in the ſaid three Univerſities, ſhall have Right to one half-year's Benefice or Salary; and in Default of giving ſuch Notice within the Time aforeſaid, ſuch Miniſter, Head, Principal or Maſter reſpectively, neglecting to give Notice as aforeſaid, ſhall be deemed and adjudged to have made his Election of the annual Rate of three Pounds eighteen Shillings and nine Pence, and ſhall be liable to the aforeſaid Rate accordingly during his Life.

Rules for the Miniſters or Heads of Colleges to give Notice of Rates.

V. Provided always, That the Miniſters of the Church of *Scotland*, whoſe Benefices are ſituated in the Weſtern or in the Northern Iſles of *Scotland*, ſhall be allowed to make their Election in the Manner aforeſaid, at any Time before the Term of *Candlemas*, which ſhall be next after they reſpectively ſhall have had Right to the Benefice for one Year and a Half; and in Default of their making their Election within that Time, they ſhall be ſubjected to the aforeſaid yearly Rate of three Pounds eighteen Shillings and nine Pence.

Rules for the Miniſters in the Weſt or Northern Iſles of Scotland.

VI. Provided alſo, That the ſaid Miniſters ſhall, at the next Term of *Candlemas* after they ſhall have made their Election, or in Default of making ſuch Election as aforeſaid, make Payment of the annual Rates to which they are reſpectively ſubjected, and which ſhall have become due at the ſaid Term.

Proviſo.

VII. And be it further enacted by the Authority aforeſaid, That every Miniſter who now is intitled to a Benefice in the Church of *Scotland*, and every Perſon who now enjoys the Office of Head, Principal or Maſter, in any of the ſaid three Univerſities of Saint *Andrew*'s, *Glaſgow* or *Edinburgh*; or who ſhall be admitted to a Benefice in the Church of *Scotland*, or to any of the aforeſaid Offices of Head, Principal or Maſter, in any of the ſaid three Univerſities, on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſhall within ſix Calendar Months after the ſaid twenty-fifth Day of *March* give Notice by a Writing ſigned by him, addreſſed to the Truſtees herein after appointed, which he ſhall deliver or cauſe to be delivered, at their General Collector or Receiver's Office in *Edinburgh*, that he will not be ſubject to any of the yearly Rates above mentioned, or will ſubject himſelf to one or other of the ſaid yearly Rates, declaring which of them he chooſes to be ſubject to; and in Default of ſuch Notice, every ſuch Miniſter of the Church of *Scotland*, and every ſuch Head, Principal or Maſter, in any of the ſaid three Univerſities, neglecting to give Notice as aforeſaid, ſhall be deemed and adjudged to have made

Miniſters and Heads in the Univerſity to give Notice to Truſtees within ſix Months.

his Election, and to be ſubject to the annual Rate of three Pounds eighteen Shillings and nine Pence during his Life.

Miniſters in the Weſt and Northern Iſles, in 18 Months.

VIII. Provided always, That the Miniſters in the Weſtern and Northern Iſles of *Scotland*, may give Notice as aforeſaid, at any Time within eighteen Calendar Months after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four.

When the Rates are to be paid.

IX. And be it further enacted by the Authority aforeſaid, That the preſent Miniſters of the Church of *Scotland*, and the preſent Heads, Principals and Maſters of the aforeſaid three Univerſities; or who ſhall be admitted Miniſters of the ſaid Church, or Heads, Principals or Maſters in any of the ſaid three Univerſities on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, and who ſhall be ſubject to any of the aforeſaid annual Rates, by giving or neglecting to give Notice as aforeſaid, ſhall pay their firſt Year's Rate to the General Collector or Receiver, to be appointed in the Manner herein after directed, at his Office in *Edinburgh*, at the Term of *Candlemas* one thouſand ſeven hundred and forty-four, and ſo from thenceforth yearly thereafter, at each Term of *Candlemas*, during their Life; and if ſuch Miniſter, Head, Principal or Maſter, ſhall have Right only to one Half of the Benefice or Salary of the Year in which he dies, the half Year's Rate, payable by ſuch Miniſter, Head, Principal or other Maſter, ſhall be paid to the General Collector or Receiver herein after mentioned, at his Office in *Edinburgh*, at the firſt Term of *Candlemas* after his Death, and the other Half ſhall be payable out of the Ann, or by his or their Heirs or Executors, in Manner after mentioned: And every ſuch Miniſter, Head, Principal or Maſter, ſhall be liable for the firſt Year to an additional Sum, equal to the yearly Rate to which he ſhall be ſubjected, which ſhall be paid to the General Collector or Receiver, to be appointed in Manner herein after directed, at his Office in *Edinburgh*, at the Term of *Candlemas* one thouſand ſeven hundred and forty-four.

Proviſo:

X. Provided always, That the Miniſters in the Weſtern and Northern Iſles of *Scotland*, who now are, or who ſhall be admitted to a Benefice in the ſaid Church, before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſhall pay their double Rate for the firſt Year, and their annual Rate for the ſecond Year, at the Term of *Candlemas*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-five.

Aſſiſtants, &c. to be held admitted, &c. after Marriage or Right to a full Benefice.

XI. And be it enacted by the Authority aforeſaid, That ſuch Miniſters of the Church of *Scotland*, or ſuch Heads, Principals or Maſters in any of the ſaid Univerſities, as are or ſhall be ordained or admitted Aſſiſtants and Succeſſors to the Miniſter, or to the Head, Principal or Maſter, having Right to the Benefice or Salary reſpectively, ſhall as to all the Purpoſes of this Act, be held as admitted to a Benefice in the Church of *Scotland*, or to an Office in any of the ſaid Univerſities, only from the Time that any ſuch Aſſiſtant is or ſhall be married, or when he ſhall come to have Right to the full Benefice or Salary.

Miniſter, &c. after Marriage ſhall be ſubject to a Sum equal to his annual Rate.

XII. And be it further enacted by the Authority aforeſaid, That every Miniſter of the Church of *Scotland*, and every Head, Principal and Maſter in any of the ſaid three Univerſities, who ſhall be admitted into the ſaid Benefice or Office reſpectively, after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, and who is or ſhall be married, ſhall in reſpect of his Marriage, be ſubject and liable to a Sum equal to his annual Rate, and to the like ſum for each ſucceeding Marriage: Which Sums, payable in reſpect of the Marriage of a Miniſter of the ſaid Church, Head, Principal or Maſter in any of the ſaid three Univerſities, ſhall be paid over and above the annual Rate itſelf, at the firſt Term of *Candlemas*, which ſhall be one full Year after ſuch Marriage, and his Admiſſion into the ſaid Benefice or Office reſpectively, to the General Collector or Receiver herein after appointed, at his Office in *Edinburgh*.

Miniſter, &c. ſubject to ſeveral Sums for ſeveral Marriages, &c.

XIII. And be it further enacted by the Authority aforeſaid, That every Miniſter of the Church of *Scotland*, and every Head, Principal and Maſter, in any of the ſaid three Univerſities, that now is, or who ſhall be admitted on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, and who ſhall become ſubject to one or other of the aforeſaid annual Rates, and who ſhall marry after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſhall reſpectively be liable to a Sum equal to his yearly Rate in reſpect of his Marriage, and to the like Sum for every Marriage after; which reſpective Sums ſhall be paid, over and above the reſpective annual Rates, at the firſt Term of *Candlemas*, which ſhall be one full Year after ſuch reſpective Marriages, to the General Collector or Receiver herein after appointed, at his Office in *Edinburgh*.

Proviſo.

XIV. Provided always, That if any Miniſter of the ſaid Church, Head, Principal or Maſter in the ſaid Univerſities, ſhall happen to marry a Widow intitled to an Annuity in purſuance of this Act; ſuch Miniſter, Head, Principal or Maſter, ſhall not be ſubject to the Payment of any Sum in reſpect of ſuch Marriage.

Penalty on Neglect of paying the Rates.

XV. And be it enacted by the Authority aforeſaid, That if any of the Miniſters of the Church of *Scotland*, or any of the Heads, Principals or Maſters in the ſaid three Univerſities, ſhall neglect to pay the annual or other Rates due by them reſpectively, at the Terms herein before appointed; ſuch Miniſter of the Church, and ſuch Head, Principal or Maſter in any of the ſaid Univerſities, neglecting to pay as aforeſaid, ſhall be ſubject and liable to the lawful Intereſt of ſuch Sums remaining unpaid by him or them reſpectively, from and after the reſpective Terms of Payment.

What ſhall be paid on the Death of a Miniſter, &c.

XVI. And be it further enacted by the Authority aforeſaid, That upon the Death of any Miniſter of the Church of *Scotland*, or of any Head, Principal or Maſter in any of the ſaid three Univerſities, who was ſubject to one of the yearly Rates above mentioned, a Sum equal to one Half of his yearly Rate ſhall be due and payable for the half Year immediately after his Death, by thoſe who have a Right to the Ann, where the Ann is by Law competent; and where no Ann is competent, the ſame ſhall be paid by his Heirs and Executors.

XVII. And

Rates on Vacancies.

XVII. And be it further enacted by the Authority aforeſaid, That every Benefice of the Church of *Scotland*, and every Office of Head, Principal or Maſter in any of the ſaid three Univerſities that are now vacant, or that ſhall become vacant, on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſhall be ſubject and liable to the Sum of five Pounds of lawful Money of *Great Britain*, for every Half Year that the Vacancy ſhall continue; and every ſuch Benefice and Office that ſhall become vacant after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſhall be ſubject and liable to the Sum of two Pounds ten Shillings of like Money, for every Half Year during ſuch Vacancy.

To whom the Rates are to be paid.

XVIII. And be it further enacted by the Authority aforeſaid, That the Rates before-mentioned, payable out of the Ann and vacant Benefices of the Church of *Scotland*, ſhall be paid to the Preſbytery, within whoſe Bounds the Benefices reſpectively lie, or to the Collector to be by them appointed, by the Heritors and others liable to the Payment of the Ann, and of the vacant Stipends reſpectively; and the ſaid reſpective Preſbyteries are hereby impowered and required to levy the aforeſaid Rates, payable in reſpect of the Ann, and of the vacant Benefices within their Bounds; and to pay the ſame to the General Collector or Receiver, to be appointed in Manner herein after mentioned, at his Office in *Edinburgh*, within ſix Calendar Months after the Ann and vacant Stipends ſhall be due and payable.

Proviſo.

XIX. Provided always, That the Preſbyteries in the Weſtern and Northern Iſles of *Scotland* ſhall be allowed twelve Calendar Months, for paying in to the General Collector or Receiver, at his Office in *Edinburgh*, the reſpective Sums due out of the Ann and vacant Stipends within their Bounds, from the reſpective Times at which the Ann and vacant Stipends are payable.

Where the Repreſentatives of a deceaſed Maſter are to pay the vacant Salaries.

XX. And be it further enacted by the Authority aforeſaid, That the aforeſaid Sums payable by the Repreſentatives of the Heads, Principals, or Maſters, in the ſaid three Univerſities, in reſpect to the Half Year, immediately after the Death of any of the Members of the ſaid Univerſities, ſubject to any of the yearly Rates above mentioned, and the Sums payable in reſpect of the vacant Salaries in the ſaid Univerſities, ſhall be paid by the Repreſentatives of the deceaſed Member of the ſaid Univerſity, and by thoſe liable to the Payment of the vacant Salaries reſpectively, to the Univerſity of which he was a Member, and where the Vacancy is; and the ſaid Univerſities reſpectively are hereby impowered and required to levy the Sums due by the Repreſentatives of their deceaſed Member, and out of the ſaid vacant Salaries; and to pay or cauſe the ſame to be paid to the General Collector or Receiver, at his Office in *Edinburgh*, to be appointed in the Manner herein after directed, within ſix Calendar Months after the Deceaſe of their Member, and after the ſaid vacant Salaries ſhall from time to time fall due.

Application of the Money.

XXI. And be it further enacted by the Authority aforeſaid, That the aforeſaid annual Rates, and other Sums, payable by the Miniſters of the Church of *Scotland*, and by the Heads, Principals and Maſters in the aforeſaid three Univerſities, and the Sums payable by the Repreſentatives, and out of the Ann, or otherwiſe, and alſo the Sums payable out of the vacant Stipends or Salaries in the Manner herein before directed, ſhall be applied by Order and Direction of the Truſtees herein after named, and their Succeſſors, to the Uſes and Purpoſes after mentioned, *videlicet*; In the firſt Place, there ſhall be paid a Sum not exceeding two hundred and ten Pounds of lawful Money of *Great Britain* yearly, for the Salaries of the General Collector or Receiver, and the Clerk to be choſen in the Manner herein after directed; and in the ſecond Place, after Payment of the ſaid Salaries, the Remainder of the ſaid ſeveral Sums aforeſaid, ſhall be applied to the Payment of an Annuity to the Widow of every Miniſter of the Church of *Scotland*, and of every Head, Principal or Maſter in any of the ſaid three Univerſities, who hath been ſubject and liable to one or other of the annual Rates above mentioned, in Proportion to the Rate to which the reſpective Widow's deceaſed Huſband was liable in Manner following; that is to ſay, If the Huſband was liable to the annual Rate of two Pounds twelve Shillings and ſix Pence, his Widow ſhall be intitled to an Annuity of ten Pounds; and if the Huſband was liable to the annual Rate of three Pounds eighteen Shillings and nine Pence, his Widow ſhall be entitled to an Annuity of fifteen Pounds; and if the Huſband was liable to the annual Rate of five Pounds five Shillings, his Widow ſhall be intitled to an Annuity of twenty Pounds; and if the Huſband's annual Rate was ſix Pounds eleven Shillings and three Pence, his Widow's Annuity ſhall be twenty-five Pounds of lawful Money of *Great Britain*; which reſpective Annuities ſhall be computed to commence from the firſt Term of *Whitſunday* or *Martinmas*, which ſhall be one full Half Year after the Huſband's Death; and ſhall from thenceforth be due at each Term of *Whitſunday* and *Martinmas*, by equal Portions; and the firſt Year's or Half Year's Annuity reſpectively ſhall be payable at the firſt Term of *Whitſunday*, which ſhall be a full Year or a full Half Year reſpectively after the Commencement of the ſaid Annuity; and the ſaid Annuity ſhall ſo continue payable yearly at the ſaid Term of *Whitſunday*, during the Widow's Life, and her continuing unmarried; and upon her Death or Marriage, her ſaid Annuity ſhall ceaſe to be due for any Terms that ſhall happen after her Death or Marriage.

Manner of paying the Annuities.

Annuity to ceaſe on Widow's Death or Marriage.

If no Widow, a Sum to be divided among the Children.

XXII. And be it further enacted by the Authority aforeſaid, That every Miniſter of the Church of *Scotland*, and every Head, Principal, or Maſter in any of the ſaid three Univerſities, who ſhall have been ſubject to one or other of the aforeſaid annual Rates, and who ſhall die, not leaving a Widow, but one or more Children, ſuch Child or Children ſhall be intitled to a Sum equal to ten Years Annuity, that would have been payable to their Father's Widow; which Sum, in caſe there be more Children than one, ſhall be equally divided amongſt them.

Of Widows dying or marrying, and of Children under Age.

XXIII. And be it further enacted by the Authority aforeſaid, That if the Widow of any Miniſter of the Church of *Scotland*, or of any Head, Principal, or Maſter in any of the ſaid three Univerſities, intitled to an Annuity as aforeſaid, ſhall happen to die or to be married, before the Lapſe of ten Years after the Commencement of her Annuity, and whoſe Huſband ſhall have left a Child or Children, who at the

ſaid

ſaid Widow's Death or Marriage ſhall be under the Age of ſixteen Years, ſuch Child or Children under the Age of ſixteen Years, ſhall be intitled to ſuch a Sum of Money as ſhall be equal to ten Years of the ſaid Widow's Annuity, deducting ſo much thereof as ſhall have been received by the Widow; which Sum ſhall be equally divided among the ſaid Children if there happen to be more than one Child.

When the Children ſhall be paid their Sums.

XXIV. And be it enacted by the Authority aforeſaid, That the Proviſions due to the Children of Miniſters of the Church of *Scotland*, or to the Children of the Heads, Principals, or Maſters in the ſaid three Univerſities, upon the Death of their reſpective Fathers, or upon the Death or Marriage of his Widow, and which ſhall become due after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, and before or on the Term of *Martinmas*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-five, ſhall be payable at the Term of *Whitſunday* one thouſand ſeven hundred and forty-ſix; and the Proviſions that ſhall become due to ſuch Children after the Term of *Martinmas* one thouſand ſeven hundred and forty-five, and before or on the Term of *Martinmas* one thouſand ſeven hundred and forty-ſix, ſhall be paid at the Term of *Whitſunday* one thouſand ſeven hundred and forty-ſeven; and ſo in all Time to come, the Proviſions that ſhall become due to the Children after one Term of *Martinmas*, and before or on another, ſhall be payable at the Term of *Whitſunday* next following.

Diſpoſition of the Surpluſſes.

XXV. And be it further enacted by the Authority aforeſaid, That the Surplus of the ſaid annual Rates, and of the other Sums, payable by the Miniſters of the Church of *Scotland*, and by the Heads, Principals, and Maſters in the ſaid three Univerſities, and by their reſpective Repreſentatives, and out of the Ann, or otherwiſe, and out of the vacant Stipends or Salaries in Manner aforeſaid, after Payment of the annual Expence of Management, and of the Annuities payable to the Widows, and of the Proviſions payable to the Children in Manner above directed, ſhall at the Term of *Whitſunday* yearly, be lent out to the Miniſters of the Church of *Scotland*, and to the Heads, Principals, and Maſters in the ſaid three Univerſities, who ſhall have become ſubject to one or other of the aforeſaid annual Rates in Manner herein before-mentioned, to the Amount of thirty Pounds of lawful Money of *Great Britain*, to each Miniſter of the ſaid Church, and to each Head, Principal, and Maſter in the ſaid three Univerſities (which Miniſter, Head, Principal, or Maſter, is hereby obliged to receive the ſame) in ſuch Order as ſhall from time to time be appointed by an Act or Acts of the General Aſſembly of the Church of *Scotland*; and in Default of ſuch Appointment, in ſuch Order as the Truſtees herein after named ſhall direct; until every Miniſter of the Church of *Scotland*, and every Head, Principal, and other Maſter in the ſaid three Univerſities, who ſhall have become ſubject to one or other of the aforeſaid annual Rates, ſhall have received the aforeſaid Sum of thirty Pounds.

On Receipt of the Money, Miniſter, &c. to execute a Deed.

XXVI. And be it further enacted by the Authority aforeſaid, That upon the Receipt of the aforeſaid Sum of thirty Pounds, the Miniſter of the Church of *Scotland*, and the Head, Principal, or Maſter in any of the ſaid three Univerſities ſo receiving the ſame, ſhall reſpectively execute a Deed, obliging himſelf, his Heirs, Executors and Succeſſors, that upon his ceaſing to have Right to the Benefice or Office, in reſpect whereof he had received the aforeſaid Sum, whether by Tranſlation or Promotion, Deprivation or Reſignation, Death, or any other Manner or Way, he ſhall repay the aforeſaid Sum of thirty Pounds to the General Collector or Receiver, to be appointed in Manner herein after directed, at his Office at *Edinburgh*, with lawful Intereſt for the ſame, from the Term of *Whitſunday* or *Martinmas*, immediately preceding his ceaſing to have Right to his Benefice or Office reſpectively during the Nonpayment; and further obliging himſelf and his aforeſaid Heirs, Executors and Succeſſors, to pay the Intereſt of the aforeſaid Sum of thirty Pounds, at the Rate of four Pounds *per Centum per Annum*, to the ſaid General Collector or Receiver, at the Term of *Candlemas* yearly, at his Office at *Edinburgh*, from and after his Receipt of the aforeſaid Sum, during his continuing in Poſſeſſion of the Benefice or Office reſpectivety, in reſpect whereof he received the ſame.

Receiver ſhall pay the Money to Succeſſors in Office, who ſhall execute a Deed.

XXVII. And be it enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver, receiving the aforeſaid thirty Pounds from a Miniſter of the ſaid Church, or from a Head, Principal, or Maſter in any of the ſaid three Univerſities, or from their Heirs reſpectively, ſhall pay the ſame over to their reſpective Succeſſors in Office, who are hereby obliged to receive the ſame, and who ſhall execute a Deed for Repayment of the principal Sum and Intereſt, in the ſame Form and Manner as with reſpect to their Predeceſſors in Office is above directed.

Vacant Salaries ſubject to Intereſt of the Money received at 4 l. per Cent.

XXVIII. And be it enacted by the Authority aforeſaid, That from and after the Time that any Miniſter of the Church of *Scotland*, or any Head, Principal, or Maſter in any of the ſaid three Univerſities ſhall have received the aforeſaid Sum of thirty Pounds, the vacant Stipend or Salary of ſuch Miniſter, Head, Principal or Maſter reſpectively, ſhall be ſubject to the Intereſt of the ſaid Sum of thirty Pounds, at the Rate of four Pounds *per Centum per Annum*.

Yearly Rates ſhall be privileged Debts.

XXIX. And be it further enacted by the Authority aforeſaid, That the foreſaid yearly Rates, and other Sums, payable by the preſent and future Miniſters of the Church of *Scotland*, and by the preſent and future Heads, Principals and Maſters in the ſaid three Univerſities, and the foreſaid Rates payable by the Heirs and Executors of the ſaid Heads, Principals and Maſters in the aforeſaid Univerſities, and the aforeſaid Sum of thirty Pounds to be delivered to the ſaid Miniſters, and to the Heads, Principals and Maſters in the ſaid three Univerſities, with the Intereſt thereof, ſhall be privileged Debts, and preferable to all other Debts of the ſaid Miniſters, and of the Heads, Principals or Maſters in the ſaid Univerſities, not only upon their Benefices and Salaries reſpectively, but alſo upon their whole other Perſonal Eſtate; and that the aforeſaid Rates, payable out of the Ann and vacant Benefices and Salaries reſpectively, ſhall be a preferable Debt and Burden upon the Ann and vacant Benefices and Salaries, to all other Debts and Burdens; any Law or Uſage to the contrary notwithſtanding.

XXX. And

XXX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid General Collector or Receiver, at the Sight and Direction of the Truſtees herein after named, and their Succeſſors, to retain and deduct from the Annuity due to the Widow, or from the Proviſions due to the Children of any Miniſter of the Church, or of any Head, Principal or Maſter in any of the ſaid three Univerſities, ſuch Sum or Sums as ſhall be due by the reſpective deceaſed Huſband or Father, or his Heirs and Executors, and which have not been or cannot be recovered from the Deceaſed, upon the ſaid General Collector or Receiver's making over his Claim and Demand upon the Deceaſed, and his Heirs and Executors, with all the Privileges and Preferences thereunto belonging, in Favour of the Widow and Children reſpectively. Rule for Deductions.

XXXI. And be it further enacted by the Authority aforeſaid, That after every Miniſter of the Church of *Scotland*, and every Head, Principal or Maſter in any of the ſaid three Univerſities who have become ſubject to one or other of the aforeſaid annual Rates, ſhall have received the aforeſaid Sum of thirty Pounds from the yearly Surpluſſes in Manner before directed, all future Surpluſſes ſhall from time to time be lent out upon proper Security, ſo as the ſame may yield an Intereſt not under four Pounds *per Centum per Annum*, until a Capital be made up of thirty-five thouſand Pounds of lawful Money of *Great Britain*, over and above the Sums lent to Miniſters, and to the Heads, Principals and Maſters in the ſaid three Univerſities, to the Amount of thirty Pounds each as aforeſaid, which Capital being ſo made up, there ſhall be no further Increaſe of the Capital, but the Surpluſſes ariſing in any one Year, computing the Year from *Martinmas* to *Martinmas* as aforeſaid, ſhall at the *Whitſunday* when ſuch Surpluſſes ſhall ariſe, be divided proportionably amongſt all the Children of the Miniſters of the ſaid Church, and of the Heads, Principals and Maſters in the ſaid three Univerſities, who in reſpect of the Death of their Father, or the Death or Marriage of his Widow within that Year, ſhall be then intitled to receive their Proviſions. Future Surpluſſes ſhall be lent on Security, at 4 l. per Cent.

XXXII. And be it further enacted by the Authority aforeſaid, That if the aforeſaid Capital of thirty-five thouſand Pounds, and Sum of thirty Pounds, lent to each Miniſter in the Church, and each Head, Principal and Maſter in the ſaid three Univerſities as aforeſaid, ſhall hereafter happen to be diminiſhed, either by the Inſolvency of Debtors, or by any other Accident whatſoever, ſuch Diminution ſhall from time to time be made up by After-ſurpluſſes, in the ſame Manner as the original Capital and Sums aforeſaid were raiſed and lent out. If the Capital be diminiſhed, it ſhall be made up.

XXXIII. Provided always, That the Capital ſhall at no Time exceed the aforeſaid Sum of thirty-five thouſand Pounds, and the Sum of thirty Pounds lent to each Miniſter, and to each Head, Principal and Maſter in the ſaid three Univerſities as aforeſaid. Proviſo.

XXXIV. And be it further enacted by the Authority aforeſaid, That after the ſaid Capital of thirty-five thouſand Pounds is raiſed, in the Whole or in Part, if in any Year the Charge of Management, and the Annuities to the Widows, and the Proviſions to the Children, ſhall exceed the annual Income, no Incroachment ſhall upon that Account be made upon the Capital; but ſuch Deficiency ſhall firſt affect the Childrens Proviſions in the Order of Time in which they become due by the Death of their Father, or by the Death or Marriage of his Widow; and the Children intitled to Proviſions in the ſame Year, ſhall be preferred and receive their Proviſions according to the Priority of their Father's Death, or of his Widow's Death or Marriage; and in the next Place ſuch Deficiency ſhall affect the Annuities of the Widows proportionably. Directions, if the annual Charge exceed the Income.

XXXV. Provided always, That ſuch Nonpayment of and Deduction from the Childrens Proviſions, and Widows Annuities reſpectively, ſhall be made good out of the firſt and readieſt of the annual Produce of the ſucceeding Year or Years, in the Order above mentioned; that is, after Payment of the annual Expence of Management, the Widows Annuities unpaid in the preceding Year, ſhall be paid and made good in the firſt Place; and afterwards the Widows Annuities of the current Year; and after thoſe the Childrens Proviſions of the former Year, according to the Priority of the Death of their Fathers, or of the Death or Marriage of their Fathers Widows. Proviſo.

XXXVI. And be it further enacted by the Authority aforeſaid, That when any Miniſter of the Church of *Scotland*, intitled to a Benefice, is alſo a Head, Principal or Maſter in any of the ſaid three Univerſities, and thereby intitled to a Salary, ſuch Miniſter, who is alſo a Member of any of the ſaid Univerſities, ſhall not be liable to double Rates; but ſhall be only liable to one Rate in reſpect of both Offices. Miniſter being a Head, &c. ſhall be liable to one Rate only.

XXXVII. And be it further enacted by the Authority aforeſaid, That every Miniſter of the Church of *Scotland*, and every Head, Principal and Maſter in any of the ſaid three Univerſities, becoming liable to one or other of the aforeſaid annual Rates, ſhall continue ſubject thereunto during Life, notwithſtanding that he ceaſe to be a Miniſter of the ſaid Church, or a Head, Principal or Maſter in any of the ſaid Univerſities, by Reſignation, Deprivation or any other Manner or Way; and his Widow or Children ſhall continue intitled to their reſpective Proviſions herein before ſettled, notwithſtanding that her Huſband, or their Father, was not at the Time of his Death poſſeſſed of any Benefice in the Church, or of any Office or Salary in any of the ſaid three Univerſities. Miniſter, &c. to be ſubject to the Rates, though he ceaſes to be Miniſter; and his Widow and Children intitled.

XXXVIII. And be it further enacted by the Authority aforeſaid, That the Reverend Maſter *Neil Mc Viccar*, one of the Miniſters of the *Weſt Church*; Maſter *James Walker*, one of the Miniſters of the *Canongate*; Maſter *John Gowdie*, Profeſſor of Divinity in the Univerſity of *Edinburgh*; Maſter *George Fordice*, Miniſter at *Caſterphin*; Maſter *Thomas Pitcairn*, one of the Miniſters of the *Weſt Church*; Maſter *James Stephenſon*, one of the Miniſters of *South Leith*; Maſter *George Lindſay*, Miniſter at *North Leith*; Maſter *William Aitkin*, one of the Miniſters of *South Lieth*; Maſter *George Gibſon*, Miniſter at *Collington*; Maſter *David Mowbray*, Miniſter at *Currie*; Maſter *John Jardin*, Miniſter at *Liberton*; Maſter *Hugh* Names of Truſtees.

Blair, one of the Miniſters of the *Cannongate*; Doctor *William Wiſhart*, Principal of the Univerſity of *Edinburgh*; Maſter *John Mathieſon*, Maſter *William Guſtart*, Maſter *William Robertſon*, Maſter John *Hepburn*, Maſter *Robert Wallace*, Maſter *George Wiſhart*, Maſter *Alexander Webſter*, Miniſters of *Edingburgh*, being all Members of the Presbytery of *Edinburgh*, ſhall be, and they are hereby nominated and appointed Truſtees for levying and receiving the reſpective annual Rates, and other Sums, payable by virtue of this Act, and for iſſuing the ſame for the Purpoſes herein before expreſſed, and for lending out the Surpluſſes to the Miniſters of the Church of *Scotland*, and to the Members of the aforeſaid Univerſities, in the Manner herein before directed, and for raiſing the aforeſaid Capital of thirty-five thouſand Pounds by Loans, to be made at an Intereſt not leſs than four Pounds *per Centum per Annum*, to any Perſon or Perſons, Bodies Politick or Corporate, and for uplifting the aforeſaid Capital, in Whole or in Part, and re-employing the ſame from time to time, and for putting in Execution all other the Powers in and by this Act given during their continuing in their ſaid Benefices and Offices.

Who may be elected Truſtees.

XXXIX. And be it further enacted by the Authority aforeſaid, That every other Miniſter of the Preſbytery of *Edinburgh*, and every Maſter in the Univerſity of *Edinburgh*, that now is, or ſhall hereafter be admitted into any of the ſaid Benefices or Offices, on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, and who ſhall be ſubject to one or other of the aforeſaid annual Rates, ſhall be, and are hereby appointed Truſtees for the Execution of this Act, during their continuing in their reſpective Benefices and Offices, unleſs ſuch Miniſter in the ſaid Preſbytery, or Maſter in the ſaid Univerſity, ſhall, within ſix Calendar Months from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, give Notice by a Writing ſigned by him, addreſſed to the ſaid Truſtees, and which he ſhall deliver, or cauſe to be delivered, at the General Collector or Receiver's Office in *Edinburgh*, declaring that he declines to accept of the ſaid Truſt.

Miniſters, &c. elected after the 25th of March 1744, ſhall be Truſtees.

XL. And be it further enacted by the Authority aforeſaid, That all Miniſters of the Preſbytery of *Edinburgh*, and all Heads, Principals, and Maſters in the ſaid Univerſity of *Edinburgh*, who ſhall be admitted into their reſpective Benefices or Offices after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, ſhall be, and they are hereby nominated and appointed Truſtees for the Execution of this Act.

All Miniſters Officers in the Univerſities of Saint Andrew and Glaſgow, and ſubject to the Rates ſhall be Truſtees.

XLI. And be it further enacted by the Authority aforeſaid, That every Miniſter, having an Office in any of the ſaid Univerſities of *Saint Andrew's* and *Glaſgow*, and every Miniſter in any of the Presbyteries Seats in *Scotland*, who ſhall be ſubject to any one of the aforeſaid annual Rates, ſhall be, and is hereby appointed a Truſtee for the Execution of this Act, during their continuing in their ſaid reſpective Benefices and Offices.

Miniſters &c. have Liberty of refuſing.

XLII. Provided always, and be it hereby enacted, That it ſhall and may be lawful to and for the aforeſaid Miniſters poſſeſſed of Offices in the ſaid Univerſities of *Saint Andrew's* and *Glaſgow*, and to the ſaid Miniſters in the Presbytery Seats, to refuſe and decline to accept of the ſaid Truſt, ſo as ſuch Refuſal be notified by a Deed in Writing, ſigned by the ſaid Miniſters reſpectively, and given in to the ſaid Truſtees, or to their Clerk, to be appointed in Manner herein after directed, within ſix Calendar Months after they have reſpectively become liable to one or other of the Annual Rates before mentioned, and their Admiſſion to an Office in any of the ſaid Univerſities, or becoming Miniſters in Presbytery Seats.

Particular Truſtees to be elected for one Year.

XLIII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, it ſhall and may be lawful for every Presbytery in *Scotland* (the Presbytery of *Edinburgh* excepted) annually to elect one of their Number, who is ſubject to one or other of the annual Rates before-mentioned, to be a Truſtee for one Year, commencing from the firſt Day of *May* yearly: And that it ſhall and may be lawful to each of the ſaid Univerſities of *Saint Andrew's* and *Glaſgow*, annually to elect two of their Number, not being Miniſters, who are or ſhall be ſubject to one or other of the aforeſaid annual Rates, to be Truſtees for one Year, commencing from the ſaid firſt Day of May yearly; and ending upon the firſt Day of *May* the Year following.

Refuſal to be notify'd to the Preſbytery or Univerſity.

XLIV. Provided always, That it ſhall be in the Power of the ſaid Annual Truſtees, to be elected by the Presbyteries and Univerſities reſpectively, to refuſe to accept or act in the ſaid Offices, ſo as ſuch Refuſal be notified to the reſpective Presbyteries or Univerſities at the Time of Election, if the Truſtee elect be preſent; or elſe at the next Meeting of the Presbytery or Univerſity reſpectively, after the Election ſhall come to his or their Knowledge.

Power of Truſtees.

XLV. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any nine of them, whereof ſix to be Miniſters of the Church of *Scotland*, ſhall and may execute all the Powers committed to them by this Act; and that, for this End, their firſt Meeting ſhall be on the ſecond *Tueſday* in *April* one thouſand ſeven hundred and forty-four, between the Hours of ten and twelve in the Forenoon, in the old Church Iſle of *Edinburgh*, with Power to the ſaid Truſtees, or any nine of them as aforeſaid, to chooſe one of their Number to be Preſes, and with Power to adjourn themſelves from time to time, to ſuch Times and Places as they ſhall ſee Cauſe; and that they ſhall thereafter have four ſtated regular Meetings yearly, upon the ſecond *Tueſday* in the Month of *May*; the ſecond *Tueſday* in the Month of *November*; the ſecond *Tueſday* in the Month of *February*; and the ſecond *Tueſday* in the Month of *March*, in the ſaid old Church Iſle, between the Hours of ten and twelve in the Forenoon, with Power to chooſe a Preſes, and to adjourn themſelves as aforeſaid: And that it ſhall and may be lawful to and for the Preſes of the laſt Meeting of the ſaid Truſtees, or in his Abſence, the Moderator of the Presbytery of *Edinburgh* for the time being (ſuch Moderator being a Truſtee) or in his Abſence the eldeſt Miniſter of the City of *Edinburgh*,

burgh, who is, or ſhall then be a Truſtee, to call other Meetings of the ſaid Truſtees, as Occaſion ſhall require, at ſuch Times and Places as he ſhall judge proper: and the ſaid Preſes, Moderator of the Presbytery of *Edinburgh*, and eldeſt Miniſter of the ſaid City reſpectively, are hereby required, upon the requeſt of any five or more of the ſaid Truſtees, to call ſuch Meetings from time to time.

Truſtees to elect a Clerk, and ſettle his Salary.

XLVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, at their ſaid firſt Meeting, on the ſecond *Tueſday* in *April* one thouſand ſeven hundred and forty-four, to elect a Clerk, and to appoint him a Salary, not exceeding the Sum of fifty Pounds of lawful Money of *Great Britain*, yearly; which ſaid Clerk ſhall give Bond to the ſaid Truſtees, with one or more ſufficient Sureties, for the faithful Diſcharge of his Office, under the Penalty of one hundred Pounds of like Money: And the ſaid Clerk ſhall, at his own Charge, provide proper Books, and ſhall inſert therein, from time to time, the Proceedings of the Truſtees; and ſhall write and cauſe to be written their Orders; and ſhall have an Officer for advertiſing the Truſtees of their ſtated and occaſional Meetings, and for attending the ſame; for which Officer the ſaid Clerk ſhall be allowed a Sum, not exceeding five Pounds *per Annum*, of lawful Money of *Great Britain*.

Clerk's Duty.

Clerk to be approved at the next Aſſembly.

XLVII. Provided always, That the Clerk ſo to be elected, ſhall be approved by the next Meeting of the General Aſſembly of the Church of *Scotland*; and in caſe he ſhall be diſallowed of by the ſaid next Meeting of the General Aſſembly, ſuch Meeting ſhall elect a Clerk for the ſaid Truſtees.

Truſtees may remove the Clerk, and appoint another.

XLVIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to the ſaid Truſtees, for reaſonable Cauſes, to ſuſpend or remove the ſaid Clerk; and thereupon, or upon the Death, Reſignation, or Removal of the ſaid Clerk, to appoint his Succeſſor in the Manner before directed, who ſhall be approved or diſapproved by the next Meeting of the General Aſſembly of the Church of *Scotland*, who have hereby Power to hear and finally determine the Cauſes of the Deprivation or Suſpenſion of the ſaid Clerk; and to allow or diſallow of the ſame; and to affirm or reverſe the Judgment of the ſaid Truſtees, as they ſhall ſee Cauſe.

Aſſembly to chooſe a general Collector.

Collector's Duty.

XLIX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the General Aſſembly of the Church of *Scotland*, that ſhall firſt meet after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, to elect and chooſe a General Collector or Receiver of the aforeſaid annual and other Rates; and the ſaid General Collector or Receiver ſo choſen, ſhall have full Power, and is hereby authorized to carry on all Suits and Actions for Recovery of the ſaid annual and other Rates, and to iſſue the Annuities to the Widows, and Proviſions to the Children, and to lend out the Surpluſſes to the Miniſters of the Church, and to the Members of the ſaid three Univerſities, in the Manner before directed, and alſo the After-ſurpluſſes upon Intereſt, as he ſhall be directed from time to time by the Truſtees aforeſaid; and the ſaid General Collector or Receiver is hereby further authorized and impowered to uſe all proper Diligence for ſecuring all and every the aforeſaid Sums.

Proviſo.

L. Provided always, That it ſhall not be in the Power of the ſaid General Collector or Receiver to lend out any Part of the aforeſaid Capital of thirty-five thouſand Pounds, or to uplift or re-employ the ſame, without a particular Appointment of the ſaid Truſtees.

Collector may appoint a Deputy.

LI. And be it further enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall and may appoint one or more Deputies, for whom he ſhall be anſwerable, for levying the annual Rates, and other Sums herein before directed to be paid to him, at his Office in *Edinburgh*, in caſe the ſame ſhall not be paid within the Times before limited.

Penalty on Collector's Default.

LII. And it is hereby further enacted by the Authority aforeſaid, That the full Expence that ſhall be incurred by the ſaid General Collector or Receiver, and his Deputies, in recovering Payment of the reſpective Sums from the Debtors therein, or out of their Effects, through their Default in not making regular Payment as aforeſaid, ſhall be recovered out of the reſpective Debtors Eſtates, without any Abatement or Mitigation.

Collector to give Bond.

LIII. And be it further enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall, at or before his Admiſſion, give Bond, with one or more ſufficient Sureties, to the aforeſaid Truſtees, for the Sum of ſeven thouſand Pounds of lawful Money of *Great Britain*, that he ſhall faithfully diſcharge his Truſt, and that he ſhall effectually levy and make good the annual and other Rates, payable by the Miniſters of the Church of *Scotland*, and by the Heads, Principals, and other Maſters in the aforeſaid three Univerſities.

Collector to keep a publick Office in Edinburgh.

LIV. And be it further enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall keep a publick Office within the City of *Edinburgh*, in which Attendance ſhall be given from the Hour of ten to twelve in the Forenoon of every lawful Day, for thirty Day's immediately following the iſſuing of the Warrants to him in the Manner herein after mentioned; and from the Hour of ten to twelve in the Forenoon, every *Wedneſday* throughout the reſt of the Year.

Collector to make Account.

LV. And be it further enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall annually, on the ſecond *Tueſday* in *May*, exhibit to the Truſtees, at their Meeting, a particular Account of the Sums that have come into his Hands in the Year preceding, diſtinguiſhing by whom paid, and upon what Account.

Collector's Salary.

LVI. And be it further enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall, in Conſideration of his whole Trouble and Expence, be allowed an Annual Salary, not exceeding the Sum of one hundred and fifty-five Pounds of lawful Money of *Great Britain*.

Collector diſplaced, may appeal to General Aſſembly.

LVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, for reaſonable Cauſes, to ſuſpend or remove the ſaid General Collector or Receiver; and thereupon, or upon the Death or Reſignation of the General Collector or Receiver appointed by the General Aſſembly, to name a General Collector or Receiver in the Interim, who ſhall have full Powers to act until the next Meeting of the General Aſſembly; which ſaid next Meeting is hereby impowered finally to determine upon the Cauſes of Suſpenſion or Deprivation of the former General Collector or Receiver; and to give Orders either for reſtoring the former Collector, or for continuing the Collector named by the Truſtees; or for appointing a new General Collector or Receiver in his Place.

Proviſo.

LVIII. Provided always, That the General Collector or Receiver ſo named, ſhall be allowed a proportionable Part of the Salary, during the Time that he ſhall diſcharge the Truſt.

Preſbyteries, &c. to make out Liſts of Preferments, &c.

LIX. And be it further enacted by the Authority aforeſaid, That every Preſbytery in *Scotland*, and each of the ſaid Univerſities of *Saint Andrew's*, *Glaſgow*, and *Edinburgh*, ſhall, from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-four, from time to time, make up Liſts of all Miniſters admitted to Benefices, and of all Heads, Principals, or other Maſters, admitted into Offices within their reſpective Preſbyteries and Univerſities, with the particular Dates of their reſpective Admiſſions; and with a particular Account, if ſuch Miniſter, or ſuch Member of the Univerſity, be married, and with the Date of his Marriage, if the ſame ſhall happen afterwards; and alſo a particular Liſt of the Miniſters and Members of the Univerſities reſpectively that ſhall have died within the Year, and whether they have left a Widow and Children, with the Names of the Widows, and the Names and Ages of the Children, and alſo a Liſt of the Widows that have died or been married within the Year, with the Dates of their Death or Marriage, and what Children of the Miniſters or Members of the Univerſities reſpectively were alive at the ſaid Widows Death or Time of Marriage; as alſo Liſts of all Vacancies happening within their ſaid Preſbyteries or Univerſities reſpectively, with the Dates and Cauſe of the Vacancy; which Liſts, as alſo all other Liſts that ſhall be found neceſſary by the Truſtees, and by them appointed to be made up for the Year one thouſand ſeven hundred and forty-four, ſhall be atteſted by the Moderator and Clerk of the Preſbytery, and by the Head or Principal, and the Clerk of the ſaid Univerſities reſpectively; and ſhall, betwixt the Term of *Martinmas* and the Term of *Candlemas* in the Year of our Lord one thouſand ſeven hundred and forty-four, be tranſmitted by the Moderator of the Preſbytery, and by the Heads or Principals of the ſaid Univerſities reſpectively, to the Truſtees Clerk reſiding at *Edinburgh*; and ſo from thenceforth annually, in all Time to come, the Liſts of each Year, computed from *Martinmas* to *Martinmas*, ſhall be made up and tranſmitted as before mentioned, betwixt the Term of *Martinmas* and the Term of *Candlemas* following; and the Moderator of the Preſbytery, and the Head or Principal of the Univerſities, neglecting to ſign or tranſmit ſuch Liſts as aforeſaid, ſhall, for every ſuch Offence, forfeit the Sum of ten Pounds of lawful Money of *Great Britain*, to be paid in to the General Collector or Receiver, and to be levied in ſuch Manner, and to be applied to the ſame Purpoſes, as the annual Rates are herein before appointed to be levied and applied.

Proviſo.

LX. Provided always, That the Moderators of the Preſbyteries in the Weſtern and Northern Iſles of *Scotland*, ſhall not be ſubject to the ſaid Penalty of ten Pounds, in caſe they tranſmit ſuch Liſts as aforeſaid within ſix Months after the ſaid Term of *Martinmas*.

Moderators, &c. to give Certificates to Widows or Children.

LXI. And be it further enacted by the Authority aforeſaid, That the Moderators of the ſaid Preſbyteries, and their Clerk, and the Heads or Principals of the ſaid three Univerſities, and their Clerk reſpectively, ſhall, at the Requeſt of each Widow or Child, claiming Right to an Annuity or Proviſion, deliver to them a Certificate ſigned as aforeſaid, certifying the Death of the Miniſter, or the Death or Marriage of his Widow, with the reſpective Dates thereof, and the Names and Ages of his Children.

Truſtees ſhall make Liſts of Widows, &c.

LXII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall, at their Meeting on the ſaid ſecond *Tueſday* in *March* yearly, make up proper Liſts of all the Widows and Children entitled to receive Annuities or Proviſions out of the Funds of the preceding Year, mentioning the particular Sums to which they are reſpectively entitled; which Liſts ſhall remain in the Hands of the Truſtees Clerk, and ſhall be open to the Inſpection of all Parties intereſted; and it ſhall be lawful for the ſaid Parties intereſted, to give in their Objections in Writing to the ſaid Clerk, to be by him laid before the ſaid Truſtees for their Determination at their ſaid Meeting, upon the ſecond *Tueſday* in *May* next following.

Truſtees to ſettle their Accounts,

LXIII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall, at their Meeting appointed to be held on the ſecond *Tueſday* in *May* yearly, ſettle and adjuſt the Diſpoſal of their Funds of the preceding Year, and particularly what Sum ſhall be paid to each Widow and Child; and the Preſes ſhall ſign two fair Copies thereof, and alſo a Warrant upon the General Collector or Receiver for Payment accordingly, in Favour of each Widow and Child intereſted; and ſhall lodge all the ſaid Warrants in the Hands of their Clerk, to be by him delivered to the ſeveral Parties forthwith, as they call for the ſame; and the Clerk ſhall alſo forthwith deliver to the General Collector or Receiver, one of the ſubſcribed Duplicates or Copies of the total Liſt and State.

and lodge their Warrants in the Hands of the Clerk.

Collector to make Payment.

LXIV. And be it enacted by the Authority aforeſaid, That the aforeſaid General Collector or Receiver ſhall immediately, upon the ſaid Warrants being preſented to him, at his Office upon any of the Days, and at the Hours above ſpecified, make Payment of the reſpective Sums therein contained, without Fee or Reward, upon a Receipt indorſed upon the ſaid Warrants; and if either the General Collector or Receiver, or the Clerk to the Truſtees aforeſaid, ſhall, on any Pretence whatever, exact or receive any Money or Reward whatſoever, for or in reſpect of delivering the aforeſaid Warrants, or for making Payment purſuant to the ſaid Warrants, the ſaid General Collector and Clerk reſpectively ſo offending, ſhall

Penalty if the Collector receive any Fee.

ipſo facto forfeit his Office, and be incapable of being ever re-elected into the ſame; and upon Proof of ſuch Offence taken before the ſaid Truſtees (which Proof they are hereby impowered to take) the ſaid Truſtees are hereby required and impowered to deprive the ſaid General Collector, or the ſaid Clerk reſpectively, and to declare him or them incapable of being rechoſen; and if any Perſon, acting under the ſaid General Collector, or under the ſaid Clerk reſpectively, ſhall exact or receive any Fee or Reward upon the aforeſaid Accounts, the ſaid General Collector or Clerk, by whom ſuch Offender was appointed, ſhall, for every ſuch Offence, forfeit the Sum of ten Pounds of lawful Money of *Great Britain*, upon Proof brought before the ſaid Truſtees in Manner aforeſaid; which Sums ſhall be levied and applied in the ſame Manner as is above directed, with reſpect to the annual Rates.

How Widows, &c. are to act if they are unduly omitted.

LXV. And be it further enacted by the Authority aforeſaid, That if any Widow, Child or Children, entitled to an Annuity, or to Proviſions reſpectively, ſhall be unduly omitted, in making up the ſaid annual Liſt as aforeſaid, whether ſuch Omiſſion ſhall be occaſioned through the Default of the Preſbyteries or Univerſities reſpectively, in not tranſmitting proper Liſts or Certificates in the Manner before directed, or from whatever other Cauſe or Occaſion; it ſhall and may be lawful for ſuch Widow, Child or Children, to make their Claim to the ſaid Truſtees, at or before their next ſtated Meeting upon the ſecond *Tueſday* in *March* in the Year following: And the ſaid Truſtees are hereby impowered and required to inſert the ſaid Widow, Child or Children, in their Liſt to be made up at their Meetings on the ſaid ſecond *Tueſday* in *March*, and of *May*, in the ſaid enſuing Year; and ſhall grant Warrants for Payment of their Annuities and Proviſions reſpectively, out of the Produce of the Year immediately preceding.

Penalty on Widows Neglect.

LXVI. Provided always, That if the Widow, Child or Children, ſo unduly omitted, ſhall neglect to make Claim within one whole Year after ſuch Omiſſion, their Claim ſhall be held as deſerted and given up, and ſhall not be allowed at any Time thereafter.

Directions for paying Widows Claims.

LXVII. And be it further enacted by the Authority aforeſaid, That the Payments herein before directed, ſhall be made to the Widows or Children reſpectively named in the Warrants, if the Perſons ſo named are Majors; and to the Tutors or Curators of ſuch of them as are Minors; and if they have no Tutors nor Curators, to ſuch Perſon or Perſons as ſhall be authorized for that Purpoſe by an Act of the Preſbytery or Univerſity reſpectively, of which the Perſon, under whom the Proviſion is claimed, was laſt a Member.

No Arreſt on Widows or Childrens Pay.

LXVIII. And be it further enacted by the Authority aforeſaid, That the aforeſaid Annuities payable to Widows, and the Proviſions payable to Children of the aforeſaid Miniſters of the Church of *Scotland*, and of the Heads, Principals and Maſters in the aforeſaid Univerſities, ſhall not be liable to any Arreſtment; but ſhall be paid to the Widows and Childen themſelves, or to their Tutors, and Curators or Truſtees as aforeſaid, or to their Executors and Adminiſtrators or Aſſigns; any Law or Uſage to the contrary notwithſtanding.

Diſpoſition of Surpluſſes and After-ſurpluſſes.

LXIX. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, at their Meeting on the ſecond *Tueſday* in *May* yearly, ſhall give proper Directions to the General Collector or Receiver aforeſaid, for lending out the Surpluſſes of the preceding Year to the Miniſters of the ſaid Church, and to the Heads, Principals and Maſters in the aforeſaid three Univerſities, to the Amount of thirty Pounds as aforeſaid to each; and the after Surpluſſes towards raiſing the aforeſaid Capital of thirty-five thouſand Pounds, in Manner herein before directed.

Proviſo.

LXX. Provided always, That no Part of the ſaid Capital of thirty-five thouſand Pounds ſhall be lent out, or up-lifted, or re-employed, but with the Advice and Conſent of the Lord Preſident, and the two ſenior Judges of the Court of Seſſion, the Lord Chief Baron, and ſenior Baron of the Court of *Exchequer*, and of the Lord Juſtice General, and Lord Juſtice Clerk for the time being or any three of them.

Penalty on Truſtees not attending the ſtated Meetings.

LXXI. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees herein named and appointed, ſhall attend the aforeſaid ſtated Meetings, and the Adjournments thereof, and all occaſional Meetings, to which they ſhall be lawfully warned or ſummoned, under the Penalty of twenty Shillings of lawful Money of *Great Britain*, *toties quoties*, to be levied and applied in the ſame Manner, and to the ſame Purpoſes, as is herein before directed with reſpect to the annual Rates; and a Certificate under the Hand of the Clerk ſhall be a ſufficient Evidence of ſuch Abſence, and of the Penalty's being incurred, unleſs the Truſtee abſent as aforeſaid, ſhall have a ſufficient Cauſe for ſuch Abſence, and which ſhall be allowed of by a Majority of the Truſtees who ſhall be preſent at the reſpective Meetings.

An annual State of the Funds to be prepared.

LXXII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall annually prepare a State of the Funds under their Management, and an Account of their Proceedings, which ſhall be laid annually before the General Aſſembly of the Church of *Scotland*; and a printed Copy thereof ſhall be tranſmitted to each Preſbytery, and to each of the ſaid Univerſities, betwixt the firſt Day of *June* and the firſt Day of *Auguſt* yearly.

Neceſſary Expence to be paid by the General Collector.

LXXIII. And it is hereby enacted, That the Expence of Printing and tranſmitting the ſaid annual State as aforeſaid, and alſo all other neceſſary incidental Expences of the ſaid Truſtees, ſhall be paid by the ſaid General Collector or Receiver, and ſhall be allowed to him out of his annual Receipts; provided the ſaid Expences do not in any one Year exceed the Sum of forty Pounds of lawful Money of *Great Britain*.

When Collector is to give his Account to the Truſtees.

LXXIV. And by it further enacted by the Authority aforeſaid, That the ſaid General Collector or Receiver ſhall annually, on the ſecond *Tueſday* in *November*, exhibit to the ſaid Truſtees, at their Meeting, a particular Account of the Sums that ſhall then have been paid by him out of his Receipts of the preceding Year; and the ſaid Truſtees ſhall and are hereby impowered to audit and paſs his Accounts, and to acquit and diſcharge him and his Sureties, from Time to Time, of the Sums ſo accounted for.

LXXV. And

Rates payable by Miniſters, reckoned Part of their Stipends.

LXXV. And be it further enacted and declared, That in all future Proceſſes of Modification and Augmentation of Stipends, the aforeſaid annual Rates payable by the Miniſters of the Church of *Scotland*, by virtue of this preſent Act, ſhall be deemed and computed as Part of their Stipends; any Thing herein contained to the contrary notwithſtanding.

Univerſity of Aberdeen may be comprehended in this Act if deſired.

LXXVI. And be it further enacted by the Authority aforeſaid, That if the Univerſity of *Aberdeen*, or any of the Colleges therein, ſhall apply to the next General Aſſembly of the Church of *Scotland*, declaring that they deſire to be comprehended in this Act; the Heads, Principals and Maſters in the ſaid Univerſity of *Aberdeen*, or in either of the Colleges of the ſaid Univerſity, ſhall be comprehended in this Act, and ſhall be ſubject to the annual Rates and other Burdens hereby impoſed; and they, and their Widows and Children reſpectively, ſhall be intitled to the Privileges and Proviſions herein contained, in like Manner in all Reſpects, as with Reſpect to the Heads, Principals and Maſters in the Univerſities of *Saint Andrew's* and *Glaſgow* is herein before enacted.

Publick Act. ' Amended by 22 Geo. 2. c. 21.'

LXXVII. And it is hereby further enacted and declared, That this Act ſhall be deemed and taken to be a Publick Act, and all Judges, Juſtices and other Perſons are to take Notice thereof as ſuch in all Courts and Places whatſoever, without ſpecially pleading the ſame.

CAP. XII.

An Act for enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing the Roads leading from a Gate called* Shipſton Toll-gate *at* Bridge-town, *in the Pariſh of* Old Stratford, *in the County of* Warwick, *through* Alderminſter *and* Shipſton upon Stower, *to the Top of* Long Compton Hill *in the ſaid County*; and to make the ſame more effectual. PR.

The Act 3 Geo. 2. c. 9. continued for 21 Years.

CAP. XIII.

An Act for continuing the Term and Powers granted by an Act paſſed in the firſt Year of his preſent Majeſty's Reign, intitled, *An Act for repairing and amending ſeveral Roads leading to and from the Borough of* Eveſham *in the County of* Worceſter; and for making the ſame more effectual. PR.

The Act 1 Geo. 2. c. 11. continued for 21 Years.

CAP. XIV.

An Act for continuing and enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty, for repairing the Road leading from *Galley-corner*, adjoining to *Enfield Chace* in the Pariſh of *South Mims*, in the County of *Middleſex*, to *Lemsford Mill* in the County of *Hertford*. PR.

The Act 3 Geo. 2. c. 10. continued for 21 Years.

CAP. XV.

An Act for the ſpeedy and effectual recruiting of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and forty-four EXP.

CAP. XVI.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. XVII.

An Act for granting to his Majeſty the Surplus or Remainder of the Monies ariſen, or to ariſe by the Duties on Spirituous Liquors, granted by an Act of the laſt Seſſion of Parliament; and for explaining and amending the ſaid Act in relation to the Retailers of ſuch Liquors; and for eſtabliſhing an Agreement with the United Company of Merchants of *England* trading to the *Eaſt Indies*.

16 Geo. 2. c. 8.

'WHEREAS in and by an Act of Parliament, made and paſſed in the ſixteenth Year of his Majeſty's Reign, intituled, *An Act for repealing certain Duties on Spirituous Liquors, and on Licences for retailing the ſame; and for laying other Duties on Spirituous Liquors, and on Licences to retail the ſaid Liquors*; it was amongſt other Things enacted, That from and after the twenty-fifth Day of *March*, which ſhould be in the Year of our Lord one thouſand ſeven hundred and forty-three, there ſhould be raiſed, levied and paid unto his Majeſty, his Heirs and Succeſſors, for the ſeveral Spirituous Liquors made, extracted and manufactured in *Great Britain*, and therein mentioned, ſpecified and enumerated (over and above all Duties, Charges and Impoſitions by any former Act of Parliament thereupon reſpectively ſet, rated and impoſed) the ſeveral Rates and Duties of Exciſe therein mentioned and expreſſed, with divers Proviſions and Directions in the ſaid Act contained, for raiſing, managing and collecting the ſaid Rates and Duties, and paying the ſame into the Receipt of his Majeſty's Exchequer, diſtinctly and apart from all other Branches of the publick Revenues, ſubject and liable to ſuch Uſes,

'Ap-

'Applications and Purpoſes, as ſhould by any future Act or Acts of Parliament be directed or appointed: And whereas in and by one other Act made and paſſed in the ſame Seſſion of Parliament intituled, *An Act for raiſing by Annuities, and a Lottery, in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three Pounds* per Centum per Annum, *for the Service of the Year one thouſand ſeven hundred and forty-three*, it was amongſt other Things enacted, That the ſeveral and reſpective Annuities after the Rate of three Pounds *per Centum per Annum*, which by the ſaid Act were granted and made payable from the reſpective Times therein ſpecified, in reſpect of the principal Sum of one million eight hundred thouſand Pounds, authorized by the ſaid Act, to be advanced and paid, until Redemption thereof by Parliament, in Manner therein mentioned, ſhould be charged and chargeable upon, and payable out of the Monies which ſhould from Time to Time ariſe, and be remaining in the Receipt of his Majeſty's Exchequer, of or for the Rates and Duties on Low Wines, Spirits and Strong Waters, granted to his Majeſty by the before recited Act of Parliament, and the ſame were thereby appropriated for that Purpoſe accordingly: And it is thereby provided and enacted, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid Rates or Duties, after the ſaid ſeveral and reſpective Annuities, and all Arrears thereof are ſatisfied, or Monies ſufficient ſhall be reſerved for that Purpoſe; ſuch Surplus or Remainder ſhall from Time to Time be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament:' Now we, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have cheerfully granted to your Majeſty, in the eaſieſt Manner we are able, for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majeſty the Surplus or Remainder of the Monies ariſen or to ariſe, by the ſaid Rates and Duties on Spirituous Liquors, granted to your Majeſty by the ſaid firſt herein in Part recited Act of the laſt Seſſion of Parliament, intituled, *An Act for repealing certain Duties on Spirituous Liquors, and on Licences for retailing the ſame; and for laying other Duties on Spirituous Liquors, and on Licences to retail the ſaid Liquors*; and which by the ſaid Act laſt herein in Part recited, intituled, *An Act for raiſing by Annuities, and a Lottery, in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three Pounds* per Centum per Annum, *for the Service of the Year one thouſand ſeven hundred and forty-three*, were reſerved for the Diſpoſition of Parliament, after the ſeveral Annuities charged thereon are ſatisfied; and do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Surplus or Remainder of the Monies ariſen, or which ſhall from Time to Time ariſe by the ſaid Rates and Duties on Spirituous Liquors, granted by the ſaid Act of the laſt Seſſion of Parliament firſt herein in Part recited, after paying or reſerving from Time to Time at the Receipt of his Majeſty's Exchequer, Money ſufficient to ſatisfy and pay the ſeveral and reſpective Annuities charged on the ſaid Rates and Duties, by the ſaid laſt in Part recited Act of the ſame Seſſion, ſhall at the ſaid Receipt of Exchequer be kept diſtinctly and apart from all other Branches of the publick Revenues, and the ſame ſhall be and are hereby declared to be a Fund and Security in the firſt Place for ſatisfying and paying the Annuity by this Act charged thereupon, in Manner herein after mentioned; and afterwards of all ſuch further Annuities as ſhall be made payable out of the ſame, by any future or other Act of Parliament of this Seſſion, until Redemption thereof by Parliament, and for no other Uſe, Intent or Purpoſe whatſoever.

16 Geo. 2. c. 13.

Diſpoſition of the Surplus Monies ariſing from the Duties on Spirituous Liquors.

'II. And whereas in and by one Act of Parliament made and paſſed in the third Year of his preſent Majeſty's Reign, intituled, *An Act for reducing the Annuity or Fund of the United* Eaſt India *Company, and for aſcertaining their Right of Trade to the* Eaſt Indies, *and the Continuance of their Corporation for that Purpoſe upon the Terms therein mentioned*, it was amongſt other Things enacted, That the United Company of Merchants of *England* trading to the *Eaſt Indies*, ſhould advance and pay into the Receipt of his Majeſty's Exchequer, on or before the twenty-fourth Day of *December* one thouſand ſeven hundred and thirty, the Sum of two hundred thouſand Pounds, to be applied towards the Supplies granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and thirty, for which no Intereſt ſhould be ever payable, nor any Addition be made to their then Capital Stock, or Debt from the Publick on account of the ſame, nor the ſame or any Part thereof be repayable to the ſaid United Company: And it was thereby alſo enacted, That from and after the twenty-ninth Day of *September*, which ſhould be in the Year of our Lord one thouſand ſeven hundred and thirty, and not before the Annuity or yearly Fund of one hundred and ſixty thouſand Pounds, payable to the ſaid United Company, ſhould be reduced to an Annuity or yearly Fund of one hundred and twenty-eight thouſand Pounds, in reſpect of their then Capital Stock, or Debt of three millions two hundred thouſand Pounds, which reduced Annuity or yearly Fund ſhould be and remain charged upon, and paid and payable from Time to Time out of the ſame Duties and Revenues, in the ſame Manner, and by the like weekly or quarterly Payments, and with the ſame Proviſions for making good any Deficiencies in the ſaid reduced Fund, as their then Annuity was charged on or provided for, to be paid, until ſome new or other Proviſion ſhould be made by Parliament, with Conſent of the ſaid United Company for the ſame, ſubject to Redemption upon one Year's Notice to be given by Parliament, after the twenty-fifth Day of *March*, which ſhould be in the Year of our Lord one thouſand ſeven hundred and thirty-ſix, upon the Expiration of the ſaid Year, and upon Repayment by Parliament of the ſaid whole Capital Stock, or Debt of three million two hundred thouſand Pounds unto the ſaid United Company, by Payments not leſs than five hundred thouſand Pounds at a Time, and alſo of all Arrears of their ſaid reduced Annuity or yearly Fund of one hundred and twenty-eight thouſand Pounds, which ſhould be due at the End of the ſaid

3 Geo. 2. c. 14.

'Year,

'Year, from which Time their ſaid Annuity or yearly Fund ſhould ceaſe, determine and be no longer 'paid or payable to them, as therein is more particularly mentioned: And it was alſo thereby enacted, 'That notwithſtanding ſuch Redemption, the ſaid United Company and their Succeſſors ſhould continue 'and be a Body Politick and Corporate, by the Name of *The United Company of Merchants of* Eng-'land *trading to the* Eaſt Indies, and by that Name ſhould have perpetual Succeſſion, and have, hold and 'enjoy all Benefits, Privileges, Franchiſes and Rights, which by any former Act or Acts, or any Char-'ter or Charters founded thereupon, the ſaid United Company might hold and enjoy, not altered or 'varied by the ſaid Act, as therein is more particularly mentioned; and the ſaid United Company were 'thereby alſo impowered, after Redemption of their ſaid yearly Fund, or a Moiety thereof or more by 'Parliament, to declare by By-Laws or Orders in their General Courts, what Part or Share in their re-'maining Capital Stock or yearly Fund or Stock in Trade ſhall qualify any Members of the ſaid United 'Company of Merchants of *England* trading to the *Eaſt Indies*, to be Directors for the Affairs of the ſaid 'Company, or to give any Vote or Votes in any General Courts; and for the electing the Directors, 'and for their Continuance or Removal, Incapacity or Avoidance: And it was alſo further enacted, 'That notwithſtanding ſuch Redemption of the ſaid yearly Fund of one hundred and twenty-eight thou-'ſand Pounds, the ſaid United Company ſhould (ſubject to the Proviſo of Determination therein and 'herein after mentioned) have, uſe and enjoy the whole and ſole Trade and Traffick, and the only Li-'berty, Uſe and Privilege of trading, trafficking and exerciſing the Trade or Buſineſs of Merchandize 'into and from the *Eaſt Indies*, and into and from all the Iſlands, Ports, Havens, Coaſts, Cities, Towns 'and Places, between the Cape of *Good Hope* and the Streights of *Magellan*, and Limits in an Act of the
9 W. 3. c. 44. 'ninth Year of the Reign of his late Majeſty King WILLIAM the Third, or in a Charter of the fifth Day 'of *September* in the tenth Year of his ſaid Majeſty's Reign mentioned, in as ample and beneficial Man-'ner, as the ſaid Company could thereby trade thereto, with ſuch Prohibitions to all other his Majeſty's 'Subjects to trade thereto, and under ſuch Penalties and Forfeitures as in the ſaid Act of the third Year of 'his preſent Majeſty's Reign is more particularly mentioned: And it was thereby further enacted, That 'the ſaid United Company ſhould at all Times thereafter for ever (ſubject as aforeſaid) have, hold and 'enjoy, and be intitled unto all and every the Profits, Benefits, Advantages, Privileges, Franchiſes, 'Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, and all Penalties and 'Forfeitures and Diſabilities, Proviſions, Matters and Things whatſoever, which by any former Act or 'Acts of Parliament, or by any Charter or Charters founded thereupon, or by any Clauſe or Clauſes in 'the ſaid Acts or Charters contained, were enacted, given, granted, provided, inflicted, limited, eſta-'bliſhed or declared to, for, touching or concerning the ſaid Company or Body Politick and Corporate, 'either by the Name of *The General Society, intitled to the Advantages given by an Act of Parliament for ad-'vancing a Sum not exceeding two millions of Pounds for the Service of the Crown of* England; or the ſaid 'Body Politick and Corporate, called by the Name of *The* Engliſh *Company trading to the* Eaſt Indies; or 'the ſaid Body Politick and Corporate, called by the Name of *The United Company of Merchants of* Eng-'land *trading to the* Eaſt Indies; (not altered or intended to be altered by the ſaid Act) according to the 'Tenor and true Meaning of the ſaid Acts and Charters, freed and diſcharged from all Proviſoes and 'Conditions of Redemption and Determination therein contained; and the ſame were thereby ratified 'and confirmed, and ſhould continue to be held, enjoyed and be practiſed and put in Execution by the 'ſaid United Company, and their Succeſſors, for the better and more effectual ſettling and ſecuring to 'them and their Succeſſors, the whole, ſole and excluſive Trade to the *Eaſt Indies*, and Parts aforeſaid; 'and for the preventing all his Majeſty's Subjects trading thither, and for ſecuring alſo their Poſſeſſions, 'Eſtates and Effects, and governing their Affairs and Buſineſs in all Reſpects, as fully and effectually as 'if the ſame were repeated and re-enacted in the ſaid Act, ſubject to ſuch Reſtrictions, Covenants and 'Agreements, as are contained in the ſaid Acts and Letters Patent then in Force, and not thereby varied 'or altered, and ſubject alſo to the Proviſo following; that is to ſay, That at any Time upon three Years 'Notice to be given by Parliament, after the twenty-fifth Day of *March*, which ſhall be in the Year of 'our Lord one thouſand ſeven hundred and ſixty-ſix, upon the Expiration of the ſaid three Years, and 'Repayment to the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, or their 'Succeſſors, of the ſaid Capital Stock, Debt, or Sum of three millions and two hundred thouſand Pounds, 'and all Arrears of Annuity, payable in Reſpect thereof, in caſe the ſame ſhall not have been before re-'paid; then and from thenceforth, the ſaid Right, Title and Intereſt of the ſaid United Company of 'Merchants of *England* trading to the *Eaſt Indies*, to the whole ſole and excluſive Trade to the *Eaſt Indies* 'and Parts aforeſaid, ſhall ceaſe and determine; and it was thereby alſo provided, That nothing in the 'above Proviſo or in any Proviſo in the Act of the ninth Year of the Reign of his ſaid Majeſty King 'WILLIAM the Third, or in the ſaid Charter of the fifth Day of *September* in the tenth Year of his ſaid 'Majeſty, or in any other Act or Charter contained, ſhould extend or be conſtrued to extend to deter-'mine the Corporation of the ſaid United Company, or to hinder the ſaid United Company from carry-'ing on at all Times, after ſuch Determination of the Right to the ſole, whole and excluſive Trade as 'aforeſaid, a free Trade in, to and from the *Eaſt Indies*, and Parts aforeſaid, with all or any Part of their 'own Joint Stock in Trade, Goods, Merchandize, Eſtate and Effects, in common with other his Ma-'jeſty's Subjects, as by the ſame Act, Relation being thereunto had may more fully appear: And where-
3 Geo. 2. c. 20. 'as in and by one other Act of Parliament made and paſſed in the ſaid third Year of his preſent Majeſty's 'Reign, intituled, *An Act for taking off certain Duties on Salt, and for making good any Deficiencies in the 'Funds that may happen thereby; and for charging the reduced Annuity payable to the* Eaſt India *Company on the 'Aggregate Fund; and for Relief of* Matthew Lyon, *Executor of* Matthew Page, *deceaſed, in reſpect of 'the Duty for Salt loſt by the overflowing of the River* Mercy, *in the Year one thouſand ſeven hundred and*

'*twenty-four*,

'*twenty-four*, for the preventing or remedying any Injury or Damage which might happen to the 'ſaid United Company, in reſpect of the Diminution that might happen in the Produce of the Duties 'and Revenues charged with their then Annuity or Fund of one hundred and ſixty thouſand Pounds '*per Annum*, by the ceaſing and determining the therein before mentioned additional Duties on Salt, be-'fore or until the ſaid intended Reduction of their ſaid then Annuity or yearly Fund ſhould take Place, 'and their reduced Annuity or yearly Fund ſhould be charged upon new Duties and Revenues with their 'Conſent, it was enacted, That in caſe at the End of any one Quarter of a Year, to be computed 'from the Feaſt of the Annunciation of the bleſſed Virgin *Mary* in the Year one thouſand ſeven hundred 'and thirty, until ſuch intended Reduction ſhould take Place, and ſuch new Security be provided for the 'ſaid reduced Annuity or yearly Fund, the Produce into the Exchequer of the Monies ariſing from the 'ſaid additional Duties on Salt, and the additional Duties on ſtampt Vellum, Parchment and Paper, 'particularly charged with the then Annuity or Fund of one hundred and ſixty thouſand Pounds, pay-'able to the ſaid United Company, ſhould not be ſufficient, together with the then Proviſions by Parlia-'ment for making good the Deficiencies thereon, to diſcharge the Quarters Annuity that ſhould be 'then due to them; then and in every ſuch Caſe, and as often as the ſame ſhould happen, ſuch quarterly 'Deficiencies ſhould from time to time be made good out of any Monies, which at the reſpective 'Times of ſuch Deficiencies ſhould be and remain in the Exchequer, of the Monies ariſen or to ariſe for 'the ſaid Duties and Revenues, commonly called *The Aggregate Fund*, which ſhould be more than ſuffi-'cient to anſwer, pay and ſatisfy what would then be due or demandable for any prior Charges or In-'cumbrances on the ſaid Aggregate Fund: And it was alſo enacted, That from and after the twenty-'ninth Day of *September* which ſhould be in the Year of our Lord one thouſand ſeven hundred and thirty, 'in caſe the ſaid intended Reduction of the ſaid Annuity or Fund of one hundred and ſixty thouſand 'Pounds ſhould then take Place, then and from thenceforth ſuch reduced Annuity or yearly Fund of 'one hundred and twenty-eight thouſand Pounds, ſhould be transferred from the ſeveral Duties and Re-'venues then charged with the ſaid then Annuity or yearly Fund of one hundred and ſixty thouſand 'Pounds, and be charged upon and payable out of the Monies ariſen or to ariſe into the Exchequer 'from time to time, for the ſaid ſeveral Duties and Revenues compoſing the Aggregate Fund, to be paid 'and payable to the ſaid United Company, or their Succeſſors, by ſuch and the like quarterly Payments, 'as their then Annuity or yearly Fund was then payable; ſubject nevertheleſs to ſuch Redemption by 'Parliament, as was or ſhould be enacted by any other Act of the then Seſſion of Parliament, and ſubject 'to ſuch prior Charges and Incumbrances, as were or ſhould be made by Parliament on the growing 'Produce of the ſaid Aggregate Fund, before the taking Place of ſuch Reduction: And whereas the ſaid 'United Company of Merchants of *England* trading to the *Eaſt Indies* are willing and contented to ad-'vance and pay into the Receipt of your Majeſty's Exchequer, towards the Supply granted to your Ma-'jeſty for the Service of the Year one thouſand ſeven hundred and forty-four, the Sum of one million 'of Pounds *Sterling*, for the Purchaſe of an Annuity of thirty thouſand Pounds well ſecured to the ſaid 'United Company, and repayable on the ſame Terms with the Company's preſent Capital, with an 'Addition of fourteen Years to their preſent Term, which will, with ſuch Addition, extend to *Lady-'day* one thouſand ſeven hundred and eighty, beſides the three Years allowed them after the Expiration 'of their preſent Term, for bringing Home and diſpoſing of their Effects, and other Purpoſes; with 'Power to the ſaid United Company to iſſue out Bonds from time to time for any Part, or the whole 'Amount of the ſaid one million of Pounds *Sterling*, and upon ſuch other Terms, Conditions, Grants, 'Confirmations, Articles and Proviſions as are herein after made, granted, provided, declared and 'enacted;' Be it therefore enacted by the Authority aforeſaid, That the ſaid United Company of Mer- One million to be paid into the Exchequer.
chants of *England* trading to the *Eaſt Indies*, in purſuance of their before recited Agreement, ſhall ad-vance and pay into the ſaid Receipt of his Majeſty's Exchequer, for his Majeſty's Uſe, the full Sum of one million on or before the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, at ſuch Times, and in ſuch Proportions, as the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the High Treaſurer for the Time being ſhall think fit to direct and appoint, ſo as the ſaid United Company be not obliged to pay more than two hundred and fifty thouſand Pounds at any one Time, nor without having one Month's Notice before each reſpective Time of Payment, and ſo as the ſaid Company be not obliged to make any ſuch Payment before the twenty-fifth Day of *May* one thouſand ſeven hundred and forty-four.

III. Provided always, and it is hereby enacted by the Authority aforeſaid, That out of the ſaid Sum Three per Cent. Diſcount.
of one million, the ſaid United Company ſhall have and receive back by way of Diſcount, ſo much as the Intereſt at the Rate of three Pounds *per Centum per Annum* for each Sum of Money which ſhall be actually advanced and paid, for or upon account of the ſaid Sum of one million, ſhall amount unto, from the Day of the actual Payment thereof, until the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and forty-four; and in caſe the ſaid United Company ſhall make Failure in any of the To be ſued in caſe of Failure in the Payments.
ſaid Payments ſo by this Act appointed to be made into his Majeſty's Exchequer as aforeſaid, at or be-fore the reſpective Days or Times to be directed and appointed as aforeſaid, the Money whereof ſuch Failure in Payment ſhall be made, ſhall and may be recovered to his Majeſty's Uſe, by Action of Debt, or upon the Caſe, Bill, Suit or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law ſhall be allowed, or any more than one Im-parlance; in which Action, Bill, Suit or Information, it ſhall be lawful to declare, that the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, are indebted to his Majeſty the Monies of which they ſhall have made Default in Payment according to the Form of this Statute, and have not paid the ſame, which ſhall be ſufficient; and in or upon ſuch Action, Bill, Suit or Information, there ſhall

Damages for Non-payment.

be further recovered to his Majeſty's Uſe againſt the ſaid United Company, Damages after the Rate of twelve Pounds *per Centum per Annum* for the Monies ſo unpaid contrary to this Act, beſides full Coſts of Suit; and the ſaid United Company and their Succeſſors, and their ſaid Stock and Funds, ſhall be and are hereby made ſubject and liable thereunto.

Proviſoes in any Act to determine the India Company's Annuity, repealed.

IV. And for the Encouragement of the ſaid United Company to advance and pay the ſaid Sum of one million, with ſuch Diſcount out of the ſame as aforeſaid; and to the End the ſaid United Company, and their Succeſſors, may have a competent Recompence and Conſideration for ſo doing, It is hereby enacted by the Authority aforeſaid, that the Proviſoes contained in the ſaid in Part recited Act of the third Year of his preſent Majeſty's Reign, and all other Proviſoes contained in any other Act or Acts of Parliament for determining the Annuity or yearly Fund of the ſaid United Company, and the Right, Title and Intereſt of the ſaid United Company to the whole, ſole and excluſive Trade to the *Eaſt Indies*, and Parts aforeſaid, or either of them, upon the reſpective Notices and Payments in the ſame Acts mentioned, ſhall be and are hereby repealed and made void; and that the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, and their Succeſſors, ſhall for ever have, receive and enjoy, not only their preſent entire Annuity or yearly Fund of one hundred and twenty-eight thouſand Pounds, out of the Rates, Duties and Revenues charged therewith, or liable to make good the ſame; but alſo that from and after the ſaid twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, and their Succeſſors for ever, ſhall in reſpect of the ſaid principal Sum of one million by this Act directed to be advanced and paid by them, have, receive and enjoy a further Annuity or yearly Sum of thirty thouſand Pounds, computed after the Rate of three Pounds *per Centum per Annum*; which ſaid Annuity or yearly Sum ſhall be charged upon and payable out of the ſaid Surplus or Remainder of the Monies ariſen or to ariſe, and be paid into the Receipt of his Majeſty's Exchequer, by the ſaid Rates or Duties on Spirituous Liquors by this Act granted as aforeſaid; and the ſaid Surplus or Remainder of the ſaid Rates and Duties, after the ſeveral Annuities before charged thereon are ſatisfied, are hereby declared to be a Fund and Security for anſwering and paying the ſaid yearly Sum or Annuity of thirty thouſand Pounds, to the ſaid United Company and their Succeſſors for ever, until Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf; and that the ſaid Annuity or yearly Sum, ſhall from time to time be paid quarterly, at the four moſt uſual Feaſts or Days of Payments in the Year, by even and equal Portions; the firſt Payment thereof to be due and payable at the Feaſt of the Nativity of our Lord Chriſt one thouſand ſeven hundred and forty-four, and ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

Additional Annuity of 30,000l. charged on the Duties on Spirituous Liquors,

ſubject to Redemption by Parliament.

Annuity to be paid quarterly.

Company's Annuity of 30,000l. to be paid out of the Exchequer without Fee.

V. And be it further enacted by the Authority aforeſaid, That ſo much of the ſaid Surplus or Remainder of the Monies ariſing into the Exchequer by the ſaid Rates and Duties on Spirituous Liquors, by this Act granted as aforeſaid, as ſhall be ſufficient to make up and compleat the ſaid Annuity or yearly Fund of thirty thouſand Pounds, to be payable to the ſaid United Company and their Succeſſors, in reſpect of the Monies which ſhall be actually advanced by them in purſuance of this Act, ſhall in the firſt Place be ſet apart and applied, and the ſame is hereby appropriated for and towards the raiſing and making good of the ſaid Annuity or yearly Fund, and is hereby directed and appointed to be iſſued and paid out of the ſaid Receipt of Exchequer, by the reſpective Officers of the ſame, without any Fee or Charge, and without any further or other Warrant, to be ſued for, had or obtained from his Majeſty, his Heirs or Succeſſors in that Behalf; and ſhall be applied to and for the Uſes and Purpoſes in and by this Act expreſſed and intended, and to no other Uſe, Intent or Purpoſe whatſoever; any Thing herein before contained to the contrary notwithſtanding: And that the reſpective Officers in the Exchequer, who ſhall make any Delay in paying the ſaid Monies to the Uſes by this Act intended, or ſhall be guilty of diverting or miſapplying any of the ſaid Monies to any other Uſe or Purpoſe contrary to this Act, or ſhall pay or iſſue out the ſame, or any Part thereof, otherwiſe than according to the Intent of this Act, ſhall for any ſuch Offence forfeit and be forejudged from their reſpective Offices and Places, and rendred incapable to ſerve his Majeſty, his Heirs or Succeſſors, in any Office or Place of Truſt or Profit whatſoever, and ſhall anſwer and pay treble Damages and Coſts of Suit, to be recovered by the ſaid United Company and their Succeſſors, by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint ſhall be allowed, or more than one Imparlance; one third Part of which Damages ſo to be recovered, ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other two third Parts thereof, with the Coſts of Suit, ſhall be to the Uſe of the ſaid United Company and their Succeſſors.

Officer neglecting Payment, to loſe his Place and pay treble Damages.

One Third to his Majeſty, and two Thirds with Coſts to the Company.

Deficiency of any quarterly Payment to be ſupplied out of the Sinking Fund;

VI. And be it further enacted by the Authority aforeſaid, That in caſe at the End of any one Quarter of a Year, to be computed from the Feaſt of Saint *Michael* the Archangel one thouſand ſeven hundred and forty-four, the ſaid Surplus or Remainder of the Monies ariſen or to ariſe by the ſaid Rates and Duties on Spirituous Liquors by this Act granted, and ſo as aforeſaid particularly charged with and appropriated to the Payment of the ſaid additional yearly Fund or Annuity of thirty thouſand Pounds to the ſaid United Company, ſhall not be ſufficient to diſcharge the Quarter's Annuity that ſhall then be due to them; then and in every ſuch Caſe, and as often as the ſame ſhall happen, ſuch Quarterly Deficiencies are hereby charged upon, and ſhall from time to time be made good out of any Monies which at the reſpective Times of ſuch Deficiencies ſhall be and remain in the Exchequer, of the Monies ariſen or which ſhall afterwards ariſe by the Surpluſſes, Exceſſes and Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſame Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament) and ſuch Monies of the ſaid Sinking Fund as ſhall from time to time

be

be neceſſary to make good ſuch Deficiencies, ſhall be iſſued and paid to the ſaid United Company accordingly.

VII. Provided always, and be it enacted by the Authority aforeſaid, That whatever Money ſhall be iſſued out of the ſaid Sinking Fund, ſhall from time to time be replaced by and out of the firſt Supplies to be then after granted in Parliament. *to be replaced out of the firſt Supplies.*

VIII. And for the better enabling the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, to raiſe and pay the ſaid Sum of one million to his Majeſty's Uſe as aforeſaid; It is hereby enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid United Company under their common Seal, to borrow any Sum or Sums of Money from time to time, upon Account of their Stock and Fund, ſo as the Sum total of all the principal Monies, which at any one Time ſhall be owing upon the Security of the ſaid Seal, do not exceed one million over and above the Monies which might lawfully be borrowed thereupon, before the making of this preſent Act. *India Company may borrow an equivalent Sum under their Common Seal.*

IX. Provided always, and it is hereby further enacted by the Authority aforeſaid, That at any Time, upon one Year's Notice to be given by Parliament, after the twenty-fifth Day of *March* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-five, and not before, upon the Expiration of the ſaid Year, and upon Repayment by Parliament to the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, or their Succeſſors, as well of the ſaid Sum of three million two hundred thouſand Pounds formerly advanced, as of the ſaid Sum of one million now to be advanced, amounting in the whole to the Sum of four million two hundred thouſand Pounds, without any Deduction, Diſcount or Abatement whatſoever to be made out of the ſame, or any Part thereof; and upon Payment to the ſaid United Company, and their Succeſſors, of all Arrears of the ſaid reſpective Annuities or yearly Funds of one hundred and twenty-eight thouſand Pounds, and thirty thouſand Pounds, then and in ſuch Caſe, and not till then, the ſaid reſpective Annuities or yearly Funds ſhall ceaſe, determine, and be no longer paid or payable. *On a Year's Nouce, after 1745, India Company's Debt may be redeemed.*

'X. And in regard it is intended that at any Time of Times after the ſaid twenty-fifth Day of *March* 'one thouſand ſeven hundred and forty-five, the ſaid Capital Stock or Debt of four million two hundred 'thouſand Pounds may be paid off to the ſaid United Company, by any Payments not being leſs than 'five hundred thouſand Pounds at a Time; and that as the ſaid leſſer Payments ſhall be made, the ſaid 'Annuities or yearly Funds of one hundred and twenty-eight thouſand Pounds, and thirty thouſand 'Pounds, payable to the ſaid Company, ſhall proportionably ſink and be abated;' Be it therefore enacted by the Authority aforeſaid, That at any Time or Times upon one Year's Notice after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-five, to be given by Parliament, upon the Expiration of the ſaid Year, and on Repayment by Parliament to the ſaid United Company of any Sum of Money not being leſs than five hundred thouſand Pounds, in Part of the ſaid Capital Stock or Debt of four million two hundred thouſand Pounds; and upon Payment of all Arrears which ſhall then be due on their ſaid Annuities or yearly Funds, or upon any Part thereof, then from and after ſuch Payment, ſo much of the ſaid Annuities as ſhall bear Proportion to the Monies ſo paid in Part, ſhall ceaſe, determine, and be abated, and ſo on from time to time on ſuch yearly Notices to be given by Parliament; and Payment from time to time of ſuch other Sums in Part of the ſaid Capital Stock or Debt, not leſs than five hundred thouſand Pounds at a Time, and of ſuch Arrears of their then Annuities or yearly Funds, until the Payment of the whole ſhall be compleated, ſo much of their ſaid Annuities or yearly Funds as ſhall bear Proportion to ſuch reſpective Sums paid in Part, ſhall from time to time, as ſuch Payments are made, ſink and be abated, until their whole Annuities or yearly Funds ſhall be entirely ſunk and determined. *Not leſs than 500,000l. to be paid off at one Time.*

XI. And it is hereby further enacted by the Authority aforeſaid, That notwithſtanding ſuch Redemption of the ſaid Annuities or yearly Funds of one hundred and twenty-eight thouſand Pounds, and thirty thouſand Pounds as aforeſaid, the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, ſhall (ſubject to the Proviſo of Determination herein after contained) have, uſe and enjoy, and ſhall continue to have, uſe and enjoy the whole, ſole, and excluſive Trade and Traffick, and the only Liberty, Uſe and Privilege of trading, trafficking and exerciſing the Trade or Buſineſs of Merchandize, in, to and from the *Eaſt Indies*, and in, to and from all the Iſlands, Ports, Havens, Coaſts, Cities, Towns and Places between the Cape of *Good Hope* and Streights of *Magellan*, and Limits in the ſaid Act of the ninth Year of the Reign of his ſaid late Majeſty King WILLIAM the Third, or in the ſaid Charter of the fifth Day of *September* in the tenth Year of his ſaid Majeſty's Reign mentioned, in as ample and beneficial Manner as the ſaid Company could thereby or otherwiſe lawfully trade thereto; and the ſaid *Eaſt Indies*, or the Iſlands, Havens, Coaſts, Ports, Cities, Towns and Places within the Limits aforeſaid, or any of them, ſhall not from henceforth at any Time before ſuch Determination of the ſaid ſole and whole Trade of the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, as is hereinafter mentioned, be repaired or ſailed to, viſited, frequented, or haunted by any other the Subjects of his Majeſty, his Heirs or Succeſſors whatſoever; and if any of the ſaid Subjects of his Majeſty, his Heirs or Succeſſors, of what Degree or Quality ſoever they be, other than the Factors, Agents and Servants of the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, or ſuch as ſhall be by them thereunto licenſed or authorized, ſhall at any Time or Times hereafter, before ſuch Determination of the ſaid Company's whole and ſole Trade as aforeſaid, directly or indirectly ſail or go to, viſit, haunt, frequent, traffick, trade or adventure in, to or from the ſaid *Eaſt Indies*, or other the Limits or Parts aforeſaid, contrary to the true Meaning hereof, all and every ſuch Offender and Offenders ſhall incur the Forfeiture and Loſs of all the Ships and Veſſels which ſhall be imployed in ſuch Voyage, Trade, Traffick or Adventure, with the Guns, Tackle, Apparel and Furniture thereunto belonging, and alſo *Company to have an excluſive Trade to the East Indies.* *Penalty on private Traders.*

all the Goods laden thereupon, or that were or ſhall be ſent to, acquired, traded, trafficked, or adventured within the ſaid *Eaſt Indies*, or Parts aforeſaid, and all the Proceed and Effects of the ſame, and every of them, and double the Value thereof; which Penalties and Forfeitures ſhall be ſo ſued for, ſeized, diſtributed and diſtributable, recovered and recoverable, as in and by an Act made in the ſeventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intitûled, *An Act for the further preventing his Majeſty's Subjects from trading to the* Eaſt Indies *under foreign Commiſſions, and for encouraging and further ſecuring the lawful Trade thereto; and for further regulating the Pilots of* Dover, Deal, *and the Iſle of* Thanet, is appointed, directed and enacted concerning the Penalties and Forfeitures in that Act mentioned or referred to, with reſpect to the ſaid United Company or their Trade to the *Eaſt Indies*.

7 Geo. 1. c. 21.

India Company to have the Benefit of all Acts and Charters made in their Favour,

XII. And moreover it is hereby enacted by the Authority aforeſaid, That the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, ſhall at all Times hereafter for ever (ſubject as aforeſaid) have, hold and enjoy, and be intitled unto all and every the Profits, Benefits, Advantages, Privileges, Franchiſes, Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, and all Penalties and Forfeitures and Diſabilities, Proviſions, Matters and Things whatſoever, which by any former Act or Acts of Parliament, or by any Charter or Charters founded thereupon, or by any Clauſe or Clauſes in the ſaid Acts or Charters contained, are enacted, given, granted, provided, inflicted, limited, eſtabliſhed, or declared to, for, touching or concerning the ſaid Company, or Body Politick and Corporate, either by the Name of *The General Society, intitled to the Advantages given by an Act of Parliament for advancing a Sum not exceeding two millions, for the Service of the Crown of* England, or the ſaid Body Politick and Corporate, called by the Name of *The* Engliſh *Company trading to the* Eaſt Indies, or the ſaid Body Politick and Corporate, now called by the Name of *The United Company of Merchants of* England *trading to the* Eaſt Indies, and not by this Act altered, or intended to be altered, according to the Tenor and true Meaning of the ſaid Acts and Charters, freed and diſcharged from all Proviſoes and Conditions of Redemption and Determination therein contained; and the ſame and every of them are hereby ratified and confirmed, and ſhall continue to be held and enjoyed, and be practiſed and put in Execution by the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, and their Succeſſors, for the better and more effectual ſettling and ſecuring to them and their Succeſſors, the whole, ſole, and excluſive Trade to the *Eaſt Indies*, and Parts aforeſaid; and for the preventing all other his Majeſty's Subjects trading thither, and for ſecuring alſo their Poſſeſſions, Eſtate and Effects, and governing their Affairs and Buſineſs in all reſpects, as fully and effectually as if the ſame Profits, Benefits, Advantages, Trade, Privileges, Franchiſes, Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, Penalties, Forfeitures, Diſabilities, Proviſions, Matters and Things, were ſeverally repeated, and at large re-enacted in the Body of this Act; ſubject nevertheleſs to ſuch Reſtrictions, Covenants and Agreements as are contained in the ſaid Acts and Letters Patents now in Force, and not herein or hereby varied or altered, and ſubject alſo to the Proviſo following; that is to ſay,

and not altered by this Act.

Proviſo of Redemption.

XIII. Provided always, and it is hereby enacted by Authority aforeſaid, That at any Time upon three Years Notice to be given by Parliament, after the twenty-fifth Day of *March* which ſhall be in the Year of our Lord one thouſand ſeven hundred and eighty, upon the Expiration of the ſaid three Years, and Repayment to the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, or their Succeſſors, of the ſaid Capital Stock, Debt, or Sum of four million two hundred thouſand Pounds, and all Arrears of Annuity payable in reſpect thereof, in caſe the ſame ſhall not have been before repaid, then and from thenceforth, and not before or ſooner, the ſaid Right, Title and Intereſt of the ſaid United Company of Merchants of *England* trading to the *Eaſt-Indies*, to the whole, ſole, and excluſive Trade to the *Eaſt Indies*, and Parts aforeſaid, ſhall ceaſe and determine.

Corporation to have a common Right of Trade with others, after their excluſive Right is determined.

Concerning Eaſt India Company ſee further 27 Geo. 2. c. 9. 1 Geo. 3. c. 14.

XIV. Provided always, and it is hereby further enacted, That nothing in the above Proviſo, or in any Proviſo in the ſaid Act of the ninth Year of the Reign of his ſaid late Majeſty King WILLIAM the Third, or in the ſaid Charter of the fifth Day of *September* in the tenth Year of his ſaid late Majeſty's Reign, or in any other Act or Charter contained, ſhall extend, or be conſtrued to extend, to determine the Corporation of the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, or to hinder, prevent or exclude the ſaid United Company, from carrying on at all Times after ſuch Determination of the Right, to the ſole, whole, and excluſive Trade as aforeſaid, a free Trade in, to and from the *Eaſt Indies*, and Parts aforeſaid, with all or any Part of their own Joint Stock in Trade, Goods, Merchandizes, Eſtate and Effects, in common with other the Subjects of his Majeſty, his Heirs and Succeſſors, trading in, to or from thoſe Parts.

The Speaker's Notice in Writing to the Company, ſhall be deemed a good Notice.

XV. And be it further enacted by the Authority aforeſaid, That any Notice in Writing, ſignified by the Speaker of the Houſe of Commons for the Time being, by Order of the ſaid Houſe, ſhall be deemed and adjudged a due and proper Notice by Parliament, to and for all the Ends, Intents and Purpoſes, for which ſuch Notices are directed by this Act to be given to the ſaid Company.

'XVI. And whereas by the ſaid Act of the ſixteenth Year of his preſent Majeſty, it is amongſt other 'Things enacted, That in caſe any Perſon or Perſons who ſhall have forfeited ten Pounds for retailing 'Spirituous Liquors without Licence, as in the ſaid Act is expreſſed, ſhall refuſe or neglect to pay the 'ſaid Sum of ten Pounds, the ſame being lawfully demanded, any one or more Juſtice or Juſtices of the 'Peace may, in ſuch Manner as by the ſaid Act is directed, commit ſuch Perſon or Perſons to the Houſe 'of Correction, to be kept to hard Labour for two Months, as in the ſaid Act is directed: And whereas 'a Doubt has ariſen, whether by virtue of the ſaid Act, the Juſtices of the Peace, by and before whom 'ſuch Perſon or Perſons ſo forfeiting the ſaid ten Pounds were convicted, have Power by the ſaid Act to 'mitigate the ſaid Penalty; and in caſe of Nonpayment thereof, to levy the ſame by Diſtreſs and Sale of 'the

'the Goods of ſuch Offender or Offenders:' Now to put an End to all Doubts concerning the ſame, Be it declared and enacted, That all Penalties and Forfeitures by the ſaid Act impoſed may for the future, and from the Time of the Commencement of the ſaid Act of the ſixteenth Year of his ſaid Majeſty might, and alſo all the Penalties by this Act impoſed, may be lawfully ſued for, recovered, levied, and mitigated by ſuch Ways, Means, and Methods, as any Penalty or Forfeiture is or may be ſued for, recovered, levied, ormitigated, by any Law or Laws of Exciſe.

Power of Juſtices given by Act 16 Geo. 2. c. 8. concerning Penalties and Impriſonments for retailing Spirituous Liquors explained.

XVII. Provided nevertheleſs, That it ſhall and may be lawful to and for any ſuch Juſtices of the Peace, before whom ſuch Offender ſhall be convicted, if they ſhall judge it moſt proper, inſtead of levying the Penalty, to commit ſuch Offender to the Houſe of Correction, to be kept to hard Labour for two Months; and that in ſuch Caſe, ſuch Perſon or Perſons ſo committed ſhall, before his or their Diſcharge therefrom, be ſtript naked from the middle upwards, and be whipt, until his or her Body be bloody.

Offenders to be whipt, before diſcharged from Priſon.

'XVIII. And whereas by the ſaid Act of the ſixteenth Year of his preſent Majeſty, it was provided, 'That no Licence ſhould be granted to any Perſon or Perſons whatſoever, for ſelling by Retail any Spi-'rituous Liquors, except to ſuch Perſons only who ſhould keep Taverns, Victualling-houſes, Inns, 'Coffee-houſes, or Ale-houſes; and any Licence granted to any other Perſons than as aforeſaid were 'declared void:' Now be it further enacted, That in any Caſe where a Licence ſhall have been granted for retailing Spirituous Liquors, to any Perſon who ſhall, at the Time of granting ſuch Licence, keep a Tavern, Victualling-houſe, Inn, Coffee-houſe, or Ale-houſe, if ſuch Perſon ſo licenſed ſhall afterwards, during the Time of continuing ſuch Licence, exerciſe the Trade of a Diſtiller, Grocer, or Chandler, or keep a Brandy Shop or Shops for Sale of any Spirituous Liquors, the Licence granted in every ſuch Caſe ſhall be void; and ſuch Perſons retailing ſuch Spirituous Liquors afterwards, ſhall forfeit ten Pounds for every ſuch Offence, notwithſtanding ſuch Licence ſo obtained as aforeſaid.

Victuallers, &c. only to retail Spirituous Liquors by Licence.

XIX. And be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, every Perſon or Perſons who ſhall by him, or herſelf, or themſelves, or by his, her, or their Servant or other Perſon employed by him, her or them, or for his, her or their Benefit, retail any Spirituous Liquors mixed or unmixed with any Ingredients to be drank or conſumed in any Quantity whatſoever, in his, her or their Houſes, Warehouſes, Shops, Cellars, Vaults, Sheds, or other Places to him, her or them belonging, or that ſhall retail or ſend the ſame abroad out of their ſaid Houſes, Warehouſes, Storehouſes, Shops, Cellars, Vaults, Rooms, Sheds, or other Places, in leſs Quantity than two Gallons, without firſt taking out a Licence for that Purpoſe, and renewing the ſame, as in the Act paſſed in the ſixteenth Year of his preſent Majeſty is particularly directed, ſhall be deemed a Retailer of Spirituous Liquors within the Meaning of the ſaid Act, and as ſuch ſhall forfeit and loſe the Sum of ten Pounds for every ſuch Offence.

Perſons ſelling in leſs Quantity than two Gallons, ſhall be deemed Retailers. 24 Geo. 2. c. 40.

XX. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, in all Caſes where the Perſons incurring the pecuniary Penalties of the ſaid Act made in the ſixteenth Year of his preſent Majeſty's Reign, for laying a Duty on the Retailers of Spirituous Liquors, or of this Act, are not able to pay the ſame, but in lieu thereof are or ſhall be ſent to the Houſe of Correction, it ſhall and may be lawful for the Commiſſioners of Exciſe in *England* and *Scotland* reſpectively, to cauſe ſuch Rewards, not exceeding five Pounds, to be paid to the ſeveral and reſpective Perſons who ſhall appear to them to be intitled thereto as Informers, as to them ſhall ſeem meet, out of any Money that ſhall be in their Hands, or of any Officer belonging to them, that hath ariſen or ſhall ariſe by virtue of any Penalties or Forfeitures incurred by the ſaid former or by this Act; and the Money ſo paid ſhall be accepted of and allowed in their Account, as ſo much Money paid to his Majeſty; and the ſaid Commiſſioners are and ſhall hereby be diſcharged thereof accordingly.

Informer to be paid 5 l.

XXI. And be it further enacted, That no Licence for retailing Spirituous Liquors ſhall authoriſe and impower any Perſon to whom the ſame may be granted, to ſell ſuch Spirituous Liquors in any other Place, except in ſuch Houſes or Places thereunto belonging, wherein he, ſhe or they ſhall inhabit and dwell, at the Time of granting ſuch Licence.

Licence not to extend to any other than the Houſe mentioned in it.

Concerning Spirituous Liquors ſee farther 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

CAP. XVIII.

An Act for raiſing by Annuities, and a Lottery, in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three Pounds *per Centum per Annum*, for the Service of the Year one thouſand ſeven hundred and forty-four.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have cheerfully granted to your Majeſty, in the eaſieſt Manner we are able, for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majeſty the Sum of one million eight hundred

Preamble.

hundred thouſand Pounds, to be raiſed in ſuch Manner and Form as is herein after directed; and to that end do moſt humbly beſeech your Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every the Annuities which by this Act ſhall be granted and made payable in reſpect of the ſaid principal Sum of one million eight hundred thouſand Pounds, until Redemption thereof by Parliament in Manner herein after mentioned, ſhall be charged and chargeable upon, and payable out of, the Surplus or Remainder of the Monies ariſen, or which ſhall from time to time ariſe and be remaining in the Receipt of his Majeſty's Exchequer, of or for the Rates and Duties on Spirituous Liquors granted by an Act of Parliament, paſſed in the ſixteenth Year of his Majeſty's Reign, after paying or reſerving ſufficient to pay the United Company of Merchants of *England* trading to the *Eaſt Indies*, the Annuity or yearly Fund becoming due from time to time quarterly to the ſaid Company, and charged upon, and made payable out of, the ſame Surplus or Remainder granted to his Majeſty, in purſuance of one other Act paſſed in this Seſſion of Parliament; and the ſaid Surplus or Remainder of the ſaid Rates and Duties on Spirituous Liquors are hereby made a Fund, and appropriated for that Purpoſe accordingly: And for or towards raiſing the ſaid Sum or Sums of Money, not exceeding in the whole the ſaid Sum of one million eight hundred thouſand Pounds, for the Purpoſes aforeſaid, It is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance, and pay unto the firſt or chief Caſhier or Caſhiers of the Governor and Company of the Bank of *England* for the time being, at or before the reſpective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money not exceeding one million two hundred thouſand Pounds, in Part of the ſaid whole Sum of one million eight hundred thouſand Pounds, for the abſolute Purchaſe of any certain Annuity or Annuities, to commence from the ninth Day of *April* one thouſand ſeven hundred and forty-four, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate, his, her or their Executors, Adminiſtrators, Succeſſors, and Aſſigns reſpectively, in Manner herein after mentioned; ſo as ſuch Caſhier or Caſhiers do firſt give Security to the good Liking of any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, for duly anſwering, and paying into the Receipt of his Majeſty's Exchequer for the publick Uſe, the Monies ſo to be advanced and contributed, and to account duly for the ſame; which Annuities before mentioned ſhall be computed at the Rate of three Pounds *per Annum* for every one hundred Pounds, and proportionably for any greater or leſs Sum ſo to be advanced and paid; and the Purchaſe-money for every ſuch Annuity at the Rate aforeſaid, is hereby appointed to be paid unto the ſaid Caſhier or Caſhiers as aforeſaid, at or before the reſpective Days or Times herein after limited; that is to ſay, One fourth Part thereof on or before the ſaid ninth Day of *April* one thouſand ſeven hundred and forty-four, one other fourth Part thereof on or before the ninth Day of *July* then next enſuing, one other fourth Part thereof on or before the twenty-eighth Day of *September* then next enſuing, and the remaining one fourth Part thereof on or before the twentieth Day of *December* then next following; all which Annuities ſo to be purchaſed, ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, The Feaſt of the Nativity of Saint *John* the Baptiſt, and of the Birth of our Lord Chriſt, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be computed and paid at the Rate of three Pounds *per Centum per Annum* on the whole Sum, to be paid by ſuch Contributors, for the Purchaſe of any Part of the ſaid Annuities, from the ſaid ninth Day of *April* one thouſand ſeven hundred and forty-four, unto the Feaſt of the Birth of our Lord Chriſt which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, or within ſix Days after the ſaid Feaſt Day; nevertheleſs, the ſaid Annuities ſhall be redeemable, according to the Purport and true Meaning of a Proviſo or Condition, herein after contained in that Behalf, and not otherwiſe; and the ſaid Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England* for the Time being, is or are hereby authorized and required, upon the advancing and paying to him or them any ſuch Sum or Sums of Money as aforeſaid, forthwith to give a Receipt in Writing ſigned by himſelf or themſelves, for each Payment, to the Contributor or Payer thereof (which Receipt ſhall be aſſignable by Indorſement thereupon made, at any Time before the twentieth Day of *December* one thouſand ſeven hundred and forty-four, and no longer) and from time to time to pay into the Receipt of his Majeſty's Exchequer all the Monies which he or they ſhall receive of or for the ſaid Sum, not exceeding one million two hundred thouſand Pounds, as faſt as he or they ſhall receive the ſame, or any Part thereof, or within five Days afterwards at the fartheſt; and to account for all the Monies ſo to be advanced and paid to him or them in his Majeſty's Court of Exchequer, according to the due Courſe thereof; in which Account the ſaid Caſhier or Caſhiers ſhall have juſt Allowance of all Monies which he or they ſhall have allowed or paid for prompt Payment, purſuant to this Act.

1,800,000 l. granted to his Majeſty,

charged on the Duties on Spirituous Liquors.

Three per Cent. Annuities to be purchaſed by all Perſons, Natives or Foreigners, to be paid into the Bank.

Caſhiers to give Security.

Annuities to be 3 l. per Cent.

When the Purchaſe money for Annuities is to be paid.

When the Annuities are to be paid.

Caſhiers to give Receipts for the Money paid them,

and to pay the Money into the Exchequer.

Caſhier's Allowance on accounting at the Exchequer.

II. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entered the Names of all who ſhall be Contributors for ſuch Annuities, after the Rate of three Pounds *per Centum per Annum* as aforeſaid, and all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sums ſo paid; to which Book or Books it ſhall be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, from time to time, at all ſeaſonable Times, to have reſort, and to inſpect the ſame, without any Fee or Charge; and the ſaid Accomptant General for the Time being ſhall, on or before

Books to be kept at the Bank,

for publick Peruſal,

A Copy of the Books to be tranſmitted into the Exchequer.

the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, tranſmit and atteſted Duplicate, fairly written on Paper, of the ſaid Book or Books, into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever.

Contributors Eſtates ſubject only to Redemption.

III. And it is hereby enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act, duly paying the whole Conſideration or Purchaſe-money at the Rate aforeſaid, at or before the reſpective Days and Times in this Act before limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint, his, her or their reſpective Executors Adminiſtrators, Succeſſors and Aſſigns, ſhall have, receive and enjoy, and be intitled, by virtue of this Act, to have, receive and enjoy, the reſpective Annuity and Annuities ſo to be purchaſed out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid; and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption in this Act afterwards contained concerning the ſame; and that all the ſeveral and reſpective Annuities, payable in purſuance of this Act, after the Rate of three Pounds *per Centum per Annum*, and all and every the principal Sums for which the ſame are to be payable, ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

Annuities free from Taxes.

Three per Cent. allowed for prompt Payment.

IV. And it is hereby provided and enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall become intereſted in, or intitled to, any Annuity or Annuities, Part of the ſaid Sum of one million two hundred thouſand Pounds, to be ſubſcribed for in purſuance of this Act, ſhall upon compleating the Payments of the whole Purchaſe-money, payable in reſpect thereof, be allowed and paid by way of Rebate, a Premium or Allowance after the Rate of three Pounds *per Centum*, on the reſpective Sums they ſhall become intereſted in, or intitled unto as aforeſaid; which are hereby directed to be thereupon forthwith placed to the Credit of the ſaid Contributors, and made transferrable in the Books of the Bank of *England*, by this Act appointed to be kept for that Purpoſe.

If only one of the four Payments be made, it ſhall be forfeited.

V. Provided alſo, That in caſe any ſuch Contributor as aforeſaid, who ſhall, on or before the ſaid ninth Day of *April* one thouſand ſeven hundred and forty-four, have advanced to the ſaid Caſhier or Caſhiers one fourth Part of his, her or their Purchaſe-money, and his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, do not advance and pay to the ſaid Caſhier or Caſhiers, one other fourth Part of his, her or their Conſideration-money, ſo to be paid for ſuch reſpective Annuity or Annuities as aforeſaid, on or before the ninth Day of *July* then next enſuing; and one other fourth Part thereof, on or before the twenty-eighth Day of *September* then next enſuing; and the remaining one fourth Part thereof on or before the twentieth Day of *December* then next following; then, and in every ſuch Caſe reſpectively, ſo much of the Conſideration-money as ſhall have been actually paid in Part thereof only to the ſaid Caſhier or Caſhiers for ſuch reſpective Annuity, ſhall be forfeited for the Benefit of the Publick; and no Premium at the Rate aforeſaid ſhall be payable for the ſaid firſt Payment; any Thing in this Act contained to the contrary notwithſtanding.

Lottery Annuities to be charged on the Surplus of the Duties on Spirituous Liquors,

and paid Half-yearly.

'VI. And whereas it is intended that the Sum of ſix hundred thouſand Pounds, being the Reſidue of 'the ſaid Sum of one million eight hundred thouſand Pounds, already charged by this Act upon the ſame 'Surplus or Remainder of the Monies ariſen or to ariſe of or for the Rates and Duties on Spirituous Li-'quors appropriated for Payment thereof in Manner before directed and appointed, ſhall be raiſed by way 'of a Lottery, for the Purchaſe of Annuities after the Rate of three Pounds *per Centum per Annum*, in 'Manner herein after mentioned;' Be it therefore enacted by the Authority aforeſaid, That the Annuities becoming due and payable to the Contributors to the Lottery herein after mentioned, their Executors, Adminiſtrators and Aſſigns, at the ſaid Rate of three Pounds *per Centum per Annum*, in reſpect of the ſaid Principal Sum of ſix hundred thouſand Pounds, in Manner hereafter in this Act expreſſed, until Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf, ſhall be charged upon the ſaid Surplus or Remainder, from the Feaſt Day of the Birth of our Lord Chriſt one thouſand ſeven hundred and forty-four, and ſhall from Time to Time be paid half-yearly at the Feaſts of the Nativity of Saint *John the Baptiſt*, and the Birth of our Lord Chriſt, by even and equal Portions; the firſt Payment thereof to be due and payable for the half-year, ending at the Feaſt of the Nativity of Saint *John the Baptiſt* one thouſand ſeven hundred and forty-five

Tickets to be 10 l. each.

VII. And be it further enacted by the Authority aforeſaid, That for or towards raiſing the ſaid Sum of ſix hundred thouſand Pounds, it ſhall and may be lawful for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute by paying at or before the reſpective Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpoſe, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds upon this Act; and that every ſuch Contributor or Adventurer, for every ſuch Sum of ten Pounds which he, ſhe or they ſhall ſo advance, ſhall be intereſted in ſuch Lot or Share of and in the Joint Stock of Annuities eſtabliſhed by this Act, as is herein after mentioned and appointed in that Behalf; and the ſame entire Sums of ten Pounds each, are hereby appointed to be paid unto ſuch Receiver or Receivers, at ſuch Time or Times, and in ſuch Proportions at a Time, as are herein after mentioned in that Behalf; that is to ſay, One fourth Part thereof on or before the ninth Day of *April* one thouſand ſeven hundred and forty-four, one other fourth Part thereof on or before the eighth Day of *June* then next enſuing, one other fourth Part thereof on or before the tenth Day of *Auguſt* then next enſuing, and the remaining fourth Part thereof on or before the fifth Day of *October* then next following.

Times of paying the Purchaſe money for Lottery Tickets.

" Commiſſioners of the Treaſury to appoint Managers of the Lottery. There ſhall be printed 60,000 " Tickets, 9,780 ſhall be fortunate; two of them 10,000 *l.* four 5,000 *l.* five 2,000 *l.* twelve 1,000 *l.* twenty-" five 500 *l.* one hundred and ninety-nine 100 *l.* four hundred and four 50 *l.* nine thouſand one hundred " and twenty-nine 20 *l.* which with 500 *l.* to the firſt drawn Ticket, and 1,000 *l.* to the laſt drawn Ticket,

" will

" will amount to 298,680 *l.* which added to 301,320 *l.* payable on the remaining 50,220 blank Tickets, " at 6 *l.* each, amount together to 600,000 *l.* Purchaſer not paying his whole Contribution-money by the " Time fixed, ſhall loſe what he has paid. Tickets undiſpoſed of, ſhall be delivered back into the Ex- " chequer. Guardians of Infants may place their Money in the Lottery. Tickets to be changed for " Certificates after the Lottery is drawn." EXP.

Timely Notice to be advertized, when Tickets will be taken in, and Certificates delivered.

XXII. And be it further enacted, That ſuch of the ſaid Managers as any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall appoint to take in the ſaid Tickets, and deliver out the ſaid Certificates for and in lieu thereof, ſhall give timely Notice by Adverti ſement, to be printed and publiſhed in Manner as they ſhall think fit, of the Days and Times for taking in the ſaid Tickets, and delivering out the ſaid Certificates for and in lieu of the ſame; and every Perſon's Certificate ſhall be numbered in Courſe, according to their bringing their Tickets to the ſaid Officer or Officers ſo to be appointed for exchanging the ſame; to which Purpoſe ſuch Officer or Officers ſhall enter, or cauſe to be entered into a Book or Books, to be by him or them kept for that Purpoſe, the Name of every Perſon who brings any Ticket or Tickets to be exchanged for ſuch Certificate or Certificates, and the Number or Numbers of the Ticket or Tickets which ſhall be ſo brought by ſuch Perſon or Perſons, the Value in Principal Money payable thereupon, and the Day of the Month, and the Year of our Lord when the ſame was ſo brought; which Book and Books ſhall lie open in the Office to be appointed for taking in the ſaid Tickets to be exchanged for ſuch Certificates, for all Perſons concerned to peruſe; all which Certificates ſhall be ſigned by the Officer or Officers ſo to be appointed, or the major Part of them, and be directed to the Accomptant General of the Bank of *England* for the Time being.

Names of Perſons exchanging Tickets,

Value of the Prizes, and the Annuities attending the ſame, &c. to be entered in a Book.

Annuities made tranſferrable.

XXIII. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall upon receiving and taking in the ſaid Certificates, or any of them, give Credit to the Perſons named therein in the ſame Book or Books, with the Contributors for the Purchaſe of the Annuities, not exceeding one million two hundred thouſand Pounds herein before directed to be inſerted in a Book or Books, or in any other Book or Books to be by him provided and kept for that Purpoſe, for the Principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit ſuch Principal Sums ſhall be entered in the ſaid Book or Books, his, her or their Executors and Adminiſtrators, ſhall and may have Power to aſſign and transfer the ſame or any Part, Share or Proportion thereof, to any other Perſon or Perſons, Bodies Politick and Corporate whatſoever, in other Books to be prepared and kept by the ſaid Accomptant General for that Purpoſe; and the Principal Sums ſo aſſigned or transferred, ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authority herein after mentioned, until the Redemption thereof as aforeſaid; and the ſaid Accomptant General of the Bank of *England* for the Time being, is hereby authorized and directed to cancel and file the Certificates as they ſhall from Time to Time be received and taken in by him, and to give the Perſons bringing in the ſame a Note under his Hand, teſtifying the Principal Money for which they have Credit in the ſaid Book or Books, by Reaſon or Means of the Certificates ſo received, taken in and cancelled as aforeſaid, and of the Annuities attending the ſame.

Bank of England to pay the Annuities.

XXIV. And for the more eaſy and ſure Payment of the ſeveral and reſpective Annuities, amounting in the whole to one million eight hundred thouſand Pounds, by this Act authorized to be purchaſed as aforeſaid; It is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall from Time to Time, until the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be redeemed according to this Act, appoint and employ one ſufficient Perſon within their Office in the City of *London* to be their chief or firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office to be their Accomptant General; and that ſo much of the ſaid Surplus or Remainder of the Monies from Time to Time ariſing into the Receipt of the Exchequer, for the ſaid Rates and Duties on Spirituous Liquors, by this Act appropriated for this Purpoſe (after ſatisfying the Annuity charged upon the ſaid Surplus, and made payable to the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies* as aforeſaid) as ſhall be ſufficient from Time to Time to anſwer the ſaid ſeveral and reſpective Annuities and other Payments directed to be paid or diſcharged out of the ſame, ſhall by Order of the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or Commiſſioners of the Treaſury of his Majeſty, his Heirs or Succeſſors for the Time being, without any further or other Warrant, to be ſued for, had or obtained in that Behalf, from Time to Time at the reſpective half-yearly Feaſt Days, or Days of Payment in this Act before appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer to the ſaid firſt or chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors for the Time being, by way of Impreſt, and upon Account for the Payment of the ſaid ſeveral and reſpective Annuities to be purchaſed upon this Act, at ſuch Times, and in ſuch Manner and Form, as are by this Act preſcribed in that Behalf; and that all and every ſuch Caſhier or Caſhiers to whom the ſaid Monies ſhall from Time to Time be iſſued, ſhall from Time to Time, without Delay, apply and pay the ſame accordingly, and render his Account thereof according to the due Courſe of the Exchequer; any Thing herein contained to the contrary notwithſtanding.

Money to be paid into the Bank by the Exchequer.

Caſhiers to account back into the Exchequer.

XXV. And it is hereby alſo enacted, That the ſaid Accomptant General for the Time being, ſhall from Time to Time inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and

every

every Perſon and Perſons whatſoever, who ſhall be intitled to any of the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a Perſonal Eſtate, and the ſame ſhall not be deſcendable to the Heir, and ſhall not be liable to any foreign Attachment by the Cuſtom of *London* or otherwiſe; any Law, Statute or Cuſtom to the contrary notwithſtanding. Annuities not to be deſcendable to the Heir, and be deemed Perſonal Eſtate.

XXVI. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed, or to which any Perſon or Perſons ſhall become intitled upon this Act, for or towards the ſaid Sum, not exceeding one million eight hundred thouſand Pounds, ſhall be deemed, reputed and taken to be one Capital or Joint Stock, on which the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be attending; and that all and every Perſon and Perſons, and Corporations whatſoever, in Proportion to the Money by him, her or them advanced, or to which they ſhall become intitled as aforeſaid upon this Act, ſhall have, and be deemed to have a proportionable Intereſt and Share in the ſaid Stock, and in the Annuity attending the ſame, at the Rate aforeſaid; and that the ſaid whole Capital or Joint Stock, or any Share or Intereſt therein, and the proportial Annuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs and not otherwiſe; and that there ſhall conſtantly be kept, at all ſeaſonable Times, in the Office of the ſaid Accomptant General for the Time being, within the City of *London*, a Book or Books, wherein all Aſſignments or Transfers of the ſaid whole Capital or Stock or any Part thereof, and the proportional Annuity attending the ſame, at the Rate aforeſaid, ſhall be entered and regiſtred; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers, or if ſuch Parties be abſent, by his, her or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes, and that the Perſon or Perſons to whom ſuch Transfers ſhall be made, do underwrite his, her or their Acceptance thereof, and that no other Method of aſſigning or transferring the ſaid Stock, and the Annuities attending the ſame, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law. Annuities amounting to 1,800,000 l. to be deemed one Capital Stock; which Stock is made transferrable. The Accomptant General to keep Transfer-books.

XXVII. Provided always, That any Perſon or Perſons poſſeſſed of ſuch Stock, with the Annuity or Annuities attending the ſame, or any Eſtate or Intereſt therein, may deviſe the ſame by Will in Writing, atteſted by two or more credible Witneſſes; but that ſuch Deviſee ſhall receive no Payment thereupon, till ſo much of the ſaid Will as relates to the ſaid Stock or Annuity be entered in the ſaid Office; and in Default of ſuch Transfer or Deviſe, the ſaid Stock and Annuities attending the ſame, ſhall go to the Executors or Adminiſtrators; and that no Stamp Duties whatſoever ſhall be charged on the ſaid Transfers, or any of them; any other Law or Statute to the contrary notwithſtanding. Annuities may be deviſed; but ſhall be entered in the Office. Transfers to be made without Stamps.

XXVIII. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors (notwithſtanding the Redemption of all or any their own Funds, in purſuance of the Acts for eſtabliſhing the ſame, or any of them) ſhall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging, for the Purpoſes in this Act expreſſed, till all the Annuities to be purchaſed on this Act ſhall be redeemed by Parliament, according to the Proviſo herein after contained in that Behalf; and the ſaid Governor and Company or any Members thereof, ſhall not incur any Diſability for or by reaſon of their doing any Matter or Thing in purſuance of this Act. Bank of England to continue a Corporation till theſe Annuities are redeemed.

XXIX. And it is hereby enacted by the Authority aforeſaid, That no Fee or Gratuity whatſoever ſhall be demanded or taken of any of his Majeſty's Subjects for receiving or paying the ſaid Contribution-monies or any of them, or for any Tallies or other Receipts concerning the ſame, or for iſſuing the Monies for paying the ſaid ſeveral Annuities or any of them; and that no Fee or Gratuity ſhall be demanded or taken for any Transfer of any Sum great or ſmall, to be made in purſuance of this Act; upon Pain that any Officer or Perſon offending, by taking or demanding any Fee or Gratuity, contrary to this Act, ſhall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Coſts of Suit, in any of his Majeſty's Courts of Record at *Weſtminſter*. No Fees to be taken. Penalty on taking Fees.

XXX. Provided always and it is hereby enacted by the Authority aforeſaid, That the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall have Power, and they are hereby authorized to ſettle and appoint ſuch Allowances (out of the Contributions to the Lottery herein before mentioned) as they ſhall think juſt and reaſonable, for the Service, Pains and Labour of the Receiver or Receivers of the Contributions to the ſaid Lottery, for receiving and accounting for the ſame; as alſo for the Service, Pains and Labour of the Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, for receiving and accompting for the Contributions to the Annuities granted by this Act; and alſo ſuch further Allowances (out of the ſaid Surplus or Remainder of the Monies to ariſe by the ſaid Spirituous Liquors by this Act appropriated) as they ſhall think juſt and reaſonable, for receiving, paying and accompting for the ſeveral and reſpective Annuities payable in reſpect thereof; and alſo for the Service, Pains and Trouble of the Accomptant General of the ſaid Governor and Company, for performing the Duty and Truſt incumbent on him by this Act; all which Allowances hereby impowered to be made as aforeſaid, in reſpect to the Service, Pains and Labour of any Officer or Officers of the ſaid Governor and Company ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only; any Thing herein contained to the contrary notwithſtanding. Commiſſioners of the Treaſury to appoint the Salaries for the ſeveral Officers.

XXXI. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times the Produce of the ſaid Surplus or Remainder of the ſaid Rates or Duties on Spirituous Liquors, ſhall happen to be ſo low or deficient, as that the Monies ariſing therefrom into the Exchequer ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities, and other Charges directed to be paid thereout, at the End of either of the reſpective half-yearly Days of Payment, at which the ſame are hereby directed to

Manner of paying Deficiencies.

be paid; then and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of the Overplus Monies that ſhall or may happen to ariſe and be paid into the Exchequer, in any of the ſubſequent Half-years, as the ſaid reſpective Annuities ſhall from Time to Time become due and payable; and in caſe ſuch Overplus Monies ſhall not be ſufficient to ſatisfy the Deficiencies hereby intended from Time to Time to be paid thereout, that then, and in every ſuch Caſe, the Deficiencies ſo from Time to Time happening, ſhall from Time to Time be anſwered and made good by and out of the firſt Supplies which ſhall be granted in Parliament next after ſuch Deficiencies ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiencies ſhall happen, then the ſame ſhall be made good out of any the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes or Overplus Monies, commonly called the *Sinking Fund* (except ſuch Monies of the ſame Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be from Time to Time iſſued and applied accordingly.

Sinking Fund to be repaid by the next Supplies.

XXXII. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Sinking Fund, ſhall from Time to Time be replaced by and out of the firſt Supplies to be thenafter granted in Parliament.

Surplus to be diſpoſed of by Parliament.

XXXIII. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid Rates or Duties, after the ſaid ſeveral and reſpective Annuities, and all Arrears thereof are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe; ſuch Surplus or Remainder ſhall from Time to Time be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by the Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament; any Thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding.

Manner of Redemption.

XXXIV. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the Half-yearly Feaſt Days for Payment of the ſaid reſpective Annuities, or either of them, and upon Repayment by Parliament of the reſpective principal Sums for which the ſaid reſpective Annuities, or either of them ſhall be payable to ſuch reſpective Perſons or Corporations as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities; then and not till then, the ſaid reſpective Annuities ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch Redemption, the Monies ariſing from the ſaid Surplus or Remainder of the ſaid Rates and Duties ſhall not be iſſued or applied to any Uſe or Purpoſe, but as ſhall be directed by future Act or Acts of Parliament; any thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding; and that any Vote or Reſolution of the Houſe of Commons ſignified by the Speaker in Writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice within the Words and Meaning of this Act.

Notice of Redemption.

General Iſſue.

Treble Coſts.

XXXV. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times he ſued or proſecuted for any Thing by him or them done or executed in purſuance of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

" No dividing or letting out Tickets, but for the whole Time. Office-keepers publiſhing Schemes for " gaming with Tickets not in their Poſſeſſion, to forfeit 500*l.* half to the King, and half to the Infor- " mer; and three Months Impriſonment. EXP."

CAP. XIX.

An Act for continuing and enlarging the Term and Powers granted by an Act of Parliament paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Road from *Cranford Bridge* in the County of *Middleſex*, to that End of *Maidenhead Bridge* which lies in the County of *Bucks*. PR.

The Act 13 Geo. 1. c. 31. continued for 21 Years.

CAP. XX.

An Act for continuing and making more effectual an Act made in the eleventh Year of his preſent Majeſty's Reign, for repairing the ſeveral Roads leading to and from the Town of *Derby* in the County of *Derby*. PR.

The Act 11 Geo. 2. c. 33. continued for 21 Years.

CAP. XXI.

An Act for laying a Duty of two Pennies *Scots*, or a ſixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped, or ſold within the Town of *Burrowſtounneſs*, and Liberties thereof, in the County of *Linlithgow*, for repairing the Harbour of the ſaid Town. PR.

CAP.

CAP. XXII.

An Act for repairing the Road leading from the End of *Middleton Tyas-lane* over *Gatherly-Moor* to *Greeta-bridge*, and from thence to *Bowes* in the North Riding of the County of *York*. PR.

Certain Tolls granted for 21 Years.

CAP. XXIII.

An Act for more effectually repairing the Road from *Cherill* (through *Calne*) to *Studley Bridge*, and from *Cherill* to the *Three Mile Borough*, at the Top of *Cherill Hill* in the County of *Wilts*. PR.

Certain Tolls granted for 26 Years.

CAP. XXIV.

An Act for more effectually repairing the Roads from *Coleſhill* in the County of *Warwick*, through the City of *Litchfield*, to *Stone* in the County of *Stafford*, and from thence to the City of *Cheſter*, and for amending other Roads therein mentioned. PR.

The Act 2 Geo. 2. c. 5. continued for 21 Years.

CAP. XXV.

An Act for repairing the Road between the Town of *Kingſton upon Hull*, and the Town of *Beverley* in the Eaſt Riding of the County of *York*. PR.

Certain Tolls granted for 21 Years.

CAP. XXVI.

An Act to rectify a Miſtake in an Act made in this Seſſion of Parliament, intituled, *An Act for the ſpeedy and effectual recruiting of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and forty-four.* EXP.

CAP. XXVII.

An Act for continuing an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, ſo far as the ſame relates to the repairing the Road from *Studley Bridge* to *Chippenham* in the County of *Wilts*, and for amending the Road from *Chippenham* to *Pickwick* in the ſaid County. PR.

Part of the Act 13 Geo. 1. c. 13. continued for 24 Years.

CAP. XXVIII.

An Act for explaining and amending an Act paſſed in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act to recover and preſerve the Navigation of the River* Dee *in the County Palatine of* Cheſter; and another Act paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, *An Act for incorporating the Undertakers of the Navigation of the River* Dee; and for repealing the Tonnage Rates payable to the ſaid Undertakers; and for granting to them other Tonnage or Keelage Rates in lieu thereof; and for other Purpoſes therein mentioned. PR.

'WHEREAS by An Act of Parliament made in the ſixth Year of his Majeſty's Reign, intituled, *An Act to recover and preſerve the Navigation of the River* Dee *in the County Palatine of* Cheſter, reciting, That by an Act of Parliament made in the eleventh and twelfth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act to enable the Mayor and Citizens of* Cheſter *to recover and preſerve the Navigation of the River* Dee, reciting, That the ſaid River *Dee* was theretofore navigable for Ships and Veſſels of a conſiderable Burden, from the Sea to the City of *Cheſter*; but, by Neglect of the ſaid River, and for Want of ſufficient Banks, Works, and Fences on the Sides thereof, againſt the Flux and Reflux of the Sea, the Channel of the ſaid River was become ſo various and uncertain, that by Sands and otherwiſe, the Navigation to the ſaid City was almoſt loſt and deſtroyed, the Mayor and Citizens of the ſaid City of *Cheſter*, and their Succeſſors, were impowered to make the ſaid River navigable from the Sea to the ſaid City of *Cheſter*, for Ships of one hundred Tons, or upwards; and to enable them ſo to do, certain Duties, in the ſaid Act mentioned, were laid upon Coals, Lime, and Limeſtone, brought to, and unloaded within the Liberties of the ſaid City, for the Term of twenty-one Years; and the Property of the Sands, Soil, and Ground, therein mentioned, was immediately, from and after ſuch Time as the ſaid River and Channel ſhould be made navigable and paſſable with and for ſuch Ships and Veſſels to and from the ſaid City of *Cheſter*, to be veſted in the ſaid Mayor and Citizens, and their Succeſſors, for ever; and they were at Liberty to defend, incloſe, and improve the ſame, and receive the Rents and Profits thereof, and apply the ſame for maintaining and repairing the intended Works and Fences, and for making, erecting, and doing ſuch further and other Works, Fences, and Things, from time to time, as Occaſion ſhould require, for making and keeping the ſaid River navigable;

6 Geo. 2. c. 30.

11 W. 3. c. 24.

'vigable: And reciting, That ſeveral conſiderable Sums of Money had been laid out and expended pur-
'ſuant to the ſaid Act; but the ſaid River was not made navigable, the Proviſions for making the ſame
'navigable by the ſaid recited Act being inſufficient; and that the Time thereby granted for making the
'ſame navigable was expired; and reciting, That the Sands, Soil, and Ground, not bearing Graſs,
'commonly called the *White Sands*, from the City of *Cheſter* to the Sea, and lying between the County
'of *Cheſter* on the North Side, and the County of Flint on the South Side, are of great Breadth in moſt
'Places; and that the ſaid River's not being navigable, was chiefly owing to the Breadth of the ſaid
'Sands, and to the ſhifting of the Chanel from one Side thereof to the other, as the Winds and Tide
'varied; and that the ſaid Sand, Soil, and Ground, commonly called the *White Sands*, were not, nor
'was likely to be of any Advantage or Benefit to any Perſon whatſoever, unleſs the ſaid River were
'bounded in, and made navigable by Sea Walls, Banks, and Fences as aforeſaid, which required a very
'great Expence, as well to erect as to maintain and repair from time to time, as Occaſion ſhould re-
'quire; but that yet nevertheleſs, if the ſaid Sands, Soil, or Ground commonly called the *White Sands*,
'were recovered from the Sea by Sea Walls, Banks, and Fences as aforeſaid, and the Channel thereby
'confined to one certain Courſe, it would not only effectually make the ſaid River navigable, but that
'veſting the ſaid *White Sands* in the Undertakers, would be a conſiderable Encouragement to the under-
'taking thereof: And reciting, That the making the ſaid River navigable would be a Means to advance
'the Trade of the ſaid City, and that a great Benefit would accrue thereby to the Inhabitants thereof, and
'to the Towns and Countries adjacent or near the ſaid River, as alſo be a Means to increaſe the Num-
'ber of Seamen and Watermen, and promote the publick Good of this Kingdom; *Nathaniel Kinderley*,
'in the ſaid Act named, his Heirs and Aſſigns, and ſuch Perſon or Perſons, as the ſaid *Nathaniel Kin-
'derley*, his Heirs or Aſſigns, ſhould nominate and appoint, under his or their Hand and Seal, were, by
'the ſaid Act of the ſixth Year of his preſent Majeſty's Reign, appointed Undertakers of the ſaid Navi-
'gation, and authorized and impowered at their own Coſts and Charges, by themſelves, their Deputies,
'Agents, Officers, Workmen, and Servants, from time to time, and at all Times thereafter, to make
'and keep the ſaid River *Dee* navigable from the Sea to a certain Point within the Liberties of the City
'of *Cheſter* called *Wilcox Point*, in ſuch Manner that there ſhould be ſixteen Foot Water in every Part of
'the ſaid River at a moderate Spring Tide, for Ships and Veſſels to come and go to and from the ſaid
'City; and to that End to alter, direct, and make, or cauſe to be altered, directed, and made, the Chan-
'nel of the ſaid River to run through ſuch Part of the ſaid Sand, Soil, and Ground, commonly called
'the *White Sands*, or the common Salt Marſhes thereunto adjoining, or through the Marſh or Marſhes of
'*John Wright*, Eſquire, commonly called *Brewers Hall Marſh*, as the ſaid *Nathaniel Kinderley*, his Heirs,
'Aſſigns, or Nominees, ſhould think fit; and the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns, and No-
'minees, had further Powers granted them by the ſaid Act, as therein mentioned; and as the ſaid *Na-
'thaniel Kinderley*, his Heirs, Aſſigns, or Nominees, would neceſſarily be at a very conſiderable Charge
'and Expence in making the ſaid River navigable, as alſo in repairing and keeping up the ſame fit for
'ſuch Navigation as aforeſaid, it was by the ſaid Act of the ſixth Year of his preſent Majeſty enacted,
'That immediately from and after ſuch Time as the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns, or No-
'minees, ſhould make the ſaid River *Dee* navigable and paſſable with and for Ships and Veſſels in Man-
'ner as aforeſaid, all Merchants, Owners, and Proprietors of any Goods, Wares, Merchandizes, or
'other Commodities, that ſhould be brought into the ſaid River and Channel, and that ſhould be loaded at,
'or ſhipped off, or ſent from the City of *Cheſter*, or at or from any other Place or Places whatſoever be-
'tween the ſaid City of *Cheſter* and *Parkgate* in the County of *Cheſter* on the North Side of the ſaid River,
'and between the City of *Cheſter* and the Town of *Flint* in the County of *Flint*, on the South Side of
'the ſaid River, ſhould pay unto the ſaid *Nathaniel Kinderley*, his Heirs, or Aſſigns, or Nominees, all
'and every ſuch Duty, Tonnage, Sum and Sums of Money, as in the ſaid Act are mentioned; and, as
'a farther Recompence for the Expences which the ſaid Undertakers ſhould be at in making the ſaid
'River navigable, certain Sands, Marſhes, and Salt Graſs, and other Lands therein mentioned, were,
'ſo ſoon as the ſaid River was made navigable, veſted in the ſaid Undertakers, to and for their proper
'Uſe, under the Proviſoes and Conditions in the ſaid Act mentioned; and Commiſſioners were appointed
'by the ſaid Act, for ſettling and adjuſting in the Manner therein mentioned, all Matters about which
'any Difference or Controverſy ſhould ariſe between the ſaid Undertakers and the Proprietors of any of
'the Lands adjoining to the ſaid River, in the Manner therein mentioned; and the ſaid Commiſſioners
'were thereby impowered, in the Manner therein mentioned, to ſettle and aſſeſs Recompence and Satiſ-
'faction to be made for any Damages, that might happen to any of the Lands or Fiſheries in the ſaid
'Act mentioned, by reaſon or Means of the ſaid Navigation: And the ſaid Undertakers were by the ſaid
'Act directed to inveſt ten thouſand Pounds in *South Sea* Annuities, or other Government Securities, in
'the Name of *Thomas Revel*, *John Manley*, and *Benjamin Hoare*, Eſquires, and *John Bland*, Banker, to
'remain as a Fund to anſwer the Damages laſt mentioned, for the Space of three Years from and after
'ſuch Time as the ſaid Navigation ſhould be fully compleated: And it was thereby alſo enacted, That in
'caſe the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns, or Nominees, ſhould not begin the ſaid Undertа-
'king on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-five, and
'finiſh the ſame, in making the ſaid River navigable according to the Intent and true Meaning of the
'ſaid Act, on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two, all
'and every the Powers, Authorities, Rights, Privileges, and Intereſt of the ſaid *Nathaniel Kinderley*, his
'Heirs, and Nominees, ſhould ceaſe, determine, and be utterly void: And that it ſhould not be lawful
'for any Proprietor or Undertaker, or his, her or their Heirs, or any Perſon or Perſons claiming under
'them or any of them, to ſell, aſſign, aliene, alter, or diſpoſe of, by any Ways or Means whatſoever,

'his,

‘ his, her or their Intereſt in the ſaid Undertaking, or any Part or Share thereof, to any Perſon or Perſons whatſoever, before or until ſuch Time as the ſaid River ſhould be made navigable as aforeſaid; as ‘ in and by the ſaid Act of Parliament of the ſixth Year of his Majeſty's Reign will more fully appear: And whereas the ſaid *Nathaniel Kinderley* did afterwards, by an Inſtrument in Writing dated the ‘ ninth Day of *July* one thouſand ſeven hundred and thirty-three, duly executed by him under his Hand ‘ and Seal, declare, that his Name was made uſe of in the ſaid Act of Parliament in Truſt for *Thomas* ‘ *Watts* and *Richard Manley*, Eſquires; and ſuch other Perſons as they ſhould appoint to be concerned ‘ in the ſaid Undertaking to make the ſaid River *Dee* navigable according to the Terms of the ſaid Act: ‘ And the ſaid *Nathaniel Kinderley* did afterwards duly nominate certain Perſons, being forty in Number, ‘ to be the Undertakers of the ſaid Navigation: And by Indenture Quadripartite, made the ninth Day of ‘ *April* one thouſand ſeven hundred and thirty-four, by and between the ſaid *Nathaniel Kinderley*, of the ‘ firſt Part; the ſaid *Thomas Watts* and *Richard Manley*, of the ſecond Part; *Joſeph Davis* and *William* ‘ *Perſons* of *London*, Gentlemen, of the third Part; and ninety other Subſcribers to the ſaid Indenture, or ‘ to the Schedule thereof, of the fourth Part, and duly executed by all the ſaid Parties, it was agreed, ‘ that the ſaid Subſcribers ſhould raiſe a joint Stock of forty thouſand Pounds, in the Manner and on the ‘ Truſts therein mentioned; which Truſts were, amongſt other Things, to lay out the ten thouſand ‘ Pounds to be depoſited as a Fund to anſwer the Damages before ſpecified; and alſo to lay out ſuch ‘ Sums as ſhould be neceſſary to recover and preſerve the Navigation of the River *Dee*, in ſuch Manner ‘ as in the ſaid Act is mentioned; and the Reſidue (if any) of the ſaid forty thouſand Pounds was to be ‘ in Truſt for the ſaid Subſcribers, in Proportion to the Sums by them reſpectively paid in: And it was ‘ by the ſaid Indenture further agreed, That the Duties and Tonnage by the ſaid Act made payable to, ‘ and the Sands, Soil, Ground, Marſhes, and Salt Graſs thereby veſted in the ſaid *Nathaniel Kinderley*, ‘ his Heirs, Aſſigns, or Nominees, ſhould be and remain to and for the Uſe and Benefit of the ſaid ‘ Subſcribers to the ſaid Indenture, or to the Schedule thereto annexed, in Proportion to the Sums by ‘ them reſpectively paid and to be paid in purſuance of the ſaid Indenture: And it was by the ſaid Indenture agreed, That the ſaid Joint Stock of forty thouſand Pounds ſhould be divided into four hundred ‘ Shares, each conſiſting of one hundred Pounds; and that each of the Subſcribers ſhould be intitled to ‘ ſo many of the ſaid Shares as he ſhould have ſubſcribed and paid in one hundred Pounds: And ſeveral ‘ Proviſions were by the ſaid Indenture made for the Management of the ſaid Undertaking, for recovering and preſerving the ſaid Navigation, and of the Affairs relating thereto; as by the ſaid Indenture ‘ may more fully appear: And whereas the ſaid Undertakers, the Aſſigns or Nominees of the ſaid *Nathaniel Kinderley*, between the twenty-ſeventh Day of *Auguſt* and the ninth Day of *November* one thouſand ‘ ſeven hundred and thirty-five, did inveſt the Sum of ten thouſand Pounds in the Purchaſe of nine thouſand two hundred and ninety Pounds, old *South Sea* Annuities, in the Names of the ſaid *Thomas Revel*, ‘ *John Manley*, *Benjamin Hoare*, and *John Bland*, as Truſtees for the Purpoſes in the ſaid Act of Parliament mentioned; and the ſaid *Benjamin Hoare* afterwards refuſing to accept the ſaid Stock in the *South* ‘ *Sea* Company's Books, or to act in the ſaid Truſt, the ſaid Annuities were, in purſuance of a Decree ‘ of the High Court of *Chancery* of *Great Britain*, made the eighteenth Day of *February* one thouſand ſeven hundred and thirty-ſeven, transferred into the Names of the ſaid *Thomas Revel*, *John Manley*, and ‘ *John Bland*, upon the ſame Truſts: And whereas the ſaid Undertakers began the ſaid Undertaking before the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-five, and laid out the Monies advanced and paid in and upon the ſaid Indenture, in making the ſaid Depoſit of ten thouſand ‘ Pounds in *South Sea* Annuities, and for other the Purpoſes in the ſaid Indenture mentioned, and great ‘ Progreſs was thereby made in recovering the ſaid Navigation; but the ſame not being perfected, and it ‘ being neceſſary to raiſe further Monies for that Purpoſe, it was by Deed-poll, bearing Date the ſeventeenth Day of *Auguſt* one thouſand ſeven hundred and thirty-ſix, agreed to advance ten *per Centum* ‘ more on each their reſpective Subſcriptions to the ſaid Indenture, for the Purpoſes in the ſaid Indenture ‘ expreſſed concerning the ſaid forty thouſand Pounds; and afterwards there being a Neceſſity to raiſe ‘ further Monies for the perfecting the ſaid Navigation, by another Deed-poll, bearing Date the third ‘ Day of *March* one thouſand ſeven hundred and thirty-ſix, it was agreed by the ſaid Subſcribers to the ‘ ſaid Deed-poll, to advance twenty-Pounds *per Centum* more on their reſpective Subſcriptions to the ‘ ſaid Indenture for perfecting the ſaid Navigation: And whereas the Subſcribers to the ſaid Indenture, ‘ and to the ſaid Deeds-poll, and Undertakers of the ſaid Navigation, having raiſed and paid in forty-ſeven thouſand eight hundred and thirty Pounds, the ſame was laid out in making the ſaid Depoſit, and ‘ in cutting and making a new Channel for the ſaid River *Dee* through the adjacent Marſhes, near ten ‘ Miles in Length; and making a Dam and Sluces croſs the ſaid old Channel of the ſaid River, and ‘ deepening and ſcouring thereof, and making other Works neceſſary for the recovering and preſerving ‘ the Navigation of the ſaid River, and in Charges neceſſarily attending the ſaid Undertaking; and the ‘ ſaid River was in the Month of *April* one thouſand ſeven hundred and thirty-ſeven turned into the ſaid ‘ new Channel, and hath ever ſince continued to run through the ſame, and ever ſince that Time Ships ‘ and Veſſels of conſiderable Burden have ſailed and navigated through the ſaid new Channel, up to the ‘ ſaid Point called *Wilcox Point*; and the ſaid Undertakers being by the ſaid Act directed and impowered ‘ to make and keep the ſaid River navigable from the Sea to the ſaid Point called *Wilcox Point*, in ſuch ‘ Manner that there ſhould be ſixteen Foot Water in every Part of the ſaid River at a moderate Spring ‘ Tide, for Ships and Veſſels to come and go to and from the ſaid City, ſeveral Trials and Soundings ‘ were had and made, in order to aſcertain the Height the Water flowed to at a moderate Spring Tide; ‘ and thereby the ſame was aſcertained and fixed, to be level with the Height of nine Foot above the ‘ Bottom Floor, or Apron of the Ten Gate Sluice, Part of the Works of Navigation erected by the ſaid

‘ Undertakers;

'Undertakers; and as a Teſtimonial thereof, a Pile was in the Year one thouſand ſeven hundred and 'thirty-eight, drove and fixed in the ſaid River, near the ſaid ten Gate Sluice, on which the ſaid Height 'of nine Foot from the Bottom Floor or Apron of the ſaid Ten Gate Sluice, was marked and ſet as and 'for the Standard Height of the Water at a moderate Spring Tide; and the ſame has ſince been com-'monly called the Standard: And whereas the ſaid Undertakers finiſhed the ſaid Undertaking, in making 'the ſaid River navigable, according to the Intent and true Meaning of the ſaid recited Act of the ſixth 'Year of his Majeſty's Reign, before the twenty-fifth Day of *March* one thouſand ſeven hundred and 'forty, and have ſince that Time been at very great Charges and Expences in preſerving and keeping 'the ſame navigable, according to the Intent and true Meaning of the ſaid Act: And whereas the Joint 'Stock of the ſaid Undertaking having been laid out as aforeſaid, and proving inſufficient for preſerving 'and ſecuring the Works of Navigation, and incloſing and improving the Sands and Grounds veſted by 'the ſaid Act in the ſaid Undertakers, at a General Meeting of the ſaid Undertakers held the eleventh 'Day of *December* one thouſand ſeven hundred and forty, they did agree, that the ſaid Joint Stock ſhould 'be increaſed to fifty-two thouſand Pounds, and that Application ſhould be made to Parliament to incor-
14 Geo. 2. c. 8. 'porate the ſaid Undertakers: And whereas by one other Act of Parliament made in the fourteenth Year 'of his Majeſty's Reign, intituled, *An Act for incorporating the Undertakers of the Navigation of the River* 'Dee, It was amongſt other Things enacted, That *William Allix*, and the ſeveral other Perſons therein 'named, Proprietors of the Undertaking for recovering and preſerving the Navigation of the ſaid River '*Dee*, and the Repreſentatives of ſuch of the Subſcribers to the ſaid Indenture or Deeds-poll as were 'dead, their ſeveral and reſpective Succeſſors, Heirs, and Aſſigns, ſhould be erected into one Company 'for the Purpoſes aforeſaid, and be incorporated, by the Name of *The Company of Proprietors of the Under-'taking for recovering and preſerving the Navigation of the River* Dee, and have perpetual Succeſſion, and 'a common Seal, and have Power to do all ſuch Acts as the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns, 'or Nominees, might have done, or were impowered to do, by virtue of the ſaid Act of the ſixth Year 'of his preſent Majeſty; and to take and receive all ſuch Duties, Tonnage Dues, and Payments whatſo-'ever, as the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns, or Nominees, were impowered to do by the 'ſaid Act; and to embank, incloſe, improve, and apply to the Uſe of the ſaid Company, the White 'Sands, Soil, and Ground, and other Lands whatſoever, by the ſaid Act veſted in the ſaid *Nathaniel* '*Kinderley*, his Heirs, Aſſigns, and Nominees, upon the Terms and Conditions in the ſaid Act mention-'ed, in the ſame Manner as the ſaid *Nathaniel Kinderley*, his Heirs, Aſſigns, or Nominees, might have 'done; and to execute all the Powers and Authorities veſted in the ſaid *Nathaniel Kinderley*, his Heirs, 'Aſſigns, and Nominees, by the ſaid Act, and in ſuch Manner as the ſaid *Nathaniel Kinderley*, his Heirs, 'Aſſigns, or Nominees, might have executed the ſame, by virtue of the ſaid Act, ſubject to the Limi-'tations, Conditions, and Reſtrictions in the ſaid Act mentioned; as in and by the ſaid Act of Parlia-'ment of the fourteenth Year of his preſent Majeſty will more fully appear; And whereas the Tonnage 'Rates and Duties, which by the ſaid Act of Parliament of the ſixth Year of his preſent Majeſty, are 'charged and made payable for all Goods, Wares, Merchandizes, and other Commodities, brought 'into or loaded in the ſaid River, are by Experience found to be too high, and to be a Diſcourage-'ment to the Trade of the ſaid City; and the Mayor and Citizens of *Cheſter*, and the Merchants and 'Traders of Cheſter have therefore requeſted the ſaid Company of Proprietors of the Undertaking for 'recovering and preſerving the Navigation of the River *Dee*, to conſent that the ſame may be repealed, 'and that, in lieu thereof, other and eaſier Tonnage or Keelage Duties may be appointed to be paid 'to the ſaid Company which the ſaid Company have conſented to; the doing whereof will be an En-'couragement to Trade, and it will be for the common Good of the ſaid Undertaking, that the ſaid 'Acts of Parliament of the ſixth and fourteenth Years of his preſent Majeſty ſhould be explained and 'amended in the ſeveral other Particulars hereafter mentioned; and the ſaid Company, and the Mayor 'and Citizens, and Merchants and Traders of *Cheſter*, have accordingly applied for ſuch an Act to be 'paſſed: And whereas it is reaſonable and juſt, that an Act of Parliament ſhould paſs for the Purpoſes 'aforeſaid;' May it therefore pleaſe your moſt Excellent Majeſty, at the humble Petition of the Company of Proprietors of the Undertaking for recovering and preſerving the Navigation of the River *Dee*, and of the Mayor and Citizens, and Merchants and Traders of the ſaid City of *Cheſter*, That it may be enacted, *&c.*

"Repeal of the former Rates of Tonnage. New Rates appointed, *viz.* For every Ship or Veſſel coming "to or going from *Cheſter*, or any other Place between *Cheſter* and *Parkgate*, on the North Side of the "River, and between *Cheſter* and *Flint* on the South Side, to or from any Part of *Great Britain* or *Wales*, "between the ſaid City and *Saint David's Head*, or *Carliſle*, for every Ton 2 *d.* and for every Ship, *&c.* "going to or coming from any Place between *Saint David's Head* and the *Land's End*, or beyond *Car-"liſle* to any Part in or on this Side the *Shetlands*, or to and from the Iſle of *Man*, for every Ton 3 *d.* "and for every Ship, *&c.* going to or coming from *Ireland*, for every Ton 4 *d.* and for every Ship, *&c.* "going to or coming from any Place up the *King's Channel*, beyond the *Land's End*, or beyond the "*Shetlands*, for every Ton 4 *d.* and for every Ship, *&c.* going to or coming from *Norway*, *Denmark*, "*Holſtein*, *Holland*, *Hamburgh*, *Flanders*, or any Part of *France* without the Streights of *Gibraltar*, or the "Iſlands of *Jerſey* or *Guernſey*, for every Ton 8 *d.* and for every Ship, *&c.* going to or coming from "*Newfoundland*, *Greenland*, *Ruſſia*, and within the *Baltick*, *Portugal*, and *Spain* without the *Streights*, "*Canaries*, *Madeiras*, *Weſtern Iſles*, *Azores*, for every Ton 12 *d.* and for every Ship, *&c.* going to or "coming from the *Weſt Indies*, *Virginia*, or any other Part of *America*, *Africa*, *Europe*, or *Aſia* within "the *Streights*, *Africa* without the *Streights*, or *Cape de Verd* Iſles, for every Ton 1 *s.* 6 *d.* and for every

" Veſſel, carrying Goods from, or bringing Goods to *Cheſter*, or through any Part of the new Channel, " in order to be put on Board, or diſcharged from any Ship, lying at *Parkgate*, *Flint*, or any other Place " within the Port of *Cheſter*, and below the Channel, for every Ton 2*d.* Repeal of a Rate of 6*d. per* " Ton on the Cheeſe Trade; and 2*d. per* Ton placed in the Room. Skins or Wool to pay the Duty " by Weight only. Collector may weigh or gauge the Goods. Duty ſhall be paid before the Veſſel is " cleared. Collector may ſtop the Veſſel for the Duty, and ſell the ſame after ten Days. Duty for Veſ- " ſels lying in the Dock altered from 9*d.* to 6*d.* Sixteen Feet altered to 15 Feet Water, for the Standard " at a moderate Spring Tide. The City and Company to appoint two Supervifors. Penalty on the " Company's not keeping the River clear according to the Standard. Thirteen Commiſſioners may " make an Order. Supervifors to ſound the River weekly, if required. Two other Standard-piles to " be erected, and kept in Repair. Clerk of the Peace for *Cheſter* to regiſter the Supervifors a Month " after Nomination. Books of the Soundings to be kept by the Supervifors for publick Inſpection. " Copies of the Books to be lodged with the Clerk of the Peace. Two Ferries to be kept. Conve- " nient Roads to be made to and from the Ferries, to kept in Repair by the Company. Shares in the " Company to be deemed Perſonal Eſtates. Proviſo for Landholders. Perſons aggrieved may apply to " the Great Seſſions for the County of *Flint*. Five Paſſages to be kept for watering Cattle. A Survey " of the Marſh Lands on the South Side to be taken. Not to affect Royalties of Fiſhing and Fowling. *See 26 Geo. 2. c. 35.* " No Perſons to fix Nets or Stakes croſs the River."

CAP. XXIX.

An Act for making more effectual Proviſion for enlightening the Streets of the City of *London*.

' WHEREAS to prevent the committing of Murders, Robberies, Burglaries, Felonies, and other ' Crimes of a heinous Nature, in the Night Seaſon, in the Streets, Lanes, Paſſages, and Courts ' within the City of *London*, and the Liberties thereof, an Act of Parliament was made and paſſed in the ' ninth Year of the Reign of his preſent Majeſty, for the better enlightening the Streets of the City of ' *London:* And whereas the Proviſions made by the ſaid Act have been found defective, and inſufficient to ' anſwer the ſeveral Ends and Purpoſes thereby intended:' Wherefore, and to the End the good Pur- poſes intended by the ſaid Act may be carried on, and fully executed, for the Safety and Preſervation of the Citizens and Inhabitants of the ſaid City, the Mayor, Aldermen and Commonalty of the City of *London* in Common Council aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſuch a convenient and ſufficient Number of Glaſs Lamps, of ſuch Sort and Faſhion as the Mayor, Aldermen and Commonalty of the ſaid City in Common Council aſſembled, ſhall think proper and requiſite, ſhall be from time to time erected, fixed, ſet up and lighted in ſuch Parts and Places within the ſaid City or Liberties thereof, as to the ſaid Mayor, Aldermen and Commonalty in Common Council aſſembled, ſhall ſeem meet and expedient. 9 Geo. 2. c. 20.

Number of Lamps to be ſettled by the Court of Aldermen and Common Council.

II. And for defraying the yearly Charges of erecting, lighting, ſupplying, maintaining, and repairing the ſame Lamps; Be it further enacted, That from the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, one or more Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall twice in every Year (or oftner in every Year, if it ſhall be thought needful for that Purpoſe, by the Mayor, Aldermen and Commons in Common Council aſſembled) be made, laid and aſſeſſed in every Ward of the City of *London*, by the Aldermen, Deputy and Common Council, or the major Part of them, in each reſpective Ward, of and upon all and every the Perſon or Perſons who do or ſhall inhabit, hold, occupy, or enjoy any Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or any Part thereof within the ſaid City of *London* or the Liberties thereof, who by the Laws now in being are liable to be, and from time to time ſhall be actually rated towards the Relief of the Poor in the reſpective Pariſhes within the ſaid City of *London* and the Liberties thereof, where ſuch Perſon or Perſons ſhall reſpectively live, or be Occupers, in ſuch competent Sum and Sums of Money, as the ſaid Mayor, Aldermen and Commonalty of the ſaid City of *London* in Common Council aſſembled, ſhall between the firſt Day of *September* and the twentieth of *October*, yearly and every Year, order and direct, in purſuance of the Power herein after inveſted in them, ſo as ſuch Aſſeſſment or Aſſeſſments to be from time to time made by virtue or in purſuance of this Act, do not exceed in the whole the Sum of ſix Pence in the Pound in any one Year of the yearly Rent of the Houſes, Meſſuages, Lands, Tenements and Hereditaments of or belonging to ſuch Perſons ſo to be aſſeſſed, as the ſame ſhall from time to time be aſcertained and rated by the Land Tax within the reſpective Wards of the ſaid City of *London*, ſo as by ſuch Aſſeſſment or Aſſeſſments no Perſon or Perſons be rated or aſſeſſed in the whole in any one Year, in reſpect of any Lands, Tenements or Hereditaments above the Sum of fifty Shillings: And the reſpective Collectors for the Time being, for the ſeveral Wards within the ſaid City of *London* and the Liberties thereof, who ſhall be choſe in Manner as herein after is appointed, are hereby authorized and required to collect quarterly of and from every Perſon and Perſons, who ſhall be ſo rated or aſſeſſed as aforeſaid, ſuch Rates and Sums of Money as ſhall be rated and aſſeſſed as aforeſaid by every ſuch Aſſeſſment or Aſſeſſments.

Rates to be ſettled by the Lord Mayor, Aldermen, and Common Council.

Rates not to exceed ſix Pence in the Pound,

nor 50 s. in any one Year,

to be collected quarterly.

III. And in order to aſcertain the Rates and Aſſeſſments to be raiſed and levied by virtue of this Act, Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Aldermen of the ſeveral Wards within the ſaid City of *London*, and their reſpective Deputies and Common Council Men for the Time being, at all ſeaſonable and convenient Times, to call before them the ſeveral Collectors

Aldermen and Common Council may inſpect the Land Tax Books, and take Copies.

tors of the Land Tax in each Ward, and to inſpect the Books of Aſſeſſment of the Land Tax within their reſpective Wards in the ſaid City of *London* and the Liberties thereof, and to take Copies thereof, if they ſhall think fit.

Court of Lord Mayor and Aldermen to determine Complaints relating to Aſſeſſments.

IV. And be it further enacted by the Authority aforeſaid, That if the Alderman, Deputy, and Common Council Men of any Ward in the City of *London*, ſhall at any Time or Times hereafter, in any ſuch Rates or Aſſeſſments ſo as aforeſaid to be made by them, neglect or omit to rate or aſſeſs any Lands, Tenements or Hereditaments, or the Inhabitants or Occupiers thereof, within their reſpective Wards, in Proportion to the yearly Rent of any ſuch Lands, Tenements and Hereditaments, as the ſame ſhall be aſcertained and rated in the Land Tax Rate or Aſſeſſment, ſo as the ſame do not exceed the ſaid Sum of ſix Pence in the Pound, and ſo as by any ſuch Rates or Aſſeſſments no Perſon or Perſons be rated or aſſeſſed in the whole, in any one Year, in reſpect of the ſame, above the ſaid Sum of fifty Shillings; that then and ſo ſoon as any ſuch Caſe ſhall happen, and Complaint ſhall be made thereof by any Inhabitant of the ſaid City of *London*, to the Court of the Lord Mayor and Aldermen of the ſaid City, who are hereby impowered and required to receive ſuch Complaint, and from time to time to ſummon before them and examine Witneſſes thereon on Oath, and with all convenient Speed to hear and determine every ſuch Complaint; and the Matter of any ſuch Complaint ſhall, on hearing thereof, be adjudged by the ſaid Court to be true, the ſaid Court ſhall thereupon from time to time order the Deficiency which ſhall be occaſioned in every ſuch Ward, by ſuch Neglect or Omiſſion as aforeſaid, to be rated and aſſeſſed in the next Year's Rate or Aſſeſſment, as ſhall be made in every ſuch Ward, over and beſides the ordinary Rate or Aſſeſſment to be made for or in reſpect of ſuch Ward for ſuch the ſaid next Year in purſuance of this Act.

'V. And whereas many Houſes in ſeveral of the Wards of the ſaid City are, by the ſeveral Landlords 'or Owners thereof, let out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to 'rate and aſſeſs ſuch Houſes, or to recover ſuch Rates and Aſſeſſments when made;' For Remedy whereof, Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-four, it ſhall and may be lawful to and for the Alderman of each reſpective Ward, by and with the Conſent of his Deputy and Common Council Men, or the major Part of them, from time to time and at all Times when they are directed to make a Rate in purſuance of this Act, to rate and aſſeſs the Owner or Owners of all ſuch Houſes or Tenements as ſhall be let to, or occupied by three or more Tenants; which Rate and Aſſeſſment ſhall be paid by one or more of the Occupiers of any Part or Parts of ſuch Houſes: And in caſe any Occupier or Occupiers of any Part of ſuch Houſes or Tenements ſhall refuſe to pay the ſame, then the ſaid Rate and Aſſeſſment ſhall be levied by Diſtreſs and Sale of the Goods of him, her or them ſo refuſing to pay the ſame; which Diſtreſs and Sale ſhall be made in ſuch Manner as other Diſtreſſes and Sales are in this Act directed; and ſuch Occupier or Occupiers of ſuch Tenements are hereby required and authorized to pay ſuch Sum and Sums of Money as ſhall be ſo rated or aſſeſſed on the Owner or Owners thereof, in purſuance of this Act, and to deduct the ſame out of the Rent thereof; and the Landlord or Owner or Owners thereof are hereby required to allow ſuch Deductions and Payments upon the Receipt of the Reſidue of their Rents; and every Tenant paying ſuch Aſſeſſment or Aſſeſſments ſhall be acquitted and diſcharged for ſo much Money as the ſaid Aſſeſſment or Aſſeſſments ſhall amount unto, as if the ſame had been actually paid to ſuch Perſon or Perſons to whom his, her or their Rent ſhould have been due and payable.

Houſes let into Tenements ſhall pay to the Lamps.

Aſſeſſments to be levied by Diſtreſs and Sale.

Aſſeſſment to be allowed the Tenant in his Rent.

VI. And foraſmuch as it is reaſonable that all publick Buildings (Hoſpitals excepted) ſhould be rated 'and aſſeſſed in a due Proportion, towards the better lighting the ſaid City and Liberties thereof;' Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Alderman of the Ward of *Caſtle Baynard*, with the Advice and Conſent of his Deputy and Common Council Men, or the major Part of them, at his and their Diſcretions, and they are hereby required, when and at ſuch Time and Times as the Rates and Aſſeſſments hereby directed to be made, ſhall from time to time be made, to rate and aſſeſs the Cathedral Church of *Saint Paul*; and alſo for the Alderman of each reſpective Ward where ſuch other publick Buildings reſpectively do ſtand and are ſituate, by and with the Advice and Conſent of his Deputy and Common Council Men, or the major Part of them, at his and their Diſcretions, and they are hereby required in like Manner to rate and aſſeſs all Pariſh Churches, Churchyards, Chapels, Meeting-houſes, (ſo as ſuch Rate or Aſſeſſment on the ſaid Meeting-houſes do not exceed the Sum of ſix Pence in the Pound on the annual Value, or on the Rack-rent thereof, where the ſame are held at ſuch Rent) Schools, Inns of Court, Halls, Societies, Markets, Warehouſes, Vaults and Cellars, and all other publick Buildings whatſoever, ſituate, ſtanding, lying and being within their reſpective Wards, towards the erecting, lighting, maintaining and repairing the ſaid Lamps; Regard being by them always had to the Number of Lamps which ſhall be found neceſſary for the lighting the ſame.

Publick Buildings to be aſſeſſed.

Dean of Saint Paul's, &c. required to pay the Aſſeſſments.

VII. And it is hereby further enacted, That the Dean and Chapter of the Cathedral Church of *Saint Paul* for the Time being, and all and every the reſpective Churchwardens and Chapelwardens of the ſeveral Pariſh Churches and Chapels, and the reſpective Head Officers, Maſter, Wardens, Preſident, Principal, Treaſurer, and Governors of all Meeting-houſes, publick Halls, Inns of Court, Societies, Schools, and the Occupiers or Proprietors of all other publick Buildings and Places, and the Owners or Occupiers of Vaults and Cellars, within the ſaid City and Liberties thereof reſpectively, fronting or adjoining to any of the publick Streets, Lanes, publick Places and Paſſages of the ſaid City and Liberties thereof; and the Farmers or Occupiers of all and every the Markets within the City and Liberties thereof, ſhall, and they reſpectively are hereby charged with, and required to pay their reſpective Rates

and Aſſeſſments, which ſhall from Time to Time be ſo rated and aſſeſſed upon them, or any of them, or any of the ſaid reſpective Buildings and Places, purſuant to this Act; and in caſe of Non-payment thereof, every ſuch Rates and Aſſeſſments ſhall and may be recovered from him and them, in the Manner and by the Means hereafter appointed for the Recovery of the Rates and Aſſeſſments hereby directed to be made.

The Dean and Chapter may cauſe ſufficient Lights to be placed round the Fence of St. Paul's Cathedral, and be freed from the Aſſeſſment.

VIII. Provided always, and it is hereby declared, That if the ſaid Dean and Chapter of *Saint Paul*'s, ſhall at their own Coſts and Charges, cauſe the Fence round the ſaid Cathedral Church, to be duly lighted with Lamps of the ſame Sort, and at and for the ſame Time, in a proportionable Number, and from Time to Time keep the ſaid Fence ſo lighted, in the ſame Manner as by this Act ought to be done in the other Parts of *Saint Paul*'s Church-yard (which the Court of Lord Mayor and Aldermen for the Time being are hereby impowered to determine) that then, and ſo long as they continue to light the ſaid Fence, as is hereby directed, no Rate or Aſſeſſment ſhall be laid on the ſaid Cathedral Church by virtue of the Powers hereby granted; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Perſons aggrieved may appeal.

Appeal to be finally determined in 10 Days.

IX. Provided always, and it is hereby declared, That in caſe any Perſon or Perſons ſhall think him, her or themſelves aggrieved by any Rate and Aſſeſſment to be made in purſuance of this Act, it ſhall and may be lawful for him, her and them reſpectively, within the Space of twenty Days after ſuch Rate and Aſſeſſment ſhall be demanded perſonally, or by Notice in Writing, left at the Premiſſes which the Party aſſeſſed ſhall occupy, to appeal to the Court of Lord Mayor and Aldermen, who are hereby impowered to hear and determine the ſame, within the Space of ten Days next after every ſuch Appeal ſhall be ſo made to them; and their Determination ſhall be final and concluſive; and no Fees ſhall be paid on the making of ſuch Appeal, or on the ſame being heard and determined.

Void Ground and Places where no Inhabitants can be properly charged, ſhall be aſſeſſed on the Chamberlain.

Chamberlain may appeal if he thinks the City aggrieved.

'X. And whereas there are ſeveral Pieces of void Ground and ſpacious Places belonging to the ſaid 'City, lying within the ſame, or the Liberties thereof, where no Perſons are or can be properly charge-'able as aforeſaid, and which nevertheleſs, ought to be well and ſufficiently lighted;' Be it further enacted by the Authority aforeſaid, That the Chamberlain of the City of *London* for the Time being, ſhall from Time to Time, out of any Money in his Hands, belonging or as ſhall belong to the ſaid City, pay ſuch Rates and Aſſeſſments as ſhall be rated and aſſeſſed for the due Lighting of ſuch void Ground and Places where no Inhabitants are, or can be properly charged, according to the Diſcretion of the Alderman, Deputy and major Part of the Common Council Men of each Ward, wherein ſuch void Grounds and Places are ſituate as aforeſaid; Regard being by them always had to the Number of Lamps neceſſary for the due Lighting of the ſame: And in caſe the ſaid Chamberlain ſhall think the ſaid City aggrieved by ſuch Rate and Aſſeſſment, he ſhall or may, in Behalf of the ſaid City within the Space of twenty Days after ſuch Rate and Aſſeſſment ſhall be demanded, appeal to the Court of Lord Mayor and Aldermen as aforeſaid; whoſe Judgment and Determination ſhall be final.

Collectors to be choſen on St. Thomas's Day.

XI. And to the End that the ſeveral Rates and Aſſeſſments herein before mentioned may be fully and compleatly raiſed and paid for the Purpoſes aforeſaid, Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for each Alderman, by and with the Advice and Conſent of his Deputy and Common Council Men, or the major Part of them, at each Wardmote to be held upon or near *Saint Thomas*'s Day, for the Choice of Ward Officers, to return the Names and Places of Abode of ſix or more ſubſtantial Inhabitants of ſuch Ward, out of which two or more, at the Diſcretion of the Alderman and his Deputy and Common Council Men, or the major Part of them, ſhall be choſen and appointed at the ſaid Wardmote, to be Collectors for one whole Year of the Rates and Aſſeſſments which ſhall be made in purſuance of this Act, from the twenty-ninth Day of *September* then laſt to the twenty-ninth Day of *September* then next following; but the Rates and Aſſeſſments which ſhall be firſt made in purſuance of this Act, ſhall commence and be made from the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four; and the Collectors who ſhall be choſen at the ſeveral Wardmotes within the ſaid City, the firſt Time after the Commencement of this Act, ſhall be Collectors of all Rates and Aſſeſſments which ſhall be made in purſuance of this Act, from the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, to the twenty-ninth Day of *September*, which ſhall be in the Year one thouſand ſeven hundred and forty-five, incluſive; which Collectors for the Time being are hereby authorized and required, in the reſpective Wards for which they ſhall be ſo choſen Collectors; to collect and receive from Time to Time ſuch Rates, Aſſeſſments and Sums of Money as ſhall be due and payable by virtue of this Act, of and from all Perſons liable to pay the ſame; and all Perſons who by virtue of this Act ſhall be charged therewith, or are liable thereunto, are hereby required to pay ſuch Rates or Aſſeſſments unto ſuch reſpective Collectors for the Time being accordingly; ſuch Collectors from Time to Time giving Receipts for the ſame *gratis*, if thereunto required, and which they are hereby enjoined to do; and that every ſuch Collector who ſhall be choſen by virtue of this Act, ſhall at the Wardmote at which he ſhall be ſo choſen as aforeſaid, or within the Space of twenty Days then next enſuing, before the Alderman of the Ward, for which he ſhall be ſo choſen Collector or his Deputy, at ſuch Time and Place as ſuch Alderman or his Deputy ſhall appoint, take and ſubſcribe the following Oath, or ſolemn Affirmation, being one of the People called *Quakers*, for the true and faithful Execution of the ſaid Office:

Collector within 20 Days to take an Oath, &c.

Collector's Oath.

'I *A. B.* do ſwear, That I will, according to the beſt of my Skill and Knowledge, well and truly per-'form and execute the Office of a Lamp Collector within this Ward'.

So help me God.

The Oath to be taken without Fee or Stamp.

Penalty on Collector's refuſing to take the Oath, or to act.

Penalty.

Which Oath or Affirmation ſhall be taken without any Fee or Reward, and without any Stamp thereon; and which Oath or Affirmation the Alderman of every of the reſpective Wards in the City of *London* for the Time being, or their reſpective Deputies, are hereby impowered to adminiſter, as the Caſe ſhall require; and if any Collector choſen in purſuance of this Act, ſhall refuſe or neglect to take the ſaid Oath, or being one of the Perſons called *Quakers*, the ſaid Affirmation, or to take upon himſelf the ſaid Office, or taking upon himſelf the ſaid Office, ſhall neglect or refuſe to ſerve the ſame, according to the true Intent and Meaning of this Act, he ſhall forfeit and pay the Sum of ten Pounds to be applied to, and made Part of the Fund for providing and maintaining ſuch Lights within the ſaid City and Liberties as aforeſaid, to be by the Aldermen or his Deputy of the Ward where ſuch Neglect or Refuſal ſhall happen, received and paid into the Chamber of *London* for that Purpoſe; and ſuch Collector ſhall continue liable to be choſen into the ſaid Office again the Year following, or at any other Time; and in caſe of his Refuſal, ſhall be again liable to the like Penalty, and ſo as often as he ſhall refuſe or neglect to take upon him the ſaid Office, and duly execute the ſame.

If a Perſon ſhall refuſe to take the Office, or ſhall die or remove out of the Ward, another ſhall be choſen,

ſubject to the like Penalty for not taking the Oath, or acting.

XII. And be it further enacted by the Authority aforeſaid, That when any Perſon ſhall refuſe or neglect to take upon him the ſaid Office, when choſen thereto, or to execute the ſame, or ſhall happen to depart this Life, or remove out of the Ward in which he ſhall be choſen and appointed, before he has finiſhed his Collection, it ſhall and may be lawful for the Aldermen of the Ward for the Time being, when the Caſe ſhall ſo happen, with the Advice and Conſent of his Deputy and Common Council Men, or the major Part of them, by Appointment under their Hands and Seals, to nominate and appoint ſome other Perſon within ſuch Ward, to collect all ſuch Sum and Sums of Money as ſhall remain due and unpaid of ſuch Rate and Aſſeſſment as aforeſaid: And if ſuch other Perſon ſo appointed ſhall neglect or refuſe to take and ſubſcribe the ſaid Oath, or being one of the Perſons called *Quakers*, the ſaid Affirmation or to ſerve the ſaid Office, then and in ſuch Caſe, ſuch other Perſon ſo neglecting or refuſing ſhall be liable to the like Penalties with thoſe who neglect or refuſe to ſerve the Office when choſen at the Wardmote as aforeſaid.

Proviſo.

XIII. Provided always, and be it further enacted, That nothing in this Act ſhall be conſtrued to extend to oblige any Perſon or Perſons to ſerve the ſaid Office of Collector, who by the Laws now in being are exempted from ſerving any Pariſh or Ward Office.

Collectors to account on Oath, on 7 Days Notice.

XIV. And be it further enacted, That the ſeveral Collectors for the ſeveral Wards within the City of *London*, and the Liberties thereof, for the Time being, ſhall as often as they ſhall be reſpectively required, and on ſeven Days Notice in Writing given to or left for them reſpectively, at his or their uſual Places of Abode within the ſaid City or Liberties thereof, by the Alderman of the reſpective Ward wherein ſuch Collector or Collectors ſhall live, or his Deputy and Common Council, or the major Part of them, deliver in upon Oath (or Affirmation, if ſuch Collector be a *Quaker*) if thereunto required, unto every ſuch Alderman, or his Deputy and Common Council, or the major Part of them, at ſuch Time and Place as they ſhall appoint within their reſpective Wards (which Oath or Affirmation the ſaid Alderman or his Deputy are hereby impowered to adminiſter) a true, exact and perfect Account in Writing, under the reſpective Hands of ſuch Collector or Collectors, of all Sums of Money, which he or they ſhall have received, by reaſon of his or their ſaid Office, and alſo a true Liſt of the Names of all Perſons in their reſpective Wards, who ſhall have neglected or refuſed to pay the Rates and Aſſeſſments laid on them as aforeſaid; and of the ſeveral Sums from him, her or them reſpectively due and in Arrear, to the Intent that the ſame may be ſpeedily got in and recovered; and if any Collector or Collectors, after ſuch Notice given, ſhall neglect or refuſe to bring in his Accounts as aforeſaid, or to account for any Sum or Sums of Money by him or them collected and received, and to pay the ſame, and every Part thereof, as is hereby appointed, it ſhall and may be lawful to and for the Lord Mayor or Alderman of the ſaid Ward for the Time being, to commit ſuch Collector or Collectors to one of the Compters within the ſaid City, there to remain without Bail or Mainprize, until he or they ſhall have rendered and made a true and perfect Account and Payment as aforeſaid, or ſhall make ſuch Compoſition as the ſaid Lord Mayor or Alderman ſhall think juſt and reaſonable.

Penalty on Collectors refuſing to account, and pay the Money collected.

Collector may levy by Diſtreſs and Sale.

XV. And be it further enacted, That if any Perſon or Perſons ſhall neglect or refuſe to pay the Sum or Sums of Money on him or them rated and aſſeſſed by virtue of this Act, for the Space of ſeven Days after perſonal Demand thereof, or Demand in Writing left at the Place of Abode or Occupation within the ſaid Ward of ſuch Perſon or Perſons ſo rated and aſſeſſed, that then and in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Collector or Collectors appointed to receive the ſaid Rates or Aſſeſſments, by Warrant under the Hand and Seal of the Lord Mayor or Aldermen of the ſaid Ward (which Warrant the ſaid Lord Mayor or Alderman is hereby authorized and required to grant) by and with the Aſſiſtance of a Conſtable of the ſaid Ward (who is hereby required to be aiding and aſſiſting) to enter into any Part of the Premiſſes within the ſaid Ward, occupied by the Perſon or Perſons ſo rated and aſſeſſed, and to diſtrain his and their Goods and Chattels; and if the ſame ſhall not be replevied, or the Monies paid within ſeven Days after ſuch Diſtreſs made, together with the Coſts of making ſuch Diſtreſs, to be aſcertained by the Lord Mayor for the Time being, or the Alderman of the Ward wherein any ſuch Diſtreſs ſhall be ſo made, then to appraiſe and ſell ſo much, and ſuch Part thereof, as will be ſufficient to pay the ſaid Rate and Aſſeſſment, together with all Coſts and Charges attending the ſaid Diſtreſs, returning the Overplus, if any, to the Owner or Owners of ſuch Goods and Chattels: And if any Alderman of any Ward within the ſaid City of *London*, ſhall refuſe to grant ſuch Warrant when demanded by the Collector appointed to collect the ſaid Rate and Aſſeſſment, ſuch Alderman ſhall, for every Time he ſhall ſo neglect or refuſe, forfeit and pay unto the Chamberlain of the City of *London* for the Time being

Warrant of Diſtreſs to be granted by the Lord Mayor or Alderman of the Ward.

Penalty on Alderman's refuſing to grant a Warrant.

to

to be applied towards the Fund intended to be raiſed by this Act, the Money which ſuch Perſon or Perſons is or are by the ſaid Rate liable to pay, to be recovered by the ſaid Chamberlain in the Court of the Lord Mayor of the ſaid City, together with full Coſts, unleſs the Perſon againſt whom ſuch Warrant ſhall be demanded, ſhall by the Deputy and Common Council of the ſaid Ward, or the Major-Part of them, be allowed, certified, and returned to the Chamberlain of the ſaid City, as a Perſon unable to pay the ſaid Rate or Aſſeſſment.

Directions, if a Collector die before he has paid in all the Money collected.

XVI. And be it further enacted, That if any Collector or Collectors ſhall happen to depart this Life before he or they ſhall have fully paid and ſatisfied all the Money by him or them collected by virtue of this Act, and ſhall leave Aſſets ſufficient to pay the ſame; that then, and in every ſuch Caſe, the Executors or Adminiſtrators of every ſuch Collector or Collectors, ſhall, in the firſt Place, out of ſuch Aſſets, pay unto the Chamberlain of *London*, for the Time being, all Sums of Money by ſuch Collector or Collectors ſo received, and not paid, or ſo much thereof as the ſaid Aſſets will extend to pay, whoſe Receipt ſhall be a good Diſcharge for ſuch Money; and every Executor or Adminiſtrator may, to any Action or Suit commenced or brought againſt him, plead or give in Evidence the Payment of the ſame, and ſhall be allowed Payment of the ſame out of ſuch Aſſets, prior to any other Debt or Demand whatſoever; and in Caſe of Nonpayment of the ſame by the Space of ten Days after the ſame ſhall be demanded, it ſhall and may be lawful to and for the Chamberlain of *London* for the Time being, and he is hereby directed and required, in his own Name, to commence one or more Action or Actions in the Court of the Lord Mayor of *London*, againſt ſuch Executors or Adminiſtrators for the ſame.

If any Collector imbezil the Money, &c. a new Aſſeſſment ſhall be made.

XVII. And to the Intent that ſubſtantial Perſons may be choſen and appointed Collectors in each Ward, Be it further enacted by the Authority aforeſaid, That in Caſe any Collector or Receiver of the ſaid Rates and Aſſeſſments ſhall imbezil, make away with, detain or miſapply any Sum or Sums of Money ſo collected by him for the Uſes aforeſaid, ſo that the ſame cannot be recovered, or ſhall die poſſeſſed of any Sum or Sums of Money by him or them collected by virtue of this Act, and which ſhall not be paid by his Executors or Adminiſtrators, that then and in every ſuch Caſe, ſuch Sum and Sums of Money ſhall be again rated and aſſeſſed on the Inhabitants of each Ward by the Alderman, with the Conſent and Advice of his Deputy and Common Council Men, or the major Part of them, in ſuch Proportion and Manner as the Rates are directed to be made by this Act, and ſhall be collected, levied, and diſtrained for, in ſuch Manner, and under ſuch Penalties, as are herein provided for the collecting and levying the Rates due and payable by this Act.

Diſtreſs may be made, tho' the Perſon aſſeſſed move into another Ward.

'XVIII. And whereas it may happen that many Perſons liable to, and that may be charged and rated 'towards defraying the Expence of Lighting the ſaid City and Liberties thereof, may, before the Sums 'as ſhall be rated on them reſpectively ſhall be paid, quit and leave their Dwelling-houſe, Warehouſes, 'Shops, Vaults, or Cellars, in the Ward where they ſhall be ſo rated and aſſeſſed, and remove into ſome 'other Ward in the ſaid City or Liberties thereof, and thereby endeavour to evade the Payment of ſuch 'Rates and Aſſeſſments;' Be it enacted by the Authority aforeſaid, That where any Perſon or Perſons, who hath or have been ſo rated and aſſeſſed, ſhall quit his or their Dwelling-houſe, Warehouſe, Shop, Vault, or Cellar, in the Ward wherein ſuch Rate and Aſſeſſment hath been made, before he or they ſhall have paid the ſame, and ſhall afterwards refuſe to pay the ſame when due, and demanded by the Collector authorized and appointed to collect, and receive the ſame, that then and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Collector or Receiver, and every or any of them, by Warrant obtained under the Hand and Seal of the Lord Mayor of the ſaid City for the time being, or of the Alderman of the Ward where ſuch Rate and Aſſeſſment ſhall have been made (which Warrant the ſaid Lord Mayor or Alderman is hereby authorized and required to grant) in any Place within the ſaid City and Liberties, to take and diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus, if any ſuch ſhall be, after having deducted the reaſonable Charges of ſuch Diſtreſs, to the Owner of ſuch Goods and Chattels, demanding the ſame; to be aſcertained in like Manner as the Coſts and Charges of other Diſtreſſes are herein before provided and directed to be aſcertained.

Penalty on Collector's keeping above 20 l. in his Hands.

XIX. And be it further enacted by the Authority aforeſaid, That every Collector of the Rates and Aſſeſſments aforeſaid ſhall pay the Money into the Chamber of the City of *London* as he ſhall receive the ſame, in ſuch Manner that ſuch Collector ſhall never have a Sum exceeding twenty Pounds ſo collected at one Time in his Hands, by the Space of ten Days, provided the Chamber of *London* be open to receive the ſame; and if ſuch Collector ſhall keep and retain in his Hands more than the ſaid Sum of twenty Pounds longer than ten Days, he ſhall forfeit the Sum of five Pounds for every ſuch Offence; to be recovered and levied in ſuch Manner as the Penalties inflicted by this Act are herein after directed to be recovered and levied; and on Payment of every ſuch Sum of Money into the Chamber of the ſaid City, ſuch Collector ſhall take a Receipt for the ſame from the ſaid Chamberlain, or one of his Clerks; in which Receipt ſhall be ſpecified and expreſſed the Name of ſuch Collector, the Sum paid, and the Name of the Ward wherein the Money hath been collected; and the Chamberlain of the ſaid City of *London* for the Time being, or ſuch of his Clerks as ſhall be appointed by him for that Purpoſe, ſhall be obliged, and he or they is and are hereby required to give ſuch Receipt without Fee or Reward; and ſuch Receipts ſhall by the Collector be produced to the Alderman of the Ward, or his Deputy, at the Time he ſhall ſettle and adjuſt his yearly Account; and ſhall by the ſaid Alderman or his Deputy, be taken and allowed as a full and ſufficient Diſcharge for all and every Sum and Sums of Money ſuch Collector or Receiver ſhall have received and paid into the Chamber of the City of *London*.

Collector to have a Receipt from Chamberlain's Clerk, on his paying Money,

to be accepted by the Alderman, in Diſcharge of the Collector.

a Freeman not paying to the Lamps, ſhall be incapable to vote.

XX. And to the End that the Payments of the ſaid Rates and Aſſeſſments, and Re-aſſeſſments, for the Purpoſes aforeſaid, may the more effectually be enforced; Be it further enacted by the Authority aforeſaid, That every Freeman of *London*, liable to pay the ſaid Rates, Aſſeſſments, and Re-aſſeſſments who ſhall have neglected or refuſed to pay the ſaid Rates, Aſſeſſments, or Re-aſſeſſments, or any Part thereof, to the Perſon or Perſons authorized and impowered to collect and receive the ſame, after Demand made thereof of any ſuch Freeman perſonally; or if any ſuch Freeman cannot be met with to demand the ſame perſonally of, then, by the Space of three Days after a Notice in Writing, demanding the ſame, ſhall be left by the Collector of the Ward wherein ſuch Freeman ſhall live, or be an Occupier, at the uſual Place of Abode or Occupation of ſuch Freeman within ſuch Ward; or ſhall deſire to be excuſed, and accordingly ſhall have been excuſed from paying ſuch Rates, Aſſeſſments, and Re-aſſeſſments, ſhall be under the ſame Incapacity of voting at Elections within the ſaid City of *London*, as any Perſon or Perſons now is or are, who do not pay their Scot or Lot to the ſeveral yearly Rates and Aſſeſſments, to which the Citizens of *London* are at this Time, or ſhall hereafter become liable.

Alderman and Common Council to contract for the Lamps, and their neceſſary Attendance.

XXI. And be it enacted by the Authority aforeſaid, That the Alderman for the Time being in each reſpective Ward in the ſaid City of *London*, by and with the Advice and Conſent of his Deputy and Common Council Men, or the major Part of them, for the Time being, ſhall and may yearly and every Year, between the twenty-fourth Day of *June* and the twenty-fourth Day of *December*, contract and agree with any Perſon or Perſons, for the Number of Lamps neceſſary to be erected and ſet up in their reſpective Wards within the ſaid City, either on Poſts or Irons, as they ſhall think beſt to order, and ſhall be moſt effectual for the Purpoſes hereby intended, and for erecting and ſetting up the ſame reſpectively; and for the lighting, trimming, ſnuffing, cleanſing, ſupplying, maintaining, and repairing ſuch Number of Lamps, as the Alderman, Deputy, and Common Council, or the major Part of them, in each reſpective Ward, ſhall from time to time deem requiſite for enlightening the City and Liberties thereof, upon the beſt Terms they can, ſo that no ſuch Contract be made for a greater Number of Lamps in any Ward than ſhall be directed to be ſet up by the Mayor, Aldermen, and Commons in Common Council aſſembled.

Contract for one Year only.

XXII. Provided nevertheleſs, That ſuch Contract be made for the Space of one whole Year, and no longer, at one Time.

Lord Mayor, &c. to ſettle the Price for attending the Lamps.

XXIII. Provided always, That no Alderman, Deputy, or Common Council Man, in any Ward within the ſaid City, ſhall contract for or agree to give any greater or larger Sum of Money for the annual lighting, cleanſing, and ſnuffing any Lamp within any Ward, than what ſhall be directed and appointed to be paid by the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council aſſembled; and that all Contracts made for any greater or larger Sum, ſhall be, and the ſame are hereby declared to be null and void to all Intents and Purpoſes whatſoever, and the Chamberlain is hereby directed not to pay any Draughts, Sum or Sums of Money, in diſcharge of ſuch Contract or Contracts.

No Alderman, &c. to be concerned in any Contract for lighting the City.

XXIV. Provided always, and it is further enacted by the Authority aforeſaid, That no Alderman, Deputy, or Common Council Man, during his Continuance in ſuch Office, or any Perſon or Perſons in Truſt for him, them, or any of them, ſhall be concerned or intereſted in any Contract or otherwiſe, for lighting the ſaid City, or any Part thereof, or for providing and fixing any of the ſaid Lamps, Poſts, or Irons, or other Materials neceſſary thereto.

Chamberlain to pay all Sums drawn upon him, in Diſcharge of Contracts.

XXV. And be it further enacted by the Authority aforeſaid, That the Chamberlain of the ſaid City of *London* for the Time being, ſhall and may, and he is hereby authorized and required, out of the Monies collected and paid into the Chamber of the ſaid City, purſuant to this Act, to pay all Sums of Money drawn upon him, or ordered to be paid by the Alderman, his Deputy, and Common Council Men, or the major Part of them, of each reſpective Ward within the ſaid City of *London*, in diſcharge of the Contracts, which ſuch Alderman, with the Conſent of his Deputy and Common Council, or the major Part of them, ſhall or may enter into, for the providing, erecting lighting, trimming, ſnuffing, cleanſing ſupplying, maintaining, and repairing the Lamps within each and ſingular the Wards of the ſaid City; and the ſaid Chamberlain of the ſaid City for the Time being, ſhall, from time to time, in the firſt Place, anſwer and pay the Draughts made on him by the Aldermen, their Deputies, and Common Council Men, or the major Part of them, of ſuch Wards in the ſaid City, as at the reſpective Dates of ſuch Draughts ſhall have paid into the Chamber of the ſaid City the Aſſeſſments made on ſuch reſpective Wards; and if after the Payment of ſuch Draughts any Overplus of ſuch Aſſeſſments ſo paid into the Chamber ſhall remain, the ſame ſhall from time to time be carried to the Aid of ſuch Wards in the ſaid City, as are not able to raiſe ſufficient to defray the Charges of their own Lamps, in Proportion to the Money each Ward ſhall fall ſhort and be deficient in the collecting of their reſpective Rates and Aſſeſſments, and to the Money ſuch Ward doth now owe to any Perſon or Perſons for erecting, fixing, lighting, cleanſing, ſnuffing, repairing, and amending the Lamps contracted for in the ſaid Ward.

Chamberlain to enter all Receipts and Payments, to be inſpected by any Citizen without Fee.

XXVI. And be it further enacted by the Authority aforeſaid, That the ſaid Chamberlain for the Time being ſhall, and he is hereby required to keep regular and clear Entries, in a Book to be for that Purpoſe by him provided, of all and ſingular the Receipts and Payments he ſhall make, on the Account of lighting the ſaid City as aforeſaid; to which Book every Citizen of *London* ſhall and may have free Acceſs, at all convenient Times, and ſhall be permitted to inſpect the ſame without Fee or Reward; and alſo that the Chamberlain for the Time being ſhall have the ſaid Account audited and paſſed in the ſame Manner, and by the ſame Perſons who are now appointed or ſhall be appointed to audite the Accounts of the Chamberlain of the ſaid City of *London*.

XXVII. And

XXVII. And to prevent any Loſs or Damage that may happen by the Loſs or Imbezilment of any Rate or Aſſeſſment to be made purſuant to this Act, Be it further enacted, That when and ſo ſoon as any Aſſeſſment ſhall be made as aforeſaid, or within ten Days, a Duplicate thereof, ſigned and ſubſcribed by the ſeveral Perſons who ſigned and ſubſcribed the ſaid Rate or Aſſeſſment, ſhall, by the Bedel of every Ward, be carried to and left with the Chamberlain of the City of *London*, and in Default thereof, the Chamberlain ſhall not pay any Money which ſhall be drawn on him by the Alderman or his Deputy, and Common Council, or the major Part of them, of the ſaid Ward wherein ſuch Duplicate ſhall not be delivered and left with him as aforeſaid, without the ſpecial Order of the Court of Lord Mayor and Aldermen of the ſaid City, authorizing and directing him to pay the ſame. A Duplicate of all Aſſeſſments to be left with the Chamberlain.

'XXVIII. And foraſmuch as the Sums of Money that have ariſen by the Rates and Aſſeſſments made 'in purſuance of the ſaid Act, have been found inſufficient to anſwer the Purpoſes thereby intended, and 'conſiderable Sums of Money remain due and unſatisfied; Be it further enacted by the Authority aforeſaid, That the Chamberlain of *London* for the Time being, be impowered, and he is hereby authorized and required, out of the annual Surpluſſes, if any ſuch ſhall be, ariſing from the Rates and Aſſeſſments to be made by virtue of this Act, to diſcharge the Draughts made or to be made on him by the Aldermen of the ſeveral Wards, for the Payment of their reſpective Contracts heretofore made for lighting, trimming, ſnuffing, cleanſing, ſupplying, maintaining, and repairing the Number of Lamps neceſſary for their reſpective Wards, according to the Tenor of the ſaid former Act. The Surpluſſes ariſing by this Act, to be applied to paying the Debts remaining on the former Act.

'XXIX. And whereas ſeveral evil-diſpoſed Perſons have broken, and may wilfully and maliciouſly 'break and deſtroy the Lamps hung out in the Streets of this City;' Now to prevent the like malicious Practices for the future, Be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the twenty-fifth Day of *May* one thouſand ſeven hundred and forty-four, wilfully or maliciouſly break, throw down, or extinguiſh any Lamp that now is, or ſhall be hung out, or ſet up to light the Streets, or wilfully damage the Poſts, Irons, or other Furniture thereof, every Perſon ſo offending therein, and being thereof convicted by the Oath of one or more Witneſs or Witneſſes, before any one or more of his Majeſty's Juſtices of the Peace for the City of *London*, ſhall for the firſt Offence forfeit the Sum of forty Shillings for each Lamp ſo broken, thrown down, extinguiſhed, or otherwiſe damaged, and for the ſecond Offence the Sum of fifty Shillings, and for the third Offence the Sum of three Pounds, to be recovered and levied in ſuch Manner as in this Act is mentioned. Penalty for wilfully breaking the Lamps.

'XXX. And whereas it is impoſſible to aſcertain the exact Expence which may accrue to the ſaid City 'of *London*, in providing, ſupplying and maintaining ſuch Lights as aforeſaid, as well from the Altera-'tion in the Price of Oil, and other Materials, as from other unforeſeen Accidents and Caſualties which 'may happen;' Be it therefore further enacted, That in caſe there ſhall be any Deficiency in any of the Aſſeſſments to be made as aforeſaid, by Lands, Houſes, Shops, Warehouſes, or Buildings being empty, or the Inſolvency or Removal of any of the Inhabitants, Tenants, Occupiers, or otherwiſe, for which or upon whom the ſaid Rates ſhall be reſpectively charged, ſo that the Charges of enlightening the ſaid Streets and other Places cannot be fully ſatisfied, paid and diſcharged in that Year, then and in ſuch Caſe, the Deficiency ſo happening ſhall be carried to the next ſucceeding Year's Rate or Rates, and ſhall be made good thereout; and if at the Expiration of ſeven Years, it ſhall be found that any Surplus ſhall have ariſen from the Money collected by virtue of this Act, over and above what ſhall have been iſſued and applied in purſuance hereof, ſuch Surplus Money ſhall remain in the Chamber of the ſaid City of *London*, to be applied either in the Aid of the Orphans Fund, or in Abatement or Diminution of future Rates and Aſſeſſments, or to be otherwiſe diſpoſed of, to and for the Uſe and Benefit of the Citizens of *London*, as they by any Act of Common Council, ſhall direct and appoint. The Deficiency of one Year ſhall be carried over to the next. How the Surplus ſhall be applied (if any) at the End of 7 Years.

XXXI. And it is hereby further enacted, That the Mayor, Aldermen and Commons, in Common Council aſſembled, ſhall and they are hereby impowered and required, at a Court of Common Council to be held yearly and every Year, between the firſt Day of *September* and the twentieth Day of *October*, to order and direct what Rates and Aſſeſſments ſhall be made on the Inhabitants for the Purpoſes aforeſaid, not exceeding the Rates and Aſſeſſments hereby directed to be rated and aſſeſſed. The Mayor, &c. at a yearly Meeting, ſhall order the Aſſeſſments.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Collector ſhall neglect or refuſe to bring in his Account to the Alderman of the Ward, or his Deputy, as often as demanded, he ſhall forfeit the Sum of ten Pounds, and in the like Manner the Sum of five Pounds for every twenty Days he ſhall detain the ſaid Account, to be levied and recovered by ſuch Ways and Means as herein after in this Act are provided. Penalty on the Collectors not accounting.

XXXIII. And to prevent as much as may be any Deficiency happening in the collecting the Rates and Aſſeſſments aforeſaid; Be it further enacted, That the Collector or Collectors of every reſpective Rate and Aſſeſſment made in purſuance of this Act, ſhall, and he and they are hereby required, in Caſes of Refuſal or Nonpayment of the reſpective Rates, Aſſeſſments, and Re-aſſeſſments aforeſaid, within thirty Days after the reſpective Rates, Aſſeſſments, and Re-aſſeſſments ſhall become due, to apply to the Lord Mayor for the Time being, or to the Alderman of the reſpective Ward where ſuch Refuſal or Nonpayment ſhall happen, for a Warrant to diſtrain for the ſaid Rate, Aſſeſſment, and Re-aſſeſſment, and ſhall take Care to execute, or cauſe the ſame to be duly executed, under the Penalty of five Pounds for every Omiſſion; to be levied and recovered in ſuch Manner as the other Penalties inflicted by this Act are directed to be levied and recovered. Collector to apply to the Lord Mayor for Warrants of Diſtreſs, if the Aſſeſſments are not paid within 30 Days.

XXXIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord Mayor for the Time being, or any one or more of his Majeſty's Juſtices of the Peace for the City of *London* for the Time being, to hear and determine any of the Offences which are made ſubject The Lord Mayor, or any Juſtice, may hear and determine Offences.

ject to, and puniſhable by, any Penalty directed to be levied by this Act; and ſuch Juſtice or Juſtices of the Peace are hereby authorized and required, upon any Informations exhibited, or Complaint made in that Behalf, within ten Days after ſuch Offence committed, to ſummon the Party or Parties accuſed, and the Witneſſes on either Side, and after Oath, or Affirmation made by any of the Perſons called *Quakers*, of the Commiſſion of any of the Facts above mentioned, by one or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party offending in the ſaid City of *London*; and upon the Appearance, or Contempt of the Party accuſed in not appearing, upon the Proof of Notice given, to proceed to the Examination of the Witneſs or Witneſſes, upon Oath or Affirmation as aforeſaid (which Oath or Affirmation ſuch Juſtice or Juſtices are here authorized, impowered and required to adminiſter) to give ſuch Judgment, Sentence, or Determination as ſhall be juſt, and conformable to the Tenor and true Meaning of this Act; and where the Party accuſed ſhall be convicted of ſuch Offence, either by View of the ſaid Juſtice or Juſtices, or upon ſuch Information as aforeſaid, or on Confeſſion of the Party accuſed, it ſhall and may be lawful for ſuch Juſtice or Juſtices to iſſue a Warrant or Warrants for the levying the Penalties or Forfeitures ſo adjudged on the Goods and Chattels of the Offender, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in five Days, rendring to the Party the Overplus (if any there be); and in caſe any Perſon or Perſons ſhall be convicted in purſuance of this Act, of breaking, throwing down, or extinguiſhing any Lamp now erected, or hereafter to be erected, and no Goods or Chattels of any Perſon ſo offending can at the Time of ſuch Conviction be found, then and in ſuch Caſe, it ſhall and may be lawful to and for the Juſtice or Juſtices of the Peace before whom ſuch Perſon or Perſons ſhall be convicted as aforeſaid, to commit ſuch Offender to the Houſe of Correction, there to be kept to hard Labour for any Time not leſs than one Month, and not exceeding the Space of three Months, or until ſuch Penalty or Forfeiture ſhall be paid.

Penalties to be levied by Diſtreſs and Sale.

For want of Diſtreſs, Offender to be ſent to the Houſe of Correction.

XXXV. Provided nevertheleſs, That it ſhall and may be lawful to and for ſuch Juſtice or Juſtices of the Peace, from time to time, where he or they ſhall ſee Cauſe, to mitigate, compound, or leſſen any of the ſaid Forfeitures or Penalties, as he or they in his or their Diſcretion ſhall think fit, ſo as ſuch Mitigation do not extend to remit above one Moiety of the Penalties inflicted and directed to be levied by this Act; and every ſuch Mitigation ſhall be a ſufficient Diſcharge to the Perſons offending reſpectively, for ſo much of the ſaid Penalties or Forfeitures as ſhall be ſo leſſened, mitigated or remitted.

Juſtice may leſſen the Penalty.

XXXVI. Provided alſo, That if any Perſon or Perſons ſhall find him, her or themſelves aggrieved, or remain unſatisfied in the Judgment of the ſaid Juſtice or Juſtices, then ſuch Perſon or Perſons ſhall and may by virtue of this Act complain or appeal to the Juſtices of the Peace at the next General or Quarter Seſſions to be held for the ſaid City of *London*, who are hereby impowered to ſummon and examine Witneſſes upon Oath, or being Perſons called *Quakers*, on their ſolemn Affirmation, and finally to hear and determine the ſame, and to make ſuch Order therein as ſhall be agreeable to the Nature and Circumſtances of the Caſe; and in caſe of Conviction, to iſſue a Warrant or Warrants for levying and compelling by ſuch Means as aforeſaid, the Payment of the ſaid Penalties or Forfeitures.

Perſons aggrieved may appeal to the Quarter-Seſſions,

where the ſame ſhall be determined.

XXXVII. And it is hereby further enacted, That all the Penalties or Forfeitures to be levied by virtue of this Act, not herein before appropriated, ſhall be paid and applied in Manner following; that is to ſay, one Moiety thereof to the Perſon or Perſons who ſhall inform and proſecute for the ſame, and the other Moiety to the Alderman of the Ward, or his Deputy, where ſuch Offence ſhall be committed, to be by him paid over into the Chamber of *London*, to be accounted for and applied as Part of the Fund for providing and maintaining ſuch Lights in the ſaid City as aforeſaid.

Penalties, one Half to the Informer, and the other to the Alderman, to be paid into the Chamber.

XXXVIII. And be it further enacted by the Authority aforeſaid, That the Act of Parliament paſſed in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for the better enlightening of the Streets of the City of* London; and every Clauſe, Article, Matter and Thing therein contained, ſhall be and the ſame is hereby repealed, annulled and made void, except ſo far as is herein after otherwiſe provided and directed.

Act 9 Geo. 2. c. 20. repealed.

Exception.

XXXIX. Provided always, That nothing in this Act contained ſhall repeal, annul, or make void, or be conſtrued, deemed, or taken to repeal, annul, or make void, any of the Rates or Aſſeſſments charged or aſſeſſed by virtue of the former Act, which ſhall be due and payable, or in Arrear, on the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, or any of the Remedies, Powers and Proviſions given and provided by the ſaid former Act, for the collecting, levying or recovering the ſame; but the ſame Rates and Aſſeſſments, and all Arrears thereof reſpectively, which ſhall remain and become due and payable on the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, and all the Remedies, Powers and Proviſions in and by the ſaid former Act given, granted and provided, for the raiſing, levying, collecting and recovering the ſame reſpectively, ſhall remain and continue in full Force and Effect; any Thing herein contained to the contrary notwithſtanding.

Arrears due on 24 June 1744, to be ſued for as directed in the former Act.

XL. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, in every ſuch Caſe the Action or Suit ſhall be brought within ſix Months next after the Fact committed, and not afterwards; and ſhall be laid and brought in *London*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit to be brought, ſhall and may plead the General Iſſue (Not guilty) and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her or their Action or Actions, Suit or Suits; or if upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant and Defendants ſhall and may recover treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any other Caſes by Law.

Limitation of Actions.

General Iſſue.

Treble Coſts.

XLI. And

XLI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a publick Act, and to be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

Publick Act. *See farther* 18 *Geo.* 2. *c.* 33. 33 *Geo.* 2. *c.* 30.

CAP. XXX.

An Act for the more effectual preventing of the affixing of counterfeit Stamps to foreign or other Linens.

'WHEREAS certain Stamps are required by Law to be put upon Linens made in *Scotland* and '*Ireland*, the better to aſcertain the Quality of ſuch Manufactures: And whereas of late Years 'there has been a Practice to counterfeit ſuch Stamps, and affix the ſame to foreign Linens, in order to 'vend them as the Manufactures of *Scotland* and *Ireland*, to the groſs Deceit and Impoſition of the 'Buyers, and to the great Diſcredit of the ſaid Manufactures: And whereas there has alſo been a Prac-'tice, when Linens of the Manufacture of *Ireland* have been mildewed or ſoiled, to rebleach the ſaid 'Linens, and then to affix counterfeit Stamps thereto, in order to vend them as Linens duly ſtamped:' For Remedy whereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall, after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, affix or cauſe, or procure to be affixed any Stamp or Stamps, in Imitation of the Stamp or Stamps put upon the Linens of the Manufacture of *Scotland* or *Ireland*, on any foreign Linens imported into this Kingdom, ſuch Perſon or Perſons ſo offending ſhall for each and every ſuch Offence, being convicted thereof in the Manner herein after mentioned, ſeverally forfeit the Sum of five Pounds for each Piece of Linen ſo ſtamped, or cauſed or procured to be ſtamped; and if any Perſon or Perſons ſhall, after the ſaid twenty-fourth Day of *June*, ſell, expoſe to Sale, or pack up for Sale, any foreign Linens, knowing them to be ſo ſtamped as aforeſaid, as the Manufacture of *Scotland* or *Ireland*, ſuch Perſon and Perſons ſo offending, and being thereof convicted in the Manner herein after mentioned, ſhall forfeit the ſaid Linens, and the Sum of five Pounds for each Piece thereof ſo ſold, expoſed to Sale, or packed up for Sale as aforeſaid; and in caſe any Perſon or Perſons ſhall, after the twenty-fourth Day of *June*, affix any counterfeit Stamp or Stamps upon any Linens of the Manufacture of *Great Britain* or *Ireland*, in order to vend the ſame as Linens duly ſtamped, ſuch Perſon or Perſons ſo offending, and being convicted thereof in the Manner herein after mentioned, ſhall forfeit the Sum of five Pounds for every Piece of Linen ſo ſtamped as aforeſaid; and in caſe any Perſon or Perſons ſhall, after the ſaid twenty-fourth Day of *June*, ſell, expoſe to Sale, or pack up for Sale, any ſuch Linens, knowing the ſame to be ſo ſtamped as aforeſaid, ſuch Perſon or Perſons ſo offending, and being thereof convicted in the Manner herein after mentioned, ſhall forfeit the ſaid Linens, and the Sum of five Pounds, for each Piece thereof ſo ſold, expoſed to Sale, or packed up for Sale as aforeſaid.

For former Proviſions concerning Linens refer to 28 *H.* 8. *c.* 4. 1 *El.* *c.* 12. 7 & 8 *W.* 3. *c.* 39. 1 *Ann. ſt.* 2. *c.* 8. 3 *Ann.* *c.* 8. 7 *Ann.* *c.* 7. 10 *Ann.* *c.* 19 & 21. 12 *Ann.* *ſt.* 2. *c.* 9, 19 & 21. 1 *Geo.* 1. *c.* 36. 3 *Geo.* 1. *c.* 7 & 21. 15 *Geo.* 2. *c.* 29.

Penalty on putting counterfeit Stamps on foreign Linens; and packing up, or expoſing them to Sale.

Penalty on fixing counterfeit Stamps on Britiſh or Iriſh Linens; and packing up, or expoſing them to Sale.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any one or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion, City, Town or Place where any Offence ſhall be committed againſt this Act, to convict the Party or Parties offending, upon the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices are hereby impowered and required to adminiſter) and upon ſuch Conviction to grant a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to levy and recover the ſaid reſpective Penalties and Forfeitures by Diſtreſs and Sale of the Offender's Goods and Chattels, rendering the Overplus, if any there ſhall be, after deducting the Charges of ſuch Diſtreſs and Sale, to the Owner or Owners thereof; and in caſe no Goods or Chattels of the Party or Parties ſo offending can be found, or there ſhall not be Goods or Chattels ſufficient to pay ſuch Penalties and Forfeitures, any one or more of ſuch Juſtices of the Peace ſhall, upon Proof thereof made upon Oath (which Oath he and they is and are hereby impowered and required to adminiſter) before him or them, by the Perſon or Perſons who ſhall have the Execution of the Warrant or Warrants for levying ſuch Diſtreſs, commit the Party or Parties offending to the Gaol of the County, Riding, Diviſion, City, Town or Place where the Offence ſhall be committed, there to remain without Bail or Mainprize for the Space of ſix Months, unleſs ſuch Penalties and Forfeitures ſhall be ſooner paid and ſatisfied; which ſaid Penalties and Forfeitures ſhall go and be applied to the Uſe of the Informer or Informers, firſt deducting out of the ſame the Sum of two Shillings in the Pound, to be paid to the Conſtable or other Officer reſpectively, who ſhall execute the Warrant or Warrants for levying and recovering the ſaid Penalties and Forfeitures.

Offenders to be convicted on Oath of one Witneſs before a Juſtice.

Penalties to be recovered by Diſtreſs and Sale.

For want of Diſtreſs, Offender to ſuffer ſix Months Impriſonment.

Penalties to go to the Informer, deducting 2 s. in the Pound for the Conſtable.

Concerning Linen: *ſee farther* 18 *Geo.* 2. *c.* 24, 25, 27 & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

CAP

CAP. XXXI.

An Act for repealing the Duties payable upon Glaſs Beads, and for granting other Duties in lieu thereof; and for allowing the ſame Drawbacks on the exportation of refined Borax and Camphire, which are allowed on the Exportation of unrefined Borax and Camphire; and for preventing the fraudulent Exportation of *Britiſh* and *Iriſh* Linens, for the ſake of the Bounty allowed by an Act made in the fifteenth and ſixteenth Years of his preſent Majeſty's Reign; and for explaining and amending the ſaid Act, as to the Perſons who are to receive the ſaid Bounty.

4 & 5 *W. & M.* c. 5.

'WHEREAS by ſeveral Acts of Parliament now in Force, ſeveral Duties are payable upon the 'Importation of Great Bugle and Glaſs Beads: And whereas it is very difficult for the Officers of 'his Majeſty's Cuſtoms, and Dealers in the ſaid Commodities, to diſtinguiſh the Difference between 'Great Bugle and Glaſs Beads, on the Importation thereof: And whereas the Duties on Glaſs Beads are 'much lower than the Duties on Great Bugle, which is a great Temptation to unfair Traders to deceive 'the Officers, to the great Diſadvantage of the Revenue, and Diſcouragement of the fair Merchants: 'And whereas ſuch evil Practice enables the unfair Traders to underſell not only the fair Merchants, but 'likewiſe to underſell ſuch of the Poor Inhabitants of this Kingdom, who are now employed in the ma- 'king, colouring and manufacturing of Glaſs Beads:' For Remedy whereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Duties on Glaſs Beads, which ſhall be imported from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty-four, ſhall ceaſe and determine; and in lieu thereof there ſhall, from and after the ſaid twenty-fourth Day of *June*, be paid to his Majeſty, his Heirs and Succeſſors, for all Glaſs Beads imported into *Great Britain*, whether plain or manufactured, mixed or coloured, the ſame Subſidies, Impoſitions and Duties as are now payable for Great Bugles imported; and that the ſame be raiſed, levied, recovered and paid by ſuch Rates, Means and Methods, with the like Diſcounts and Allowances on Importation, and the ſame Drawbacks on Exportation, and under ſuch Penalties and Forfeitures, and be applicable to the ſame Uſes and Purpoſes, as the Duties on Great Bugles are now raiſed, levied, recovered, paid and applied.

The old Duty on Glaſs Beads repealed, and the new Duty to be the ſame as is paid for Great Bugles; and to be applied to the ſame Uſes.

II. Provided nevertheleſs, and it is hereby declared, That this Act, or any thing herein contained, ſhall not in any wiſe be conſtrued or underſtood to extend to leſſen or alter the Rates or Duties on Small or Seed Bugle, which are to remain and be in the ſame Manner as they are now rated and paid.

Duties on Seed Bugle not to be alter'd.

Refer to 8 & 9 *W.* 3. c. 34. 3 *Ann.* c. 4. *ſ.* 8. 7 *Ann.* c. 8. *ſ.* 12. 1 *Geo.* 1. c. 43. 8 *Geo.* 1. c. 15. *ſ.* 10.

'III. And whereas large Quantities of Borax unrefined, commonly called *Tincall*, and of Camphire 'unrefined, are frequently imported, both which are generally ſhipt in the ſame unrefined Condition, 'and a Drawback paid on Exportation thereof: And whereas the ſaid Commodities when refined in *Great* 'Britain, are not entitled, by the Laws in being, to any Drawback, although they are ſubject to Waſte 'and Loſs of Weight in refining them here, and are therefore exported Abroad, and refined in foreign 'Countries, to the Prejudice of the Revenue and the Commerce of this Kingdom:' For Remedy whereof, Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, all Borax, and all Camphire which ſhall be refined in *Great Britain*, upon Oath being firſt made by the Refiner or Refiners thereof, that the ſaid Borax and Camphire entered for Exportation, were produced ſolely from the very ſame Borax and Camphire which had been imported into *Great Britain* unrefined, and for which his Majeſty's Cuſtoms and Duties had been duly paid at the Time of the Importation thereof, and that the ſame were duly exported, his Majeſty's Searcher alſo certifying the ſhipping thereof, and all ſuch other Requiſites being duly performed, as are neceſſary to be done and performed, with regard to Borax and Camphire unrefined, and ſhipt for Exportation, ſhall be intitled unto and have the ſame Drawback of all the ſeveral Duties in all Reſpects, as a like Quantity of unrefined Borax and of unrefined Camphire, are now by Law intitled unto; any Statute, Law, Cuſtom or Uſage to the contrary notwithſtanding.

Borax and Camphire refined in Great Britain, ſhall be intitled to the Drawback on Exportation.

Concerning Drugs for farther 25 *Geo.* 2. c. 32. 31 *Geo.* 2. c. 12 & 35.

15 Geo. 2. c. 29.

'IV. And whereas by an Act of Parliament paſſed in the fifteenth and ſixteenth Years of the Reign of 'his preſent Majeſty King GEORGE the Second, intituled, *An Act for granting to his Majeſty an additional* 'Duty on foreign Cambricks imported into Great Britain, *and for allowing thereout a Bounty upon certain Species* 'of Britiſh *and* Iriſh *Linens exported*, in order to prevent *Britiſh* and *Iriſh* Linens exceeding the Value 'of twelve Pence *per* Yard, being exported for the ſake of the Bounty allowed thereby, it is enacted, 'That the Collector and Comptroller, or other proper Officers of the Cuſtoms may open, view and ex- 'amine any or all ſuch Linens as ſhall be entered at the Value of twelve Pence *per* Yard or under, and 'compare the ſame with the Value and Price thereof ſworn to or affirmed in the Entry and Endorſement 'on the Cocquet; and if upon ſuch View and Examination it ſhall appear that ſuch Linen is of greater 'Value than twelve Pence *per* Yard, then and in ſuch Caſe the Exporter or Proprietor ſhall, on Demand 'made in Writing by the Cuſtomer or Collector, and Comptroller of the Port where ſuch Goods or Mer- 'chandizes are entered, deliver or cauſe to be delivered, all ſuch Goods and Merchandizes into his 'Majeſty's Warehouſe at the Port of Exportation, for the Uſe and Benefit of the Crown, and upon ſuch 'Delivery the Cuſtomer or Collector of ſuch Port, with the Privity of the Comptroller, ſhall out of any 'Money in the Hands of ſuch Cuſtomer or Collector, ariſing by Cuſtoms or other Duties belonging to

'the Crown, pay to ſuch Importer or Proprietor the Value of thirteen Pence *per* Yard, taking a Receipt 'for the ſame from ſuch Exporter or Proprietor, in full Satisfaction for the ſaid Goods as if they had been 'regularly ſold; and the reſpective Commiſſioners of the Cuſtoms ſhall cauſe the ſaid Goods to be fairly 'and publickly ſold for the beſt Advantage, and out of the Produce thereof, the Money ſo paid or ad-'vanced as aforeſaid, ſhall be repaid to ſuch Cuſtomer or Collector, with the Privity of the Comptoller, 'to be replaced to ſuch Funds from whence the ſame was borrowed, and the Overplus (if any) ſhall be 'paid into his Majeſty's Exchequer, towards the Sinking Fund, by the Title of the additional Duty on 'Cambricks granted by this Act, as in and by the ſaid recited Act, Relation being thereunto had, may 'more fully and at large appear: And whereas by the ſaid recited Act, no Forfeitures or Penalties are 'inflicted upon any Perſon or Perſons who ſhall enter for Exportation any of the Linens therein menti-'oned, as of the Value of ſix Pence *per* Yard, or any higher Value, and not exceeding the Value of 'twelve Pence *per* Yard; and which upon the View of, and Examination by the proper Officers of the 'Cuſtoms, ſhall be thought to be of greater Value than twelve Pence *per* Yard, and who ſhall on De-'mand made in Writing by the Cuſtomer or Collector, and Comptroller of the Port where ſuch Linens 'are entered, refuſe to deliver or cauſe to be delivered ſuch Linens into his Majeſty's Warehouſe at the 'Port of Exportation, for the Uſe and Benefit of the Crown, and to receive from the Officers of the 'Cuſtoms at the ſaid Port the Value of thirteen Pence *per* Yard for ſuch Linens, in full Satisfaction for 'the ſame, by reaſon whereof many Frauds and Abuſes may be committed and enſue, and the good De-'ſigns of the ſaid recited Act may be fruſtrated;' For Remedy whereof, Be it enacted by the Authority aforeſaid, That the ſaid thirteen Pence *per* Yard ſo mentioned to be paid as aforeſaid to the Importer or Proprietor, ſhall be paid to the Exporter; and that from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, if any Perſon or Perſons ſhall enter for Exportation any Linens of *Britiſh* or *Iriſh* Manufacture made of Hemp or Flax, as of the Value of ſix Pence *per* Yard, or any higher Value, and not exceeding the Value of twelve Pence *per* Yard, and which upon the View and Examination of the proper Officers of the Cuſtoms ſhall be thought to be of greater Value than twelve Pence *per* Yard, and ſhall on a Demand made in Writing by the Cuſtomer or Collector, and Comptroller of the Port where ſuch Linens are entered for Exportation, refuſe to deliver or cauſe to be delivered ſuch Linens into his Majeſty's Warehouſe at the Port of Exportation, for the Uſe and Benefit of the Crown, and to receive from the ſaid Officers of the Cuſtoms at the ſaid Port the Value of thirteen Pence *per* Yard for ſuch Linens, in full Satisfaction for the ſame; or if ſuch Linens ſhall be leſs in Quantity than ſhall be expreſſed in the ſaid Indorſement on the ſaid Entry or Cocquet, or if the ſame ſhall be entered and indorſed under a wrong Denomination; that then and in every ſuch Caſe all ſuch Linens which ſhall be ſo refuſed to be delivered, or which ſhall appear to be leſs in Quantity than expreſſed in ſuch Indorſement, or entered and indorſed under a wrong Denomination, ſhall be forfeited and loſt, and ſhall and may be ſeized by any Officer or Officers of the Cuſtoms; one Moiety of the Forfeiture of which Goods ſhall be to the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as ſhall ſue for or proſecute the ſame, and the Seizures of ſuch Goods ſhall and may be proſecuted and determined by Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland* reſpectively, wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance ſhall be allowed.

Penalty on undervaluing Britiſh or Iriſh Linens to be exported.

See 20 Geo. 2. c. 36. *for continuing the Bounty on the Exportation of theſe Linens.*

On fraudulent Entries for Exportation, the Linens to be forfeited,

one Half to the King, the other to the Informer, or Proſecutor.

Concerning Linens ſee farther 18 *Geo.* 2. *c.* 24, 25, 27 & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

V. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons on account of ſeizing ſuch Goods, the Defendant or Defendants in any ſuch Action or Suit, may plead the General Iſſue, and give this Act, and the Special Matter in Evidence at any Trial to be had thereupon; and that the ſame was done in purſuance, and by the Authority of this Act; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants have in other Caſes by Law.

General Iſſue.

CAP. XXXII.

An Act to explain and make more effectual ſeveral Acts of Parliament paſſed in the Reign of his preſent Majeſty, for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore in the County *Surrey*; and for the better enabling the Commiſſioners for building the ſaid Bridge, to finiſh the ſame, and to perform the other Truſts repoſed in them; as alſo for granting further Time for exchanging the Tickets unclaimed in the laſt Lottery for the ſaid Bridge; and to make Proviſion for Tickets in the ſaid Lottery, loſt, burnt or otherwiſe deſtroyed. PR.

'WHEREAS the Commiſſioners for building a Bridge croſs the River *Thames*, from the *Woolſtaple*, 'or thereabouts, in the Pariſh of *Saint Margaret*, in the City of *Weſtminſter*, to the oppoſite Shore 'in

9 *Geo.* 2. *c.* 29. 10 *Geo.* 2. *c.* 16. 11 *Geo.* 2. *c.* 25. 12 *Geo.* 2. *c.* 33. 13 *Geo.* 2. *c.* 16. 14 *Geo.* 2. *c.* 40. 15 *Geo.* 2. *c.* 26.

' in the County of *Surrey*, or any ſeven or more of them, are, by ſeveral Acts of Parliament paſſed in the ' Reign of his preſent Majeſty, authorized and impowered to purchaſe certain Lands, Tenements and ' Hereditaments, within certain Limits preſcribed by the ſaid Acts; and for the Purpoſes in the ſaid ' Acts mentioned: And whereas ſome Doubts and Difficulties have ariſen, and may ariſe, relating to the ' carrying into Execution the ſeveral Powers by the ſaid Acts veſted in the ſaid Commiſſioners, for the ' Purpoſes aforeſaid, whereby they have been and may be, prevented from executing the ſame in the beſt ' and moſt advantageous Manner:' Therefore, for amending and explaining the ſaid Acts, in order to the more eaſy and certain Execution thereof, and for the more effectual conveying to the Commiſſioners and their Truſtees, and thoſe claiming or to claim under them, ſuch Lands, Tenements and Hereditaments, as they have been, or ſhall be, directed or enabled to purchaſe, by any Act or Acts of Parliament now made, or which hereafter may be made; Be it enacted, *&c.*

" Power given the Commiſſioners to ſend for Title-Deeds or Writings. Judgments and Verdicts of the " Commiſſioners and Juries, to be tranſmitted to the Clerk of the Peace, who ſhall give a Receipt. " Clerk of the Peace to tranſmit them to the Quarter-Seſſions, to be kept among the Records. Com- " miſſioners to be deemed in actual Poſſeſſion, on delivering the Evidences to the Clerk of the Peace. The " Bridge to be divided between the Pariſhes of *Saint Margaret*, *Weſtminſter*, and *Lambeth* in *Surrey*. Not " to be a County Bridge. Recompence to the Watermen for the *Sundays* Ferry. 25,000*l.* given towards " building the Bridge. Commiſſioners to account to Parliament.

See further 18 *Geo.* 2. *c.* 29. 29 *Geo.* 2. *c.* 38. 30 *Geo.* 2. *c.* 34.

CAP. XXXIII.

An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, and for applying a Sum remaining in the Exchequer, ariſen by the Coinage Duty, for the Service of the Year one thouſand ſeven hundred and forty-four; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Annuity Orders and other Orders, loſt, burnt or otherwiſe deſtroyed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices; and to enable the Reverſioners of certain Annuities therein mentioned, to receive ſuch Annuities, if the ſame ſhall not be demanded within a certain Time by the Annuitants for Life, until Proof be made that ſuch Annuitants are living.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous not only to raiſe ſuch Supplies as are neceſſary to enable your Majeſty to carry on the preſent War with Vigour, but alſo to uſe ſuch Ways and Means therein, as that your Majeſty may have the better and more ſpeedy Effect of the ſaid Supplies, have reſolved to give and grant unto your Majeſty the Sum of one million out of the Surpluſſes, Exceſſes and Overplus Monies, commonly called The *Sinking Fund*, towards the Supply granted to your Majeſty for the Service of the Year one thouſand ſeven hundred and forty-four; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſ-

One million to be applied to the Supply out of the Sinking Fund.

ſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from Time to Time be and remain in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called The *Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued and applied, a Sum not exceeding the ſaid Sum of one million, for and towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and forty-four; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

36,000 l. impreſt Money, repaid out of the Coinage.

II. And be it further enacted by the Authority aforeſaid, That the Sum of thirty-ſix thouſand Pounds, now remaining in the Receipt of his Majeſty's Exchequer, ariſen by impreſt Money repaid on the Head of Coinage Duty, ſhall and may be iſſued as Part of his Majeſty's Supply for the Service of the Year one thouſand ſeven hundred and forty-four; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding.

Clauſe of Loan at 3 l. per Cent.

III. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million, or any Part thereof, by Loans or Exchequer Bills, in Manner hereafter mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money not exceeding the ſaid Sum of one million, upon the Credit of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called The *Sinking Fund*; and to have and receive for the Forbearance

bearance of the Money lent, Intereſt after a Rate not exceeding three Pounds *per Centum per Annum*, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, who are hereby authorized to iſſue their Warrants for that Purpoſe as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover that no Money ſo to be lent upon the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Tallies of Loan to be ſtruck.

IV. And be it further enacted, That all and every Perſon and Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, not exceeding the ſaid Rate of three Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtred in Courſe according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators or Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes and Overplus Monies; and he, ſhe or they, who ſhall have his, her or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called The *Sinking Fund* as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, without undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever (other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid;) and that no Fee, Reward or Gratuity directly or indirectly ſhall be demanded or taken of any of his Majeſty's Subjects for providing or making of any ſuch Books or Regiſters, or any Entries, Views or Searches in or for Payment of Money lent, or the Intereſt thereof as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerk or Deputies, on Pain of Payment of Treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt with full Coſts of Suit to the Party grieved, and ſhall be forejudged of his Office or Place; and if ſuch Preference be unduly made by any Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Office or Place; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Tellers make Payment upon ſuch Order, according to each Perſon's due Place and Order as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction or Order of Reſtraint ſhall be in any wiſe granted or allowed.

The Manner of Payment.

No undue Preference.

No Fee to be taken,

on Pain of Treble Damages, &c.

Proviſoes relating to undue Preference.

V. Provided always, and it is hereby declared, That if it ſhall happen that ſeveral Tallies of Loan or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

VI. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Method of transferring.

VII. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtered by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators, or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his, her or their Order, may aſſign or transfer his, her or their Right, Title, Intereſt, and Benefit of ſuch Order, or any Part thereof to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to the Benefit thereof, and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

The money may be raiſed by Exchequer Bills.

VIII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the ſaid Sum of one million, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of one million, or any Part thereof, by Exchequer Bills, inſtead of ſuch Loans as aforeſaid, that then they reſpectively are hereby authorized and impowered at any Time or Times to prepare and make, or cauſe to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the ſaid Sum of one million, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form, or Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of Parliament for granting an Aid to his Majeſty by a Land Tax, for the Service of the Year one thouſand ſeven hundred and forty-four, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſaid Act.

All Advantages and Penalties contained in the former Act, relating to Loans or Exchequer Bills, extended to theſe.

IX. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do Charge the ſame on the Aids, Taxes, or Aſſeſſments granted by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſaid Exchequer Bills had been originally authorized by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated or re-enacted in the Body of this preſent Act.

The Exchequer Bills to be paid out of the Sinking Fund.

X. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills as ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate, and Charges incident to, or attending the ſame, ſhall be and are hereby charged and chargeable upon and ſhall be repaid and borne by or out of the growing Produce of the ſaid Surpluſſes, Exceſſes, and Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

Application of the Supplies.

Land Tax.

Malt Tax.

XI. Provided always, and be it further enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-four*; and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of* Great Britain *called* Scotland *for the Service of the Year one thouſand ſeven hundred and forty-four*; and to ſuch Money (if any ſuch be) of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made, or to be made on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo the Sum of one million to be advanced and lent into the Receipt of his Majeſty's Exchequer, by *The United Company of Merchants of* England *trading to the* Eaſt Indies, for the Purchaſe of an Annuity after the Rate of three Pounds *per Centum per Annum*, in purſuance of one other Act of this Seſſion of Parliament, intituled, *An Act for granting to his Majeſty the Surplus or Remainder of the Monies ariſen, or to ariſe, by the Duties on Spirituous Liquors granted by an Act of the laſt laſt Seſſion of Parliament, and for explaining and amending the ſaid Act in relation to the Retailers of ſuch Liquors; and for eſtabliſhing an Agreement with* The united Company of Merchants of *England* trading to the *Eaſt Indies*; and alſo all the Monies coming into the Exchequer by Annuities after the Rate of three Pounds *per Centum per Annum*, and by Contribution by way of a Lottery, upon one other Act of this Seſſion of Parliament, intituled, *An Act for raiſing by Annuities and a Lottery, in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three Pounds* per Centum per Annum, *for the Service of the Year one thouſand ſeven hundred and forty-four*; and the Sum of thirty-ſix thouſand Pounds remaining in the Receipt of his Majeſty's Exchequer, ariſen by impreſt Money repaid on the Head of the Coinage Duty; and alſo the Sum of one million by this Act granted as aforeſaid, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents, and Purpoſes herein after expreſſed; that is to ſay, it is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied, any Sum or Sums of Money not exceeding forty thouſand Pounds, for the Marriage Portion of the Princeſs of *Denmark*, one of his Majeſty's Daughters.

One million to be lent by the Eaſt India Company at 3 l. per Cent.

1,800,000 l. to be raiſed by 3 l. per Cent. Annuities, and a Lottery.

40,000 l. Portion to the Princeſs of Denmark.

XII. And

XII. And it is hereby enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two million two hundred ſeventy-two thouſand eight hundred thirty-four Pounds ten Shillings and nine Pence, for or towards the Naval Service herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance performed and to be performed.

2,272,834 l. 10 s. 9 d. for Naval Service.

XIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding twenty thouſand four hundred ſeventy-four Pounds ſeventeen Shillings and ſeven Pence, for the Freight of Tranſports, between the firſt Day of *January* one thouſand ſeven hundred and forty-two and the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-three; and the Sum of ten thouſand nine hundred ſeventy Pounds two Shillings and five Pence three Farthings, for the Expence of Victuals provided for his Majeſty's Land Forces, between the firſt Day of *January* one thouſand ſeven hundred and forty-two and the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-three.

20,474 l. 17 s. 7 d. for Freight of Tranſports.

10,970 l. 2 s. 5 d. 3 q. for Victuals for the Land Forces.

XIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

10,000 l. to Greenwich Hoſpital.

XV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two hundred fifty-one thouſand four hundred fifty-five Pounds two Shillings and four Pence Halfpenny for or towards defraying the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and forty-four, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament; and for the Pay of Artillery People and Stores, provided by the Office of Ordnance; and towards building Fortifications to ſecure the new Settlement at *Rattan* for the Year one thouſand ſeven hundred and forty-four.

251,455 l. 2 s. 4 d. Halfpenny, to the Office of Ordnance.

XVI. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two million one hundred ſeventy-one thouſand five hundred forty-nine Pounds ten Shillings and two Pence for defraying the Charge of Guards, Gariſons, and Marines, and the contingent Charges thereof in *Great Britain*, *Guernſey*, and *Jerſey*, and for maintaining his Majeſty's Forces and Gariſons in the Plantations, *Minorca*, and *Gibraltar*, and for Proviſions for the Gariſons of *Annapolis Royal*, *Canſo*, *Placentia*, *Providence*, *Gibraltar*, *Georgia*, and *Rattan*, for the Year one thouſand ſeven hundred and forty-four; and for or towards defraying the Charge of his Majeſty's Army to be employed Abroad in the *Low Countries*, *Germany*, or elſewhere; and for other Services relating thereto for the Year one thouſand ſeven hundred and forty-four; and for or towards defraying the extraordinary Charge of Forage, Waggon Money, and other Expences, incurred or to be incurred for the Service of the Year one thouſand ſeven hundred and forty-four; and any Sum or Sums of Money not exceeding five hundred twenty-four thouſand twenty-three Pounds eight Shillings and three Pence, on account of the extraordinary Charges of the Troops ſerving in *Flanders*, incurred in the Years one thouſand ſeven hundred and forty-two and one thouſand ſeven hundred and forty-three, and not provided for by Parliament; and any Sum or Sums of Money not exceeding ſixty-ſix thouſand one hundred and nine Pounds thirteen Shillings and ten Pence, on account of extraordinary Services incurred in *Georgia*, for the Preſervation and Defence of his Majeſty's Dominions on the Continent of *North America*, from the twenty-ſecond Day of *September* one thouſand ſeven hundred and thirty-eight to the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-three, and not provided for by Parliament; and any Sum or Sums of Money not exceeding nineteen thouſand one hundred ſixty-eight Pounds eighteen Shillings and four Pence, for the Charge of two Troops of Rangers, one Highland Company, together with the Charge of Half Galleys or Schooners, Sailors, and Boatmen, to be employed in *Georgia* for the ſaid Year one thouſand ſeven hundred and forty-four; and any Sum or Sums of Money not exceeding thirty-ſeven thouſand ſeven hundred and three Pounds ſeventeen Shillings and ſeven Pence Farthing, for the Pay and Forage of the General and Staff Officers, and likewiſe for the Pay of the Officers of the Hoſpital ſerving with his Majeſty's Forces in *Flanders* for the ſaid Year one thouſand ſeven hundred and forty-four; and any Sum or Sums of Money not exceeding five thouſand four hundred and ſixty Pounds for providing three hundred thirty-one Horſes loſt at the Battle of *Dettingen*; and any Sum or Sums of Money not exceeding twenty thouſand nine hundred fifty-nine Pounds four Shillings and five Pence Farthing, for defraying the extraordinary Expences and Services of his Majeſty's Land Forces in *Great Britain*, *Minorca*, *Gibraltar*, and the Plantations, incurred in the Year one thouſand ſeven hundred and forty-three, and not provided for by Parliament; and any Sum or Sums of Money not exceeding thirty-one thouſand ſix hundred ninety-five Pounds and twelve Shillings, upon account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and forty-four, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame;

2,171,549 l. 10 s. 2 d. for Guards, Gariſons, and Marines.

Extraordinary Charge of Forage, Waggon Money, &c.

524,023 l. 8 s. 3 d. for extraordinary Charges of the Troops in Flanders.

66,109 l. 13 s. 10 d. for Defence of the North American Settlements.

19,168 l. 18 s. 4 d. for two Troops of Rangers, a Higland Company, &c. in Georgia.

37,703 l. 17 s. 7 d. 1 q. for the Pay and Forage of General and Staff Officers, and Officers of the Hoſpital in Flanders.

5460 l. for Horſes loſt at the Battle of Dettingen.

20,959 l. 4 s. 5 d. 1 q. for extraordinary Services of the Land Forces in Great Britain, Minorca, Gibraltar, &c.

31,695 l. 12 s. for Half-pay, and

3812 l. for Penſions to reduced Officers Widows.

and any Sum or Sums of Money not exceeding three thouſand eight hundred and twelve Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the ſaid Year one thouſand ſeven hundred and forty-four; which ſaid Sum of three thouſand eight hundred and twelve Pounds, ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts, or other Directions, and with and ſubject to ſuch Conditions, Qualifications, or other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint.

200,000 l. to make good Engagements with the King of Sardinia.

300,000 l. to make good Engagements with the Queen of Hungary.

XVII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two hundred thouſand Pounds, to make good his Majeſty's Engagements with the King of *Sardinia*, purſuant to Treaty; and any Sum or Sums of Money not exceeding three hundred thouſand Pounds, to make good his Majeſty's Engagements with the Queen of *Hungary*, for the Support of the Houſe of *Auſtria*, and reſtoring the Balance of Power in *Europe*.

Several Deficiencies made good to the Sinking Fund, viz.

4392 l. 19 s. 5 d. for the additional Stamp Duties.

42,000 l. for Intereſt of Money borrowed on the Salt Duties.

8295 l. 9 s. 1 d. Deficiency of the Act.

13,870 l. 7 s. on the Duty on Sweets and made Wines.

20,000 l. towards maintaining the African Forts.

4,000 l. for repairing St. Peter's Weſtminſter.

4000 l. for St. John the Evangeliſt.

XVIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding four thouſand three hundred ninety-two Pounds nineteen Shillings and five Pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and forty-two; and any Sum or Sums of Money not exceeding forty-two thouſand Pounds, to replace to the Sinking Fund the like Sum paid out of the ſame, for one Year's Intereſt due on or before the fifth Day of *November* one thouſand ſeven hundred and forty-three, on the Principal Sum of one million two hundred thouſand Pounds, lent on the Credit of the Salt Duty towards the Supply of the Year one thouſand ſeven hundred and forty-one; and any Sum or Sums of Money not exceeding eight thouſand two hundred ninety-five Pounds nine Shillings and one Penny, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty upon all Victuallers and Retailers of Beer and Ale within the Cities of *London* and *Weſtminſter*, and the Weekly Bills of Mortality, at *Midſummer* one thouſand ſeven hundred and forty-three, at which Time the ſaid Duty was determined, and the Sum of four hundred and eighty-one thouſand four hundred Pounds charged thereon, was transferred to the Duties on Licences to ſell Spirituous Liquors and Strong Waters by Retail; and any Sum or Sums of Money not exceeding thirteen thouſand eight hundred and ſeventy Pounds ſeven Shillings, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets, or Wines made from *Britiſh* or foreign Fruits or Sugar, at *Michaelmas* one thouſand ſeven hundred and forty-three; and the Sum of twenty thouſand Pounds, to be applied towards the Maintenance of the *Britiſh* Forts and Settlements belonging to the Royal *African* Company of *England*, on the Coaſt of *Africa*; and any Sum or Sums of Money not exceeding four thouſand Pounds, towards the repairing and finiſhing the Collegiate Church of *Saint Peter*, *Weſtminſter*; and any Sum or Sums of Money, not exceeding four thouſand Pounds, for the Repair of the Pariſh Church of Saint *John the Evangeliſt*, *Weſtminſter*.

25,000 l. towards building Weſtminſter Bridge.

XIX. And it is hereby enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and paid to the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore in the County of *Surrey*, or any ſeven or more of them, or to ſuch Perſon or Perſons as ſhall be appointed under the Hands and Seals of the ſaid Commiſſioners, or any ſeven or more of them to receive the ſame, the Sum of twenty-five thouſand Pounds, without Account, other than as is directed for the other Monies raiſed by virtue of the ſeveral former Acts of Parliament paſſed during the Reign of his preſent Majeſty for building the ſaid Bridge, to be applied towards enabling the ſaid Commiſſioners to finiſh the ſaid Bridge, and to perform the other Truſts repoſed in them.

119,934 l. 4 s. 4 d. 2 q. for Deficiency of the Grants for the Year 1743.

55,827 l. 16 s. 3 d. 2 q. Deficiency of the General Fund.

XX. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one hundred nineteen thouſand nine hundred thirty-four Pounds four Shillings and four Pence Halfpenny, to make good the Deficiency of the Grants for the Year one thouſand ſeven hundred and forty-three; and any Sum or Sums of Money not exceeding fifty-five thouſand eight hundred twenty-ſeven Pounds ſixteen Shillings and three Pence Halfpenny, for making Good the Deficiency of the General Fund for the Year ended at *Michaelmas* one thouſand ſeven hundred and forty-three.

To make good the Subſidy Treaties.

XXI. Provided nevertheleſs, and it is hereby declared and enacted, That it ſhall and may be lawful for his Majeſty to iſſue and apply out of the Aids aforeſaid, ſuch Sum and Sums of Money as ſhall be found neceſſary to be iſſued and applied for or towards the Payment of ſuch Subſidies and other Charges as ſhall be due upon Treaties made or to be made with his Majeſty's Allies, and other Expences for the Service

Service of the War, for any Time before and until the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-four.

XXII. And be it enacted, That the ſaid Aids or Supplies provided as aforeſaid ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament. The foregoing Aids not to be applied to any other Uſes.

XXIII. And as to the ſaid Sum of thirty-one thouſand ſix hundred ninety-five Pounds and twelve Shillings, by this Act appropriated on Account of Half-pay as aforeſaid; It is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop or Company in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Employment of Profit, Civil or Military under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who has reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*. Rules for the Application of Half-pay. *See* 18 *Geo.* 2. *c.* 22.

'XXIV. And whereas by an Act of Parliament made in the ſixteenth Year of his Majeſty's Reign, intituled, *An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund; and for applying a further Sum therein mentioned for the Service of the Year one thouſand ſeven hundred and forty-three; and for the further appropriating the Supplies granted in this Seſſion of Parliament*; ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which, any Sum or Sums of Money not exceeding twenty-ſix thouſand one hundred thirty-ſeven Pounds and ten Pence, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of twenty-ſix thouſand one hundred thirty-ſeven Pounds and ten Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers according to the Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service, or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity; or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants, under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any Thing in this Act or the ſaid former Act to the contrary notwithſtanding. 16 Geo. 2. c. 25. The Overplus of laſt Year's Half-pay, to be applied to the Compaſſionate Liſt.

" Proviſion for Exchequer Bills and Lottery Tickets loſt, burnt, *&c.* Time given to Clerks and Apprentices, *&c.* to pay the Duties." EXP.

'XXVII. And whereas divers Perſons did (in purſuance and upon the Credit of an Act of Parliament made and paſſed in the ſecond Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for granting an Aid to her Majeſty for carrying on the War, and other her Majeſty's Occaſions, by ſelling Annuities at ſeveral Rates, and for ſuch reſpective Terms or Eſtates as are therein mentioned*) purchaſe ſeveral Annuities payable at the Receipt of the Exchequer for the Life and Lives of one, two, and three Perſon or Perſons reſpectively: And whereas divers Perſons did (in purſuance and upon the Credit of another Act of Parliament made in the third Year of the Reign of her ſaid late Majeſty Queen ANNE, intituled, *An Act for raiſing Monies by Sale of ſeveral Annuities for carrying on the preſent War*) purchaſe a reverſionary or future Eſtate or Intereſt in ſeveral of the ſaid Annuities payable by virtue of the ſaid former Act, to take Effect from and after the Determination of ſuch reſpective Eſtates for one, two, or three Life or Lives in being, and to continue for and during the Reſidue and Remainder of a Term of ninety-nine Years therein mentioned, to commence and be computed from the twenty-fifth Day of *March* one thouſand ſeven hundred and four, and then to come and unexpired: And whereas ſome of the ſaid Nominees for whoſe Lives ſome of the ſaid Annuities are or have been held, cannot be found or heard of, and the Parties that are or were intitled to ſuch Annuities, do not come or ſend to demand the ſaid Annuities, ſo that it is become uncertain whether ſuch Nominees be living or dead, whereby the Titles of the Purchaſers of ſuch Reverſions are become and will become diſputable;' For Remedy whereof, Be it enacted by the Authority aforeſaid, That in caſe any of the ſaid Annuities (whereupon the Reverſion or Reverſions were ſo purchaſed as aforeſaid) are or ſhall not be demanded at the Exchequer for the Space of two Years next after the ſame ſhall become payable; and in caſe Certificates of the Life and Lives of any Nominee or Nominees, upon whoſe Life or Lives any Annuities do depend, ſhall not be produced to the Officers of his Majeſty's Exchequer, or ſufficient Proof made thereof according to the Rules preſcribed by the former Acts, within two Years next after the ſaid Annuities ſhall from time to time become payable, then and from thenceforth, from and after the Expiration of the ſaid two 2 Ann. c. 3. 3 Ann. c. 2. The Time fixt for Annuitants claiming.

Years,

Years, ſuch Nominee or Nominees, ofwhoſe Life or Lives no ſuch Certificate ſhall be produced, or Proof made, ſhall be taken to be dead, and the Perſon or Perſons that hath or have purchaſed, or ſhall hereafter purchaſe ſuch Reverſion or Reverſions of ſuch Annuity or Annuities expectant upon the Death of ſuch Nominee or Nominees, of whoſe Life or Lives no ſuch Certificate ſhall be produced, or Proof made, ſhall receive the ſaid reſpective Annuity or Annuities, from time to time, until ſuch Certificate ſhall be produced, or Proof made, and ſhall not be accountable for ſuch Part of the ſaid Annuity as he ſhall then have actually received, for Default of ſuch Certificate or Proof; any Thing in the ſaid former Act or Acts of Parliament contained to the contrary notwithſtanding.

CAP. XXXIV.

For fewer Laws refer to 2 R. 2. c. 4. 5 El. c. 5. 7 & 8 W. 3. c. 21. 8 & 9 W. 3. c. 23. 9 & 10 W. 3. c. 41. 2 Ann. c. 6. 4 & 5 Ann. c. 19. 10 Ann. c. 17. 1 Geo. 1. c. 25. 8 Geo. 1. c. 24. 1 Geo. 2. ſt. 2. c. 9 & 14. 2 Geo. 2. c. 7 & 36. 6 Geo. 2. c. 25. 8 Geo. 2. c. 29. 11 Geo. 2. c. 30. 13 Geo. 2. c. 3 & 17. 14 Geo. 2. c. 38.

An Act for the better Encouragement of Seamen in his Majeſty's Service, and Privateers, to annoy the Enemy.

'WHEREAS his Majeſty being engaged in a juſt and neceſſary War againſt *France*, and being 'reſolved to proſecute the ſame with the utmoſt Vigour, has for the Encouragement of his faith-'ful Subjects, ſerving on board his Ships of War, or Privateers, been graciouſly pleaſed by his Royal 'Declaration, bearing Date the twenty-ninth Day of *March* one thouſand ſeven hundred and forty-four, 'to grant that the Flag Officers, Commanders and Officers, Seamen, Marines and Soldiers on board 'every Ship or Veſſel of War in his Majeſty's Pay, and on board Privateers, ſhall have the ſole Intereſt 'and Property of and in all and every Ship, Veſſel, Goods and Merchandizes and Effects, which they 'ſhall take during the Continuance of this War againſt *France*, being firſt adjudged lawful Prize in any 'of his Majeſty's Courts of Admiralty of *Great Britain* or *Ireland*, or any of his Plantations in *America*, 'or other Dominions of *Great Britain:* And whereas by an Act made in the thirteenth Year of his Ma-
13 Geo. 2. c. 4. 'jeſty's Reign, intituled, *An Act for the more effectual ſecuring and encouraging the Trade of his Majeſty's* 'Britiſh *Subjects to* America, *and for the Encouragement of Seamen to enter into his Majeſty's Service*, the ſole 'Intereſt and Property of and in all and every Ship, Veſſel, Goods and Merchandize, taken from the '*Spaniards*, is given to the Flag Officers, Commanders and other Officers, Seamen, Marines and Sol-'diers on board every Ship and Veſſel of War in his Majeſty's Pay, and to Privateers (being firſt ad-'judged lawful Prize in any of his Majeſty's Courts of Admiralty in *Great Britain*, or in his Plantations 'in *America*, or elſewhere) and divers Rules and Regulations are therein eſtabliſhed for the Adjudication 'and Condemnation of Prizes taken from the *Spaniards*; and by the ſaid Act a Bounty is given to the 'Officers, Seamen, Marines, Soldiers, or others that ſhall have been actually on board ſuch of his Ma-'Majeſty's Ship or Ships of War or Privateer or Privateers, in any Action where any Ship or Ships of 'War, or Privateers, ſhall have been taken from the Enemy, ſunk, burnt or otherwiſe deſtroyed: And 'whereas it is neceſſary that the ſame Encouragements in all Reſpects ſhould be given to the Captors of '*French* Ships, Veſſels, Goods and Merchandizes, and the ſame Rules and Regulations ſhould be ob-'ſerved in the Adjudication and Condemnation of Prizes taken from the *French*:' Now to the End that his Majeſty's moſt gracious Intention may have full Force and Effect, and for the better carrying on the ſaid War againſt *France* with Vigour, and for the Encouragement of the Officers and Seamen of his Majeſty's Ships of War, and the Officers and Seamen of all other *Britiſh* Ships and Veſſels, having Commiſſions, or Letters of Marque; and for inducing all *Britiſh* Seamen, who may be in any foreign Service, to return into this Kingdom, and become ſerviceable to his Majeſty, and for the more effectual ſecuring and extending the Trade of his Majeſty's Subjects; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Flag Officers, Commanders and other Officers, Seamen, Marines and Soldiers on board every Ship and Veſſel of War in his Majeſty's Pay, ſhall have the ſole Intereſt and Property of and in all and every Ship, Veſſel, Goods and Merchandizes, which they have taken on or ſince the twenty-ninth Day of *March* in the Year of our Lord one thouſand ſeven hundred and forty-four, or ſhall hereafter take (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty in *Great Britain*, or in his Plantations in *America*, or elſewhere) to be divided in ſuch Proportions, and after ſuch Manner, as his Majeſty by his ſaid Declaration, bearing Date the twenty-ninth Day of *March* one thouſand ſeven hundred and forty-four, ordered and directed; or in ſuch Proportions, and after ſuch Manner as his Majeſty, his Heirs and Succeſſors ſhall think fit to order and direct, by Proclamation or Proclamations hereafter to be iſſued for that Purpoſe.

Ships of War in his Majeſty's Pay, to have the ſole Property of all their Prizes, being firſt adjudged in the Court of Admiralty.

II. And be it further enacted by the Authority aforeſaid, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Perſon or Perſons by him or them impowered and appointed, ſhall at the Requeſt of any Owner or Owners of any Ship or Veſſel, giving ſuch Bail and Security as have been uſually taken upon granting Commiſſions or Letters of Marque (except only for the Payment of the Tenths of the Value of Prizes which ſhall be taken, to the Lord High Admiral, or Commiſſioners for executing the Office of Lord High Admiral for the Time being) cauſe to be iſſued forth in the uſual Manner one or more Commiſſion or Commiſſions to any Perſon or Perſons whom ſuch Owner or Owners ſhall nominate to be Commander, or in caſe of Death ſucceſſively Commanders of ſuch Ship or Veſſel, for the attacking, ſurprizing, ſeizing and taking, by and with ſuch Ship or Veſſel, or the Crew thereof, any Place or Fortreſs upon the Land, or any Ship or Veſſel, Goods, Ammunition, Arms, Stores of War, or Merchandizes belonging to or poſſeſſed by any of his Majeſty's Enemies in

Lords of the Admiralty to give out Commiſſions to Privateers.

The Tenor of their Commiſſions.

any Sea, Creek, Haven or River, and that ſuch Ship or Ships, Veſſel or Veſſels, Arms, Ammunition, Stores of War, Goods and Merchandizes whatſoever, with all their Furniture, Tackle or Apparel, ſo to be taken by or with ſuch private Owner or Owners Ship or Veſſel, according to ſuch Commiſſion and Commiſſions (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty as aforeſaid) ſhall wholly and intirely belong to, and be divided between and among the Owner and Owners of ſuch Ship or Veſſel, and the ſeveral Perſons which ſhall be on board the ſame, and be aiding and aſſiſting to the taking thereof, in ſuch Shares and Proportions as ſhall be agreed on with the Owner or Owners of ſuch Ship or Veſſel as ſhall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of ſuch Owner or Owners, and the Perſons that ſhall be thus entitled thereto by virtue of ſuch Agreements among themſelves; and that neither his Majeſty, his Heirs or Succeſſors, or any Admiral, Vice Admiral, Governor or other Perſon commiſſioned by or claiming under his Majeſty, his Heirs or Succeſſors, or any Perſon or Perſons whatſoever, other than the Owner or Owners of ſuch Ship or Veſſel, being the Captor of ſuch Prize, Ship or Veſſel, Arms, Ammunition, Stores of War, Goods and Merchandizes, and the Perſons claiming under him or them, ſhall be intitled to any Part or Share thereof (except as to the Cuſtoms and Duties hereafter mentioned); any Cuſtom, Statute or other Law to the contrary notwithſtanding.

Privateers Company to have the Profit of their Prizes according to their Contract with the Owners.

III. And for the more ſpeedy proceeding to Condemnation or other Determination of any Prize Ship or Veſſel, Goods or Merchandizes taken as aforeſaid, and for leſſening of the Expences that have been uſual in the like Caſes; Be it further enacted by the Authority aforeſaid, That the Judge or Judges of ſuch Court of Admiralty, or other Perſon or Perſons thereto authorized, ſhall within the Space of five Days after Requeſt to him or them for that Purpoſe made, finiſh the uſual preparatory Examination of the Perſons commonly examined in ſuch Caſes, in order to prove the Capture to be lawful Prize, or to enquire whether the ſame be lawful Prize or not; and that the proper Monition uſual in ſuch Caſes ſhall be iſſued by the Perſon or Perſons proper to iſſue the ſame, and ſhall be executed in the uſual Manner by the Perſon or Perſons proper to execute the ſame, within the Space of three Days after Requeſt in that Behalf made; and in caſe no Claim of ſuch Capture, Ship, Veſſel or Goods ſhall be duly entered or made in the uſual Form, and atteſted upon Oath, giving twenty Days Notice after the Execution of ſuch Monition, or if there be ſuch Claim, and the Claimant or Claimants ſhall not within five Days give ſufficient Security (to be approved by ſuch Court of Admiralty) to pay double Coſts to the Captor or Captors of ſuch Ship, Veſſel or Goods, in caſe the ſame ſo claimed ſhall be adjudged lawful Prize, that then the Judge or Judges of ſuch Court of Admiralty ſhall, upon producing to him or them the ſaid Examinations, or Copies thereof, and upon producing to him or them upon Oath, all Papers and Writings which ſhall have been found, taken in or with ſuch Capture, or upon Oath made that no ſuch Papers were found, immediately and without further Delay, proceed to Sentence, either to diſcharge and acquit ſuch Capture, or to adjudge and condemn the ſame as lawful Prize, according as the Caſe ſhall appear to him or them, upon Peruſal of ſuch preparatory Examinations, and alſo of the Writings found, taken in or with ſuch Capture, if any ſuch Writing ſhall be found; and in caſe ſuch Claim ſhall be duly entered or made, and Security given thereupon, according to the Tenor and true Meaning of this Act, and there ſhall appear no Occaſion to examine any Witneſſes, other that what ſhall be then near to ſuch Court of Admiralty; that then ſuch Judge or Judges ſhall forthwith cauſe ſuch Witneſſes to be examined within the Space of ten Days after ſuch Claim made, and Security given, and proceed to ſuch Sentence as aforeſaid touching ſuch Capture; but in caſe upon making or entering ſuch Claim, and the Allegation and Oath thereupon, or the producing ſuch Writings as ſhall have been found, taken in or with ſuch Capture, or upon the ſaid preparatory Examinations, it ſhall appear doubtful to the Judge or Judges of ſuch Court of Admiralty, whether ſuch Capture be lawful Prize or not, and it ſhall appear neceſſary according to the Circumſtances of the Caſe, for the clearing and determining ſuch Doubt, to have an Examination upon Pleadings given in by the Parties, and admitted by the Judge, of Witneſſes that are remote from ſuch Court of Admiralty, and ſuch Examination ſhall be deſired, and that it be ſtill inſiſted on, on Behalf of the Captors, that the ſaid Capture is lawful Prize, and that the contrary be ſtill perſiſted in on the Claimants Behalf; that then the ſaid Judge or Judges ſhall forthwith cauſe ſuch Capture to be appraiſed by Perſons to be named by the Parties, and appointed by the Court, and ſworn truly to appraiſe the ſame according to the beſt of their Skill and Knowledge, for which Purpoſe the ſaid Judge or Judges ſhall cauſe the Goods found on Board to be unladen, and an Inventory thereof being firſt taken by the Marſhal of the Admiralty or his Deputy, ſhall cauſe them to be put into proper Warehouſes, with ſeparate Locks of the Collector and Comptroller of the Cuſtoms, and where there is no Comptroller, of the Naval Officer, and the Agents or Perſons employed by the Captors and Claimants at the Charge of the Party or Parties deſiring the ſame, and ſhall after ſuch Appraiſement made, and within the Space of fourteen Days after the making of ſuch Claim, proceed to take good and ſufficient Security from the Claimants to pay the Captors the full Value thereof according to ſuch Appraiſement, in caſe the ſame ſhall be adjudged lawful Prize; and ſhall alſo proceed to take good and ſufficient Security from the Captors to pay ſuch Coſts as the Court ſhall think proper, in caſe ſuch Ship ſhall not be condemned as lawful Prize; and after ſuch Securities duly given, the ſaid Judge or Judges ſhall make an Interlocutory Order for releaſing or delivering the ſame to ſuch Claimant or Claimants, or his or their Agents, and the ſame ſhall be actually releaſed or delivered accordingly.

Method of condemning the Prizes.

IV. And it is further enacted by the Authority aforeſaid, That if any Claimant or Claimants ſhall refuſe to give ſuch Security, the Judge or Judges ſhall cauſe the Captor or Captors in like Manner, to give good and ſufficient Security, to be approved of by the Claimant or Claimants, to pay the ſaid Claimant or Claimants the full Value thereof according to the Appraiſement, in caſe any ſuch Capture or Captures ſhall

If the Claimants refuſe to give Security, the Captors may, and proceed to Trial.

ſhall be adjudged not to be lawful Prize; and the ſaid Judge or Judges ſhall thereupon proceed to make an Interlocutory Order for the releaſing and delivering the ſame to the ſaid Captor or Captors, or their Agents.

Method of proceeding with Prizes carried into any of the American Colonies.

V. And it is further enacted by the Authority aforeſaid, That all ſuch Captures as aforeſaid, which ſhall be brought into any of his Majeſty's Colonies or Plantations in *America*, ſhall, without breaking Bulk, ſtay there and be under the joint Care and Cuſtody of the Collector and Comptroller of the Cuſtoms, or where there is no Comptroller, of the Naval Officer of the Port or Place where the ſame ſhall be brought, and all the Captors thereof and their Agents, ſubject to the Directions of the Court of Admiralty, until either the ſame ſhall, by final Sentence, have been either cleared and diſcharged, or adjudged and condemned as lawful Prize, or that ſuch Interlocutory Order as aforeſaid, ſhall have been made for the releaſing or delivering of the ſame; and upon the Condemnation or Adjudication thereof as lawful Prize, ſhall in caſe the ſame were taken by any ſuch private Ship or Ships commiſſioned as aforeſaid, be immediately delivered unto the Captors thereof, and their Agents, to be by them diſpoſed of as their Goods and Chattels; and in caſe the ſame were taken by any of his Majeſty's Ships of War, unto ſuch Perſon or Perſons, and to be ſo divided and diſpoſed of, as his Majeſty has, by his ſaid Declaration, ordered and directed, or as his Majeſty, his Heirs and Succeſſors ſhall, by Proclamation or Proclamations hereafter to be iſſued for that Purpoſe, order and direct.

Penalty on any Judges abroad delaying Trial.

VI. And be it further enacted by the Authority aforeſaid, That if any Judge or Judges, or other Officer or Officers in any of his Majeſty's Plantations or Dominions Abroad, to whom reſpectively it ſhall appertain, ſhall delay the doing, performing, making or pronouncing any of the ſeveral Proceedings, Matters or Things, for, towards or relating to condemning or diſcharging, releaſing or delivering of any ſuch Capture in Manner aforeſaid, within the reſpective Times herein before limited, or as ſoon as the ſame, or any of them, ought to be done, according to the Tenor and true Meaning of this Act; all and every ſuch Judge and Judges, and other Officer and Officers ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, the other Moiety thereof, with full Coſts of Suit, to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, in any of the Courts in or for any of his Majeſty's ſaid Colonies or Plantations, or in any of his Majeſty's Courts of Record within his Kingdom of *Great Britain*.

What ſhall be paid in the Courts of Admiralty Abroad, for trying and condemning Prizes.

VII. And it is hereby further enacted by the Authority aforeſaid, That there ſhall not be paid unto, or among all the Judges and Officers of ſuch Court of Admiralty in any of his Majeſty's Plantations or Dominions Abroad, for, towards or relating to the adjudging or condemning of ſuch Capture as aforeſaid, as lawful Prize, above the Sum of ten Pounds, in caſe ſuch Prize, Ship or Veſſel be under the Burthen of one hundred Tons, nor above the Sum of fifteen Pounds, in caſe the ſame be of that or any greater Burthen; and that upon Payment of either of the ſaid reſpective Sums, as the Caſe ſhall require, to the ſaid Judge or Judges, or any of them, to be by him or them diſpoſed or divided, as he or they ſhall think fit, among the Officers of ſuch Court; ſuch Judges and Officers, and every of them, ſhall be liable to all and every the ſeveral Penalties hereby impoſed for neglecting or delaying to do and perform their ſeveral and reſpective Duties or Offices, in and relating to the ſeveral Proceedings aforeſaid, within the reſpective Times herein for that Purpoſe limited.

Appeal to Commiſſioners.

VIII. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That if any Captor or Captors, Claimant or Claimants ſhall not reſt ſatisfied with the Sentence given in ſuch Court of Admiralty in any of his Majeſty's Plantations or Dominions Abroad, it ſhall and may be lawful for the Party or Parties thereby aggreived, to appeal from the ſaid Court of Admiralty to the Commiſſioners appointed or to be appointed under the Great Seal of *Great Britain*, for receiving, hearing and determining Appeals in Cauſes of Prizes; ſuch Appeal to be allowed in the like Manner as Appeals to ſuch Commiſſioners are now allowed from the Court of Admiralty within this Kingdom, ſo as the ſame be made within fourteen Days after Sentence, and good Security be likewiſe given by the Appellant or Appellants, that he or they will effectually proſecute ſuch Appeal, and anſwer the Condemnation, and alſo pay treble Coſts, as ſhall be awarded, in caſe the Sentence of ſuch Court of Admiralty be affirmed; any thing in this Act before to the contrary hereof in any wiſe notwithſtanding.

Appellant to give Security.

IX. Provided always, That the Execution of any Sentence ſo appealed from as aforeſaid, ſhall not be ſuſpended by reaſon of ſuch Appeal, in caſe the Party or Parties appellate ſhall give ſufficient Security, to be approved of by the Court in which ſuch Sentence ſhall be given, to reſtore the Ship, Veſſel, Goods or Effects, concerning which ſuch Sentence ſhall be pronounced, or the full Value thereof, to the Appellant or Appellants, in caſe the Sentence ſo appealed from ſhall be reverſed.

X. And be it enacted, That in caſe any Perſon who was not a Party in the firſt Inſtance of the Cauſe, ſhall interpoſe an Appeal from a Sentence given in any Admiralty Court, ſuch Perſon, or his or her Agent, ſhall at the ſame Time, enter his or her Claim, otherwiſe ſuch Appeal ſhall be null and void.

To forfeit treble the Value for Goods imbezzled on board any Prizes.

XI. And be it further enacted by the Authority aforeſaid, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers or others, ſhall break Bulk on board, or imbezil any of the Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture or Apparel of or belonging to ſuch Prize or Prizes ſo taken; ſuch Commander, Officer, Seaman, Marine, Soldier or others, ſhall forfeit treble the Value of all ſuch Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture or Apparel, as he or they ſhall imbezil; one third Part thereof to be to the Uſe of *Greenwich* Hoſpital, and the other two third Parts thereof, to him or them that will ſue for the ſame, by Action of Debt, Plaint or Information, in any Court of Record in *Great Britain*, in which no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

XII. And

XII. And be it further enacted by the Authority aforeſaid, That all Appraiſements and Sales of any Ship or Ships, Goods, Wares or Merchandizes as ſhall be taken by any of his Majeſty's Ships of War, ſhall be made by Agents or Perſons nominated and appointed in equal Numbers by the Commander, Officers or Ship's Company, and others intitled thereunto (that is to ſay) that if the Commander or Commanders of ſuch Ship or Ships as ſhall take any ſuch Prize or Prizes, ſhall nominate and appoint one or more Perſon or Perſons, Agent or Agents, to ſell or appraiſe the ſame as aforeſaid, then the Officers entitled thereunto, or the Majority of them, ſhall nominate and appoint the like Number of Perſons or Agents to act for them, and the Ship's Company and others, or the major Part of them, ſhall alſo nominate and appoint the ſame Number of Perſons or Agents to act on their Behalf in ſuch Appraiſement or Sale.

Agents for Sale of Prizes, how to be appointed.

XIII. Provided, That nothing herein contained, ſhall extend or be conſtrued to alter or make void any Agreement or Agreements, made or to be made in Writing, between the Owners, Officers and Seamen of any private Ships or Veſſels of War.

XIV. And be it further enacted by the Authority aforeſaid, That after the Sale or Sales of ſuch Prize or Prizes as ſhall be taken from the Enemy, by any of his Majeſty's Ships of War, publick Notification ſhall be given by the Perſons or Agents appointed as aforeſaid, of the Day appointed for the Payment of the ſeveral Shares to the Captors aforeſaid; after which publick Notification, if any Mens Shares ſhall remain in the Hands of the Perſons or Agents appointed as aforeſaid, either belonging to ſuch Men as ſhall be run from his Majeſty's Service, or which ſhall not be legally demanded within three Years, then ſuch Share or Shares ſo remaining in the Perſons or Agents Hands, or belonging to ſuch Men as ſhall run from his Majeſty's Service, ſhall go and be paid to the Uſe of *Greenwich* Hoſpital.

Publick Notice to be given by Agents, of the Day appointed to pay the Captors Shares.

Shares not demanded in 3 Years, to go to Greenwich Hoſpital.

XV. Provided always, and be it declared and enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to exempt any Ships, Goods, Wares or Merchandizes, which ſhall be taken as Prize, and brought or imported into this Kingdom, or any of his Majeſty's Plantations in *America*, from the Payment of any Cuſtoms or Duties, or from being ſubject to ſuch Reſtrictions and Regulations to which the ſame now are or ſhall hereafter be liable, by virtue of the Laws and Statutes of this Realm.

Prizes not exempted from Cuſtoms.

XVI. And for the encouraging his Majeſty's Subjects to engage in joint and united, as well as ſeparate Expences, Expeditions and Adventures; Be it further enacted by the Authority aforeſaid, That his Majeſty be, and he and his Heirs and Succeſſors are hereby impowered from Time to Time, during the Continuance of the preſent or any future War, to grant or make any Charter, Commiſſion or Grant, Charters, Commiſſions or Grants, for the better or more effectual enabling any Society or Societies, or particular Perſons, to join in any Expeditions or Adventures, by Sea or Land, and to ſail to and in any Seas for the attacking, ſurprizing, taking or deſtroying any Ships, Goods, Moveables and Immoveables, Settlements, Factories, Creeks, Harbours, Places of Strength, Lands, Forts, Caſtles and Fortifications, now belonging or hereafter to belong to, or to be poſſeſſed by any Enemy of his Majeſty, his Heirs or Succeſſors; and for the better making and carrying on any Preparations for ſuch Purpoſe and Purpoſes, and for the making and aſſuring to the Societies and Perſons which may be concerned, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, full and undoubted Properties, Rights and Titles of, in and to, and the full Enjoyment of all and every the Ships, Ammunition, Stores of War, Goods, Chattels, Moveables and Immoveables, Settlements, Factories, Places of Strength or Security, Lands, Forts, Caſtles or Fortifications, now belonging to, or poſſeſſed by, or hereafter to belong to, or to be poſſeſſed by any Enemy of his Majeſty, his Heirs or Succeſſors, which ſuch Society or Perſons ſhall take, or cauſe to be taken from any ſuch Enemy; together with all the Proceed, Profits and Advantages, which may accrue of or by the ſame or any of them, with and under ſuch Regulations, and in ſuch Manner and Form as his Majeſty, his Heirs and Succeſſors ſhall think fit; and at any Time or Times afterwards, by any further Grants or Charters, to confirm, corroborate and further aſſure the Premiſſes, and every or any of them, to the ſaid Societies or Perſons concerned, their and every of their Heirs, Succeſſors, Executors, Adminiſtrators or Aſſigns, ſo as to enable them, and every of them, to have, hold and enjoy the full Benefit thereof, according to the true Intent and Meaning of this Act; any Law, Statute, Proviſion or Declaration to the contrary in any wiſe notwithſtanding.

Charters to be granted to Adventurers.

XVII. Provided always, That nothing ſhall be contained in any Charter, Commiſſion or Grant, made in purſuance of this Act, to exclude or reſtrain any of his Majeſty's Subjects, from having a full and free Trade to the Places and Territories contained in ſuch Charters.

Free Trade for all his Majeſty's Subjects, to the chartered Conqueſts.

XVIII. And as a further Encouragement to the Officers, Seamen, Marines, Soldiers and others, on board his Majeſty's Ships of War, as alſo of Privateers, to attack, take and deſtroy any Ships of Force belonging to the Enemy; Be it enacted by the Authority aforeſaid, That there ſhall be paid by the Treaſurer of his Majeſty's Navy, upon Bills to be made forth by the Commiſſioners of the Navy, to be paid according to the Courſe thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers or others, that ſhall have been actually on board ſuch of his Majeſty's Ship or Ships of War, or Privateer or Privateers, in any Action where any Ship or Ships of War, or Privateers, ſhall have been taken from the Enemy, ſunk, burnt or otherwiſe deſtroyed, ſince his Majeſty's Declaration of War againſt *France*, five Pounds for every Man which was living on board any Ship or Ships ſo taken, ſunk, burnt or otherwiſe deſtroyed, at the beginning of the Engagement between them; the Numbers of ſuch Men to be proved by the Oaths of three or more of the chief Officers, or Men which were belonging to the ſaid Ship or Ships of War, or Privateers of the Enemy, or belonging to any of them at the Time of her or their

Bounty-money to be paid for taking or deſtroying the Enemies Ships.

their being taken as Prize, ſunk, burnt or otherwiſe deſtroyed, before the Mayor, or other chief Magiſtrate of the Port, within any of his Majeſty's Dominions, whereunto any Prize or Officers, or Men of ſuch Ships as were ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought; or before the *Britiſh* Conſul, or Vice Conſul, reſiding at any neutral Port, to which ſuch Prize, or Officers or Men, ſhall be brought; which Oaths the ſaid Mayor, or other chief Magiſtrate of any ſuch Port, or Conſul, or Vice Conſul, are hereby impowered and required to adminiſter, and ſhall forthwith grant a Certificate thereof, without Fee or Reward, directed to the Commiſſioners of the Navy; upon producing which Certificate to the Commiſſioners of his Majeſty's Navy, together with an authentick Copy of the Condemnation of ſuch Ship ſo taken, or if ſuch Ship be ſunk, burnt, or otherwiſe deſtroyed, on producing only a Certificate from the Mayor or other chief Magiſtrate, or Conſul, or Vice Conſul, as aforeſaid, the ſaid Commiſſioners of his Majeſty's Navy, or ſuch Perſon or Perſons as they ſhall appoint for that Purpoſef ſhall, according to the Courſe of the Navy, within fifteen Days, make out Bills for the Amount of ſuch Bounty, directed to the Treaſurer of the Navy, payable to, and to be divided amongſt the Officers, Seamen, Marines, and Soldiers on Board his Majeſty's Ships of War, in Manner, Form, and Proportion, as by his Majeſty's Proclamation to be iſſued for that Purpoſe ſhall be directed and appointed, and amongſt the Owners, Officers, and Seamen of any private Veſſel, or Ship of War, in ſuch Manner and Proportion, as by any Agreement in Writing they ſhall have entered into for that Purpoſe, ſhall be directed.

Captors to appoint Agents to receive the Bounty money.

XIX. And be it further enacted by the Authority aforeſaid, That the Bill or Bills to be made out for the Bounty hereby granted to the Commanders, Officers, Seamen, Marines, Soldiers, and others of his Majeſty's Ships of War, for taking, ſinking, burning, or otherwiſe deſtroying any Ships of War, or Privateers belonging to any of his Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be authorized and appointed by the Commander, and by the Majority of the Officers, and the major Part of ſuch Ships Company, and others, as ſhall have taken, ſunk, burnt, or otherwiſe deſtroyed the ſame, to be diſtributed and divided by the ſaid Perſon or Perſons ſo authorized and appointed amongſt the Captors, in ſuch Manner, Form, and Proportion as aforeſaid; the ſeveral Shares of which Captors, if not legally demanded within three Years after publick Notification, and alſo of ſuch as ſhall run from his Majeſty's Service, ſhall be applied to the Uſe of *Greenwich Hoſpital*; and that the Bill or Bills to be made out for the Bounty hereby granted to Privateers, for taking, burning, ſinking, or otherwiſe deſtroying any Ships of War, or Privateers belonging to any of his Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons, as ſhall be nominated and appointed by the Owner or Owners, Officers and Seamen of ſuch Privateer or Privateers, who ſhall have taken, ſunk, burnt, or otherwiſe deſtroyed the ſame, or the major Part of them, to be divided in ſuch Manner and Proportion as ſhall have been agreed by them as aforeſaid.

Prize-money not demanded in three Years, to go to Greenwich Hoſpital.

Goods of Britiſh Subjects retaken from the Enemy, how to be diſpoſed of.

XX. Provided always, and be it enacted, That if any Ship, Veſſel, or boat taken as Prize, or any Goods therein ſhall appear, and be proved in the Court of Admiralty to have belonged to any of his Majeſty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing under his Majeſty's Protection and Obedience, which were before taken or ſurprized by any of his Majeſty's Enemies, and at any Time afterwards again ſurprized and retaken from his Majeſty's Enemies, by any of his Majeſty's Ships of War; or any private Man of War, or other Ship, Veſſel, or Boat under his Majeſty's Protection and Obedience; that then ſuch Ships, Veſſels, Boats and Goods, and every ſuch Part and Parts thereof as aforeſaid, formerly belonging to ſuch his Majeſty's Subjects, ſhall in all Caſes be adjudged to be reſtored, and ſhall be by Decree of the ſaid Court of Admiralty accordingly reſtored to ſuch former Owner or Owners, or Proprietors, he or they paying for and in lieu of Salvage, if retaken from the Enemy by one of his Majeſty's Ships of War, an eighth Part of the true Value of the Ships, Veſſels, Boats, and Goods reſpectively ſo to be reſtored; which Salvage ſhall be anſwered and paid to the Captains, Officers, and Seamen in the ſaid Man of War, to be divided in ſuch Manner, as before in this Act is directed, touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Marines, and Soldiers, where Prizes are taken by any of his Majeſty's Ships of War; and if taken by a Privateer or other Ship, Veſſel, or Boat, before it has been in the Poſſeſſion of the Enemy twenty-four Hours, an eighth Part of the true Value of the ſaid Ships, Veſſels, Boats, and Goods; and if it has been in the Poſſeſſion of the Enemy above twenty-four Hours, and under forty-eight Hours, a fifth Part thereof; and if above forty-eight Hours, and under ninety-ſix Hours, a third Part thereof; and if above ninety-ſix Hours, a Moiety thereof; all which Payments to be made to any Privateer or other Ship, Veſſel, or Boat, ſhall be without any Deductions; and if ſuch Ship ſo re-taken by any of his Majeſty's Ships of War, or by any private Man of War, ſhall appear to have been after the taking by the Enemy by them ſet forth as a Man of War, the former Owners and Proprietors to whom the ſame ſhall be reſtored ſhall be adjudged to pay, and ſhall pay for Salvage, the full Moiety of the true Value of the ſaid Ship ſo taken and reſtored, without Deduction as aforeſaid; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalties on Ships taken by Colluſion.

XXI. And be it further enacted by the Authority aforeſaid, That in caſe any Ship or Veſſel, or any Goods or Merchandizes ſhall be taken by any Privateer, through Conſent, or clandeſtinely, or by Colluſion or Connivance, ſuch Ship and Veſſel, and ſuch Goods and Merchandizes, and alſo the Ships Tackle, Furniture, Apparel, and Ammunition of ſuch Privateer, ſhall, upon Proof thereof to be made in his Majeſty's Court of Exchequer, or in the Court of Admiralty, be declared and adjudged to be good Prize to his Majeſty, and one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame, and the Bond given by the Captain of ſuch Privateer ſhall be and is hereby adjudged to be forfeited to his Majeſty; and in caſe any ſuch Ship or Veſſel, or any Goods or Merchandizes as aforeſaid, ſhall be taken by any

Man of War, through Conſent clandeſtinely, or by Colluſion or Connivance of the Commander or Captain, ſuch Commander or Captain ſhall forfeit the Sum of one thouſand Pounds, one Moiety thereof to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, wherein no Eſſoin, Protection, Privilege, or Wager of Law, or any more than one Imparlance ſhall be allowed; and ſuch Captain or Officer ſhall forfeit his Command and Employment, and ſhall be and is hereby diſabled and made incapable of any Office of Employment under his Majeſty during the Space of ſeven Years; and the ſaid Goods and Merchandizes, and the Ship, Tackle, Apparel, Furniture, Guns, and Ammunition ſo taken by Colluſion, ſhall be and is hereby adjudged to be good Prize to his Majeſty.

No Privateer, &c. in America, to take on Board any Servant, without Conſent of Maſter:

'XXII. And whereas good and neceſſary Laws have been made, and are ſtill in Force, within ſeveral 'of his Majeſty's Colonies or Plantations in *America*, for the preventing the carrying off from the ſaid 'Colonies or Plantations any Servant or Slave, without the Conſent of the Owner, or the carrying off 'from thence any other Perſon or Perſons whatſoever, until ſuch Perſon ſhall have taken out his Ticket 'from the Secretary's Office within ſuch reſpective Colony or Plantation, in ſuch Manner, and under 'ſuch Penalties and Forfeitures, as in and by the ſaid ſeveral Laws is declared and provided;' Be it therefore further enacted by the Authority aforeſaid, That all Commanders of private Ships of War, or Merchants Ships having Letters of Marque, ſhall, upon their going into any of thoſe Ports or Harbours, be ſubject, and they are hereby determined to be ſubject to the ſeveral Directions, Proviſions, Penalties, and Forfeitures, in and by ſuch Laws made and provided; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

But in all Caſes to obſerve the Laws of the Country.

All Prizes taken from the Spaniards, ſhall be condemned according to the Method preſcribed by this Act.

'XXIII. And whereas Doubts have ariſen upon the Conſtruction of ſeveral Clauſes in the ſaid 'Act made in the thirteenth Year of his Majeſty's Reign, intituled, *An Act for the more effectual ſe-'curing and encouraging the Trade of his Majeſty's* Britiſh *Subjects to* America, *and for the Encouragement 'of Seamen to enter into his Majeſty's Service*;' Be it enacted by the Authority aforeſaid, That from and after the firſt Day of *July* in the Year one thouſand ſeven hundred and forty-four, all Proceedings in any of his Majeſty's Courts of Admiralty concerning the Adjudication and Condemnation of Prizes taken from the *Spaniards*, ſhall be according to the Form and Method directed and preſcribed by this preſent Act.

His Majeſty may give further Directions to his Courts of Admiralty.

XXIV. Provided always, That nothing in this Act contained ſhall be conſtrued to reſtrain his Majeſty, his Heirs and Succeſſors, from giving ſuch further Rules and Directions to his reſpective Courts of Admiralty, for the Adjudication and Condemnation of Prizes, as by his Majeſty, his Heirs and Succeſſors, with the Advice of his or their Privy Council, ſhould be thought neceſſary or proper.

'XXV. And whereas in all private Ships of War, or Merchant Ships that ſhall take out Letters of 'Marque, it is expedient for the better Diſcipline and Government of ſuch Ships, that all Perſons who 'ſhall enter themſelves on Board the ſaid Ships, ſhould be under proper Regulations to pay Obedience 'to the lawful Commands of the Captains and Chief Commanders of the ſaid Ships;' Be it therefore enacted by the Authority aforeſaid, That all Offences committed by any Officer or Seaman on Board any Privateer or Merchant Ship taking Letter of Marque, during the preſent War with *Spain* or *France*, ſhall be puniſhed in ſuch Manner as the like Offences are puniſhable on Board his Majeſty's Ships of War.

Offenders on Board Privateers, to be puniſhed as if on Board Ships of War.

Offences in a Privateer, and only cognizable by a Court-martial, where to be tried.

XXVI. Provided always, That all Offenders who ſhall be accuſed of ſuch Crimes as are cognizable only by a Court-martial, ſhall be confined on Board ſuch Privateer or Merchant Ship carrying Letter of Marque, on which ſuch Offence ſhall be committed, until they ſhall arrive in ſome Port in *Great Britain* or *Ireland*, or can meet with ſuch a Number of his Majeſty's Ships of War Abroad, as are ſufficient to make a Court-martial; and upon Application made by the Commander of ſuch Privateer, or Merchant Ship carrying Letter of Marque, to the Lord High Admiral of *Great Britain*, or Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or the Commander in Chief of his Majeſty's ſaid Ships of War Abroad, the ſaid Lord High Admiral, or Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or ſuch Commander in Chief Abroad, are hereby authorized and required to call a Court-martial for trying and puniſhing the ſaid Offences.

Concerning Seamen ſee further 18 *Geo.* 2. *c.* 31. 20 *Geo.* 2. *c.* 24 & 38. 22 *Geo.* 2. *c.* 32. 24 *Geo.* 2. *c.* 47. 31 *Geo.* 2. *c.* 10. *and* 2 *Geo.* 3. *c.* 31.

CAP. XXXV.

An Act to explain, amend, and enlarge an Act made in the ſixteenth and ſeventeenth Year of the Reign of King CHARLES the Second, intituled, *An Act for regulating the Meaſures and Prices of Coals.*

'WHEREAS by An made in the ſixteenth and ſeventeenth Year of the Reign of King CHARLES 'the Second, intituled, *An Act for regulating the Meaſures and Prices of Coals*, it is (amongſt other 'Things) enacted, That the Lord Mayor of *London*, and the Court of Aldermen, for the Time being, 'and the Juſtices of Peace of the ſeveral and reſpective Counties and Places where Coals, commonly 'called *Sea Coals*, brought into the River of *Thames*, are ſold by Retail, or any three or more of them, 'whereof one to be of the *Quorum*, ſhould be, and are thereby impowered to ſet the Rates and Prices

16 & 17 *Car.* 2. *c.* 2. 30 *Car.* 2. *c.* 8. 6 & 7 *W.* [illegible] 8, 9 & 10 *W.* [illegible] 10 & 11 *W.* 3. *c.* 11. 8 *Ann.* 3 *Geo.* 2. [illegible]

'of all ſuch Coals as ſhould be ſold by Retail, as they from time to time ſhould judge reaſonable, allowing a competent Profit to the ſaid Retailer, beyond the Price paid by him to the Importer, and the ordinary Charges thereupon accruing: And whereas many Exactions and Abuſes are uſed by Retailers of Sea Coals, brought by Sea into other Rivers, Creeks, Havens, Ports, Cities, Boroughs, Towns, Counties and Places, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, beſides ſuch Counties and Places where ſuch Coals brought into the River *Thames* were and are ſold by Retail: For avoiding of which Exactions and Abuſes in ſuch other Counties and Places as aforeſaid, a like Remedy is needful to be provided, as by the ſaid recited Act is provided, touching the Retailers of Coals brought into the ſaid River of *Thames*, and ſold;' Wherefore be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty-four, the Juſtices of the Peace of the ſeveral Counties in the Kingdom of *England*, Dominion of *Wales*, and of the Town of *Berwick* upon *Tweed*, or any three or more of them, whereof one to be of the *Quorum*, ſhall be, and are hereby impowered to ſet the Rates and Prices of all ſuch Coals, called *Sea-Coals*, as ſhall be brought by Sea into any other Rivers, Creeks, Havens, or Ports, and ſold by Retail after landed, in any other Cities, Boroughs, Towns, Counties, and Places within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, to which the ſaid recited Act doth not extend, as they from time to time ſhall judge reaſonable, allowing a competent Profit to the ſaid Retailer, beyond the Price paid by him to the Importer, and the ordinary Charges thereupon accruing; and that if any Ingroſſer or Retailer of ſuch Coals, ſhall refuſe to ſell as aforeſaid, that then the ſaid Juſtices of the Peace reſpectively are hereby authorized to appoint and impower ſuch Officer or Officers, or other Perſons, as they ſhall think fit, to enter into any Wharf, or other Place, where ſuch Coals are ſtored up; and in caſe of Refuſal, taking a Conſtable, to force Entrance, and the ſaid Coals to ſell, or cauſe to be ſold, at ſuch Rates as the ſaid Juſtices reſpectively ſhall judge reaſonable, rendering to ſuch Ingroſſer or Retailer the Money for which the ſaid Coals ſhall be ſo ſold, neceſſary Charges being deducted; and if any Action ſhall be commenced againſt the Juſtice of Peace, Conſtable, or any Officer or Perſon, for any thing to be done in purſuance of this Act, the Defendant in every ſuch Action may plead the General Iſſue, and give the Special Matter in Evidence; and if the Verdict be found for him, or the Plaintiff become nonſuited, ſuch Defendant ſhall recover and have his Damages, and Treble Coſts of Suit, for his unjuſt Vexation in that Behalf.

3 Juſtics to ſet the Retail Price on Coals in any Part of England, &c.

allowing a competent Profit to the Retailers.

Power of Juſtices, if the Retailers refuſe to ſell as ordered.

General Iſſue.

Treble Coſts.

II. Provided always, That no Perſon having Intereſt in any Wharf uſed for the receiving and uttering of Coals, or that doth or ſhall trade by himſelf or others, in his own or any other Name, in the Sale of any Coals, or the engroſſing the ſame, in order to ſell the ſame, and not for his own private Uſe only, ſhall act, or otherwiſe intermeddle in the ſetting the Price of Coals; any thing in this Act to the contrary in any wiſe notwithſtanding.

No intereſted Perſon to be concerned in ſetting a Price on Coals.

Concerning Coals ſee farther 19 *Geo.* 2. *c.* 35. 22 *Geo.* 2. *c.* 37. 23 *Geo.* 2. *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. *c.* 15.

CAP. XXXVI.

An Act for permitting certain Goods therein enumerated, to be imported during the War in *Britiſh* built Shipping, the Property of Foreigners; and for Relief of *William Ord*, and others, and for obviating a Doubt which hath ariſen upon the Act of the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*, as to the Importation on the Account of Aliens, of Goods of the Growth or Production of the Plantations of *Spain* and *Portugal*, in *Engliſh* Ships duly navigated.

12 Car. 2. c. 18. 'WHEREAS by a Clauſe in an Act of Parliament paſſed in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*, It is enacted, That no Goods or Commodities of the Growth, Production, or Manufacture of *Muſcovy*, or of any the Countries, Dominions, or Territories to the Great Duke or Emperor of *Muſcovy* or *Ruſſia* belonging; as alſo that no Sorts of Maſts, Timber, or Boards, no foreign Salt, Pitch, Tar, Rozin, Hemp, or Flax, Raiſins, Figs, Prunes, Olive Oils, no Sort of Corn or Grain, Sugar, Pot-aſhes, Wines, Vinegar, or Spirits called *Aqua Vitæ*, or Brandy Wine, ſhould, from and after the firſt Day of *April* which was in the Year of our Lord one thouſand ſix hundred ſixty-one, be imported into *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, in any Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch as do truly, and without Fraud, belong to the People thereof, or ſome of them, as the true Owners and Proprietors thereof, and whereof the Maſter and three Fourths of the Mariners, at leaſt, are *Engliſh*; and that no Currans, nor Commodities of the Growth, Product, or Manufacture of any of the Countries, Iſlands, Dominions, or Territories to the *Othoman* or *Turkiſh* Empire belonging, ſhould, from and after the firſt Day of *September* which was in the Year of our Lord one thouſand ſix hundred ſixty-one, be imported into any the forementioned Places, in any Ship or Veſſel, but which is of *Engliſh* built, and navigated as aforeſaid, and in no other, except only ſuch foreign Ships and Veſſels, as are of the Built of that Country or Place of which the ſaid Goods are the

'Growth, Production, or Manufacture reſpectively, or of ſuch Port where the ſaid Goods can only be, 'or moſt uſually are, firſt ſhipped for Tranſportation, and whereof the Maſter and three Fourths of the 'Mariners, at leaſt, are of the ſaid Country or Place, under the Penalty and Forfeiture of Ship and Goods: 'And whereas the ſelling of *Britiſh* built Ships to Foreigners, is a beneficial Branch of Trade, and ought 'therefore to be encouraged; and it is highly reaſonable, that *Britiſh* Ships ſo ſold to, or being the Pro-'perty of Foreigners, ſhould enjoy the ſame Privilege in theſe Kingdoms, as if they were of the Built of 'the reſpective Countries or Places from whence ſuch Ships do come;' May it pleaſe your Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *May* one thouſand ſeven hundred and forty-four, and during the preſent Wars with *France* and *Spain*, or either of them, and no longer, the ſaid recited Clauſe in the ſaid Act of the twelfth Year of the Reign of King CHARLES the Second, ſhall not extend, or be conſtrued to extend, to hinder or prevent any Perſon or Perſons whatſoever from importing into the Kingdom of *Great Britain* or *Ireland*, any of the Goods or Merchandizes mentioned and expreſſed in the aforeſaid Clauſe, in Shipping built in *Great Britain*, *Ireland*, the Iſlands of *Guernſey* or *Jerſey*, or in any the Iſlands, Dominions and Territories to his Majeſty, in *Africa*, *Aſia*, or *America*, belonging or in his Poſſeſſion, ſo as the Maſter and three Fourths of the Mariners at leaſt, belonging to and navigating any ſuch Ship or Veſſel, are *Britiſh*, or of the ſame Country or Place of which the ſaid Goods are the Growth, Production or Manufactures reſpectively, and not otherwiſe. EXP.

Liberty to import enumerated Goods in Britiſh Ships during the War.

II. Provided always, That all Goods and Merchandizes imported into *Great Britain* or *Ireland*, in Ships belonging to and the Property of Foreigners, altho' *Britiſh* built, ſhall pay Aliens and all other Duties, in the ſame Manner as if ſuch Ships were foreign built.

'III. And whereas a certain Ship or Veſſel *Britiſh* built, and called or known by the Name of *The 'Saint John Baptiſt*, *Saint Paul*, *and Souls*, *Joſeph Lewis de Cabo*, Maſter, and navigated with foreign 'Mariners, did ſince the firſt Day of *February* one thouſand ſeven hundred and forty-three, arrive into 'this Kingdom, laden with ſome of the Goods and Merchandizes mentioned and expreſſed in the before 'recited Clauſe in the Act of the twelfth Year of King CHARLES the Second; which ſaid Goods and 'Merchandizes belong to, and are the Property of *William Ord*, *Merrick Burrel*, and *John Raymond*, of '*London*, Merchants: And whereas the ſaid Owners of the ſaid Goods and Merchandizes are prevented 'from entering the ſame, on account of their being liable to the Penalties and Forfeitures inflicted there-'by;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid *William Ord*, *Merick Burrell*, and *John Raymond*, the Owners of the ſaid Goods imported ſince the firſt Day of *February* laſt, in the Ship *Saint John Baptiſt*, *Saint Paul*, *and Souls* aforeſaid, to enter and pay the Duties for the ſaid Goods and Merchandizes, without incurring any Penalties or Forfeitures whatſoever, for or by reaſon of the ſaid recited Clauſe; and that the ſaid Goods and Merchandizes ſo to be entered, or the ſaid Ship *Saint John Baptiſt*, *Saint Paul*, *and Souls*, in which they were imported, ſhall not be liable to any Seizure or Forfeiture on account of ſuch Importations being contrary to the ſaid before recited Clauſe.

William Ord, &c. may import the Goods arrived in the St. John Baptiſt.

'IV. And whereas by two other Clauſes in the aforeſaid Act paſſed in the twelfth Year of the Reign 'of King CHARLES the Second, it is (amongſt other Things) enacted, That no Goods or Commodities 'whatſoever, of the Growth, Production or Manufacture of *Africa*, *Aſia* or *America*, or any Part thereof, 'or which are deſcribed or laid down in the uſual Maps or Charts of thoſe Places, be imported into '*England*, *Ireland* or *Wales*, Iſlands of *Guernſey* or *Jerſey*, or Town of *Berwick* upon *Tweed*, from any 'other Place or Places, Country or Countries, but only from thoſe of the ſaid Growth, Production or 'Manufacture, or from thoſe Ports where the ſaid Goods and Commodities can only, or are or uſually 'have been firſt ſhipped for Tranſportation, and from none other Places or Countries, under the Penalty 'of the Forfeiture of all ſuch the aforeſaid Goods as ſhall be imported from any other Place or Country, 'contrary to the true Intent and Meaning thereof, as alſo of the Ship in which they were imported, with 'all her Guns, Furniture, Ammunition, Tackle and Apparel: And whereas there is a Proviſo in the 'ſaid Act, That it ſhall and may be lawful to and for any of the People of *England*, *Ireland*, *Wales*, 'Iſlands of *Guernſey* or *Jerſey*, or Town of *Berwick* upon *Tweed*, in Veſſels or Ships to them belonging, 'and whereof the Maſter and three Fourths of the Mariners at leaſt are *Engliſh*, to load and bring in 'from any of the Ports of *Spain* or *Portugal*, or Weſtern Iſlands, commonly called *Azores*, or *Madeira*, 'or *Canary* Iſlands, all Sorts of Goods or Commodities of the Growth, Production or Manufacture of 'the Plantations or Dominions of either of them reſpectively: And whereas Diſputes have aroſe on the 'Conſtruction of the ſaid Proviſo, whether Goods of the Growth, Production or Manufacture of the 'Plantations of *Spain* or *Portugal*, may be imported for account of Aliens, from the Places and in the 'Manner expreſſed in the ſaid Proviſo, and whether ſuch Goods belonging to Aliens ſo imported, are 'not liable to be forfeited, together with the Ship; which tends to the Prejudice of the *Britiſh* Naviga-'tion, as likewiſe detrimental to the publick Revenue:' Be it therefore further enacted and declared by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons to import the Goods mentioned in the ſaid Proviſo, and in ſuch Ships ſo navigated, as in the ſaid Proviſo is expreſſed, although ſuch Goods belong to and are the Property of Aliens.

In what Manner Goods the Property of Aliens may be imported.

V. Provided always, and it is hereby enacted by the Authority aforeſaid, That this Act ſhall not extend or be conſtrued to extend to alter, repeal or make void all or any the Clauſes, Matters or Things contained in an Act of Parliament paſſed in the thirteenth Year of his Majeſty's Reign, for prohibiting Commerce with *Spain*; any Thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Proviſo. 23 Geo. 2. c. 27.

CAP.

CAP. XXXVII.

An Act to prevent Diſputes touching the Pariſhes or Places where improved Waſtes, and drained and improved Marſh Lands, ſhall be charged to Parochial Rates.

'WHEREAS in divers Counties great Quantities of waſte and barren Lands, and Lands which 'were formerly Fen or Marſh Ground, or covered with Water, have been of late Years improved 'or drained, and are now of very conſiderable annual Value, and the Inhabitants therein, and Occupiers 'thereof, ought to bear and pay a proportionable Part of the Rates made for the Relief of the Poor, and 'to be ſubject to ſuch Charges, and in like Manner as other Inhabitants and Occupiers of Lands, 'Houſes, Tythes Impropriate, Propriations of Tythes, Coal Mines, and ſaleable Underwoods, are by
43 Eliz. c. 2. 'an Act made in the forty-third Year of the Reign of Queen ELIZABETH, intituled, *An Act for the Re-* 'lief of the Poor, and likewiſe to bear and pay a proportionable Part of all other Parochial Rates; but 'great Difficulties frequently ariſe in determining to what Pariſh or Place ſuch Lands belong, or ought 'to be rated;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled,

Drained Lands to pay Parochial Taxes. and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, where there ſhall be any Diſpute or Uncertainty in what Pariſh or Place ſuch Lands heretofore improved or drained, or hereafter to be improved or drained lie, and ought to be rated; all and every the Occupier and Occupiers of ſuch Lands, or Houſes built thereon, Tenements, Tythes ariſing therefrom, Mines therein, and ſaleable Underwoods therein growing or hereafter to grow, ſhall be rated and aſſeſſed to the Relief of the Poor, and to all other Parochial Rates within ſuch Pariſh and Place which lies neareſt to ſuch Lands, in like Manner and Form, and ſubject to the ſame Directions and Regulations as all other Lands within ſuch Pariſh and Place are by Law liable to be rated and aſſeſſed thereunto; and if on Application to the Officers of ſuch Pariſh or Place to have ſuch improved

Juſtices in General Quarter-Seſſions to hear and determine Diſputes. or drained Lands rated and aſſeſſed as aforeſaid, any Diſpute or Difference ſhall ariſe touching what Pariſh or Place ſuch Lands ought to be rated and aſſeſſed in, it ſhall and may be lawful to and for the Juſtices of the Peace for the County, Riding, Liberty or Diviſion where ſuch Lands lie, at their next General Quarter-Seſſions to be held for ſuch County, Riding, Liberty or Diviſion, after ſuch Application made as aforeſaid, and after Notice given to the Officers of the ſeveral Pariſhes and Places abutting upon and adjoining to ſuch Lands, and to all other Perſons claiming and intereſted therein, to hear and determine the ſame on the Appeal of any Perſon intereſted, and at ſuch Seſſions to cauſe ſuch Lands or Hereditaments as aforeſaid to be allotted to, and fairly and equally aſſeſſed in ſuch Pariſh or Place as they ſhall ſee juſt and meet, and ſuch Determination and Allotment ſhall at all Times thereafter be final and concluſive to and upon the ſaid ſeveral Pariſhes and Places, and all other Perſons whatſoever, as to the Pariſh or Place in which ſuch Lands and Hereditaments ſhall be rated and aſſeſſed to the Poor, and all other Parochial Rates as aforeſaid; and the ſaid Lands and Hereditaments ſhall, at all Times after ſuch Determination and Allotment, be rated and aſſeſſed to the Relief of the Poor, and to all other Parochial Rates within ſuch Pariſh and Pariſhes, Place and Places only, to which they ſhall reſpectively have been ſo allotted as aforeſaid; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

II. Provided always, and it is hereby enacted and declared by the Authority aforeſaid, That nothing in this Act contained, nor any Allotment to be made by the Juſtices of the Peace at their General Quarter-Seſſions in purſuance and by virtue thereof, ſhall extend to, or be deemed or conſtrued to extend to, or in any wiſe affect or determine the Boundaries of any Pariſh or Pariſhes, Place or Places, to any Intent or Purpoſe, other than for the Purpoſe of rating and aſſeſſing ſuch Lands, Tenements and Hereditaments to the Relief of the Poor, and to all other Parochial Rates within ſuch Pariſh or Place to which they ſhall be ſo allotted as aforeſaid; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

III. Provided always, and be it declared, That nothing in this Act ſhall extend or be conſtrued to extend to invalidate, make void, or in any wiſe alter a Clauſe in an Act of Parliament made in the ſixteenth
16 & 17 Car. 2. c. 11. and ſeventeenth Year of the Reign of King CHARLES the Second, intituled, *An Act for draining of the Fen called* Deeping Fen, *and other Fens therein mentioned*, whereby it is enacted, That the Truſtees therein named, their Heirs and Aſſigns, or the Survivor of them, their or any of their Tenants, Farmers or Ground-holders of any Part of the third Part of the ſaid Fen, or of the five thouſand Acres therein mentioned, ſhould not have any Time hereafter, uſe or claim any Common of Paſture, or other Commonage of Paſturing in any Part of the Remainder of the ſaid Fens, nor any of them, nor in the North Fen of *Pinchbeck* and *Spalding*, nor any Part thereof, by virtue or Pretence of his or their Reſiance there; but

The Poor to be maintained by the Truſtees. *Concerning Poor ſee further the next Chapter, and* 31 Geo. 2. c. 11. all and every the Inhabitants that might thereafter be upon any Part of the ſaid third Part, or upon any Part of the ſaid five thouſand Acres, and were not able to maintain themſelves, ſhould be maintained and kept by the ſaid Truſtees, their Heirs and Aſſigns, and the Survivor of them, and never become chargeable in any Kind to all or any the reſpective Pariſhes wherein ſuch Inhabitant or Inhabitants ſhould reſide or dwell; any Statute or Law to the contrary thereof in any wiſe notwithſtanding.

CAP.

CAP. XXXVIII.

An Act for remedying ſome Defects in the Act made in the forty-third Year of the Reign of Queen ELIZABETH, intituled, *An Act for the Relief of the Poor.*

'WHEREAS by reaſon of ſome Defects in an Act of Parliament made in the three and fortieth 43 Eliz. c. 2.
'Year of the Reign of the late Queen ELIZABETH, intituled, *An Act for the Relief of the Poor*,
'the Money raiſed for that Purpoſe is liable to be miſapplied, and there is often great Difficulty and De-
'lay in raiſing of the ſame;' For Remedy whereof, May it pleaſe your moſt Excellent Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, the Churchwardens and Overſeers of the Poor ſhall yearly and every Year, within fourteen Days after other Overſeers ſhall be nominated and appointed to ſucceed them, deliver in to ſuch ſucceeding Overſeers, a juſt, true and perfect Account in Writing, fairly entred in a Book or Books to be kept for that Purpoſe, and ſigned by the ſaid Churchwardens and Overſeers hereby directed to account as aforeſaid, under their Hands, of all Sums of Money by them received, or rated and aſſeſſed and not received; and alſo of all Goods, Chattels, Stock and Materials that ſhall be in their Hands, or in the Hands of any of the Poor, in order to be wrought, and of all Monies paid by ſuch Churchwardens and Overſeers ſo accounting, and of all other Things concerning their ſaid Office; and ſhall alſo pay and deliver over all Sums of Money, Goods, Chattels, and other Things as ſhall be in their Hands, unto ſuch ſucceeding Overſeers of the Poor; which ſaid Account ſhall be verified by Oath, or by the Affirmation of Perſons called *Quakers*, before one or more of his Majeſty's Juſtices of the Peace, which ſaid Oath or Affirmation ſuch Juſtice or Juſtices is and are hereby authorized and required to adminiſter, and to ſign and atteſt the Caption of the ſame, at the Foot of the ſaid Account without Fee or Reward; and the ſaid Book or Books ſhall be carefully preſerved by the Churchwardens and Overſeers, or one of them, in ſome publick or other Place in every Pariſh, Townſhip or Place; and they ſhall and are hereby required to permit any Perſon there aſſeſſed, or liable to be aſſeſſed, to inſpect the ſame at all ſeaſonable Times, paying ſix Pence for ſuch Inſpection, and ſhall, upon Demand, forthwith give Copies of the ſame, or any Part thereof, to ſuch Perſon, paying at the Rate of ſix Pence for every three hundred Words, and ſo in Proportion for any greater or leſs Number.

At what Time Pariſh Officers ſhall make up their Accounts.

Books may be inſpected, paying 6 d. and Copies taken, paying 6 d. for 300 Words.

II. And it is hereby further enacted, That in caſe ſuch Churchwardens and Overſeers of the Poor, or any of them, ſhall refuſe or neglect to make and yield up ſuch Account verified as aforeſaid, within the Time herein before limited or appointed, or ſhall refuſe or neglect to pay and deliver over ſuch Sum or Sums of Money, Goods, Chattels and other Things in their Hands, as by this Act is directed; in either of the ſaid Caſes, it ſhall and may be lawful to and for any two or more Juſtices of the Peace, to commit him or them to the common Gaol, until he or they ſhall have given ſuch Account, or ſhall have paid and yielded up ſuch Monies, Goods, Chattels and other Things in their Hands as aforeſaid.

Penalty on Pariſh Officer's not accounting as this Act directs.

III. And be it further enacted by the Authority aforeſaid, That if any ſuch Overſeer ſhall die, or remove from the Place for which he was appointed, or become inſolvent, before the Expiration of his Office, on Oath thereof made, it ſhall be lawful for two Juſtices of the Peace to appoint another Overſeer in his Stead, who ſhall continue in Office until new Overſeers are appointed; and if any Overſeer ſhall remove as aforeſaid, he ſhall before ſuch Removal deliver over to ſome Churchwarden, or other Overſeer of the ſame Place, his Accounts verified as aforeſaid, with all Rates, Aſſeſſments, Books, Papers, Sums of Money, and other Things concerning his Office, under the like Penalties as are inflicted by this Act on an Overſeer refuſing to do the ſame after the Expiration of his Office; and if any Overſeer ſhall die as aforeſaid, his Executors or Adminiſtrators ſhall, within forty Days after his Deceaſe, deliver over all Things concerning his Office to ſome Churchwarden, or other Overſeer of the ſame Place; and ſhall pay out of the Aſſets left by ſuch Overſeer, all Sums of Money remaining due, which he recieved by virtue of his ſaid Office, before any of his other Debts are paid and ſatisfied.

On an Overſeer's dying, &c. Two Juſtices to chooſe another.

Overſeer removing, ſhall deliver his Accounts to the Churchwarden, &c.

Executors of Overſeers to account in 40 Days.

IV. And be it further enacted, That in caſe any Perſon or Perſons ſhall find him, her or themſelves aggrieved by any Rate or Aſſeſſment made for the Relief of the Poor, or ſhall have any material Objection to any Perſon or Perſons being put on, or left out of ſuch Rate or Aſſeſſment, or to the Sum charged on any Perſon or Perſons therein, or ſhall have any material Objection to ſuch Account as aforeſaid, or any Part thereof, or ſhall find him, her or themſelves aggrieved by any Neglect, Act or Thing done or omitted by the Churchwardens and Overſeers of the Poor, or by any of his Majeſty's Juſtices of the Peace; it ſhall and may be lawful for ſuch Perſon or Perſons in any of the Caſes aforeſaid, giving reaſonable Notice to the Churchwardens or Overſeers of the Poor of the Pariſh, Townſhip or Place, to appeal to the next General or Quarter Seſſions of the Peace for the County, Riding, Diviſion, Corporation or Franchiſe where ſuch Pariſh, Towſhip or Place lies; and the Juſtices of the Peace there aſſembled are hereby authorized and required to receive ſuch Appeal, and to hear and finally determine the ſame; but if it ſhall appear to the ſaid Juſtices that reaſonable Notice was not given, then they ſhall adjourn the ſaid Appeal to the next Quarter-Seſſions, and then and there finally hear and determine the ſame; and the ſaid Juſtices may award and order to the Party, for whom ſuch Appeal ſhall be determined, reaſonable Coſts, in the ſame Manner that they are impowered to do in caſe of Appeals concerning the Settlement of poor Perſons, by an Act made in the eighth and ninth Years of King WILLIAM 8 W. 3. c. 30.

Perſons aggrieved may appeal to the Quarter-Seſſions.

the Third, intituled, *An Act for ſupplying ſome Defects in the Laws for the Relief of the Poor of this Kingdom.*

Proviſo for Corporations, &c.

V. Provided always, That in all Corporations or Franchiſes who have not four Juſtices of the Peace, it ſhall and may be lawful for any Perſon or Perſons in any of the Caſes aforeſaid, where an Appeal is given by this Act, to appeal, if he or they ſhall think fit, to the next General or Quarter Seſſions of the Peace for the County, Riding or Diviſion wherein ſuch Corporation or Franchiſe is ſituate.

How far Juſtices ſhall give Relief on Appeals.

'VI. And whereas it hath been held, that upon Appeals from Rates and Aſſeſſments, the Juſtices of 'the Peace may not only quaſh the old Rates, but make new Rates and Aſſeſſments, from which no 'Appeal can be had;' Be it enacted by the Authority aforeſaid, That upon all Appeals from Rates and Aſſeſſments, the Juſtices of the Peace (where they ſhall ſee juſt Cauſe to give Relief) ſhall and are hereby required to amend the ſame, in ſuch Manner only as ſhall be neceſſary for giving ſuch Relief, without altering ſuch Rates or Aſſeſſments, with reſpect to other Perſons mentioned in the ſame; but if upon an Appeal from the whole Rate, it ſhall be found neceſſary to quaſh or ſet aſide the ſame, then and in every ſuch Caſe, the ſaid Juſtices ſhall and are hereby required to order and direct the Churchwardens and Overſeers of the Poor to make a new equal Rate or Aſſeſſment, and they are hereby required to make the ſame accordingly.

Clauſe relating to Warrants of Diſtreſs.

VII. And for the more effectual levying Money aſſeſſed for the Relief of the Poor, Be it enacted by the Authority aforeſaid, That the Goods of any Perſon aſſeſſed, and refuſing to pay, may be levied by Warrant of Diſtreſs, not only in the Place for which ſuch Aſſeſſment was made, but in any other Place within the ſame County or Precinct; and if ſufficient Diſtreſs cannot be found within the ſaid County or Precinct, on Oath made thereof before ſome Juſtice of any other County or Precinct (which Oath ſhall be certified under the Hand of ſuch Juſtice on the ſaid Warrant) ſuch Goods may be levied in ſuch other County or Precinct by virtue of ſuch Warrant and Certificate; and if any Perſon ſhall find

Appeal to Quarter-Seſſions.

him or herſelf aggrieved by ſuch Diſtreſs as aforeſaid, it ſhall and may be lawful for ſuch Perſon to appeal to the next General or Quarter Seſſions of the Peace for the County or Precinct where ſuch Aſſeſſment was made, and the Juſtices there are hereby required to hear and finally determine the ſame.

Clauſe to prevent vexatious Actions againſt Overſeers.

VIII. And to prevent all vexatious Actions againſt Overſeers of the Poor, Be it enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money juſtly due for the Relief of the Poor, the Diſtreſs itſelf ſhall not be deemed to be unlawful, nor the Party or Parties making it be deemed a Treſpaſſer or Traſpaſſers, on account of any Defect, or Want of Form in the Warrant for the Appointment of ſuch Overſeers, or in the Rate or Aſſeſſment, or in the Warrant of Diſtreſs thereupon; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity, which ſhall be afterwards done by the Party or Parties diſtraining, but the Party or Parties aggrieved by ſuch Irregularity, ſhall or may recover full Satisfaction for the Special Damage, he, ſhe or they ſhall have ſuſtained thereby, and no more, in an Action of Treſpaſs or on the Caſe, at the Election of the Plaintiff or Plaintiffs.

Plaintiffs recovering, to have full Coſts.

IX. Provided always, That where the Plaintiff or Plaintiffs ſhall recover in ſuch Action, he, ſhe or they ſhall be paid his, her or their full Coſts of Suit, and have all the like Remedies for the ſame as in other Caſes of Coſts.

Proviſo in caſe of Irregularity.

X. Provided nevertheleſs, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity as aforeſaid, if Tender of Amends hath been made by the Party or Parties diſtraining before ſuch Action brought.

Succeeding Overſeers to levy Arrears, to reimburſe the former.

XI. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall refuſe or neglect to pay to ſuch Overſeers as aforeſaid, any Sum or Sums of Money that he, ſhe or they ſhall be legally rated or aſſeſſed to, it ſhall and may be lawful to and for the ſucceeding Overſeers, and they are hereby required to levy ſuch Arrears, and out of the Money ſo levied to reimburſe their Predeceſſors all Sums of Money which they have expended for the Uſe of the Poor, and which are allowed to be due to them in their Accounts as aforeſaid.

Clauſe concerning Perſons removing out of Pariſhes.

'XII. And whereas Perſons frequently remove out of Pariſhes and Places without paying the Rates 'aſſeſſed on them, and other Perſons do enter and occupy their Houſes or Tenements Part of the Year, 'by reaſon whereof great Sums are annually loſt to ſuch Pariſhes and Places;' Be it therefore enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall come into, or occupy any Houſe, Land, Tenement or Hereditament, or other Premiſſes, out of or from which any other Perſon aſſeſſed ſhall be removed, or which at the Time of making ſuch Rate was empty or unoccupied, that then every Perſon ſo removing from, and every Perſon ſo coming into or occupying the ſame, ſhall be liable to pay to ſuch Rate, in Proportion to the Time that ſuch Perſon occupied the ſame reſpectively, in the ſame Manner, and under the like Penalty of Diſtreſs, as if ſuch Perſon ſo removing had not removed, or ſuch Perſon ſo coming in or occupying, had been orginally rated and aſſeſſed in ſuch Rate; which ſaid Proportion, in caſe of Diſpute, ſhall be aſcertained by any two or more of his Majeſty's Juſtices of the Peace.

Copies of Rates to be entered in a Book,

XIII. And be it further enacted by the Authority aforeſaid, That true and juſt Copies of all Rates and Aſſeſſments hereafter to be made for the Relief of the Poor, be fairly wrote and entered in a Book or Books to be provided for that Purpoſe, by the Churchwardens and Overſeers of the Poor of every Pariſh, Townſhip or Place, who ſhall take Care that ſuch Copies be wrote and entered accordingly, within fourteen Days after all Appeals from ſuch Rates are determined, and ſhall atteſt the ſame by putting their Names thereto; and all and every ſuch Book or Books ſhall be carefully preſerved by the

to be kept for publick Peruſal.

Churchwardens and Overſeers of the Poor for the Time being, or one of them, in ſome publick or other Place, in every ſuch Pariſh, Townſhip or Place, whereto all Perſons aſſeſſed, or liable to be aſſeſſed

may,

may freely reſort, and ſhall be delivered over from Time to Time to the new and ſucceeding Churchwardens and Overſeers of the Poor, as ſoon as they enter into their ſaid Offices, to be preſerved as aforeſaid, and ſhall be produced by them at the General or Quarter-Seſſions, when any Appeal is to be heard or determined.

Penalty on Pariſh Officers not obeying this Act.

XIV. And be it further enacted by the Authority aforeſaid, That if any Churchwarden, Overſeer of the Poor, or other Officer of any Pariſh, Townſhip or Place, ſhall neglect or refuſe to obey and perform the ſeveral Orders and Derections of this Act or any of them, where no Penalty is before provided by this Act, or ſhall act contrary thereto; every ſuch Churchwarden, Overſeer of the Poor, or other Officer ſo offending in the Premiſſes, ſhall for every ſuch Offence, on Oath thereof made, within two Kalendar Months after the Offence committed, before any two or more of his Majeſty's Juſtices of the Peace, forfeit for the Uſe of the Poor of ſuch Pariſh, Townſhip or Place, a Sum not exceeding five Pounds, nor leſs than twenty Shillings, to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant from ſuch Juſtices; which Sum ſhall be paid to ſome Churchwarden or Overſeer of the Poor of ſuch Pariſh, Townſhip or Place, for the Purpoſe aforeſaid.

Power of Overſeers, where there are no Churchwardens. *Concerning Poor ſee farther* 31 *Geo.* 2. *c.* 11.

XV. And be it further enacted by the Authority aforeſaid, That Overſeers of the Poor, within every Townſhip or Place where there are no Churchwardens, ſhall from Time to Time do, perform and execute all and every the Acts, Powers and Authorities, concerning the Relief of, and other Matters and Things relating to the Poor, as Churchwardens and Overſeers of the Poor may do, perform and execute by this Act, or any former Statute concerning the Poor, and ſhall loſe, forfeit and ſuffer all ſuch Pains and Penalties for Neglect, Abuſe or Nonperformance thereof, as Churchwardens and Overſeers of the Poor are liable to, by virtue of this or any former Statute concerning the Poor.

CAP. XXXIX.

An Act to make it High Treaſon to hold Correſpondence with the Sons of the Pretender to his Majeſty's Crown; and for attainting them of High Treaſon, in Caſe they ſhall land or attempt to land in *Great Britain*, or any of the Dominions thereunto belonging; and for ſuſpending the Operation and Effect of a Clauſe in the Act of the ſeventh Year of the late Queen ANNE, for improving the Union of the two Kingdoms, relating to Forfeitures for High Treaſon, until after the Deceaſe of the Sons of the ſaid Pretender.

'WHEREAS by an Act of Parliament made in *England*, in the thirteenth Year of the Reign of his late Majeſty King WILLIAM the Third, of Glorious Memory, intituled, *An Act for the Attainder of the pretended Prince of* Wales *of High Treaſon*; the Perſon who pretended to be Prince of *Wales*, and ſince the Deceaſe of the late King JAMES, aſſumed the Name and Title of *James* the Third, King of *England*, *Scotland* and *Ireland*, is, and ſtands attainted of High Treaſon: And whereas by the ſaid in Part recited Act, it was enacted, That any Subjects of the Crown of *England*, who correſpond with the ſaid Pretender, or with any Perſon or Perſons employed by him, knowing ſuch Perſon to be ſo employed, or do remit or pay any Sum or Sums of Money for the Uſe or Service of the ſaid Pretender, knowing ſuch Money to be for ſuch Uſe or Service, being lawfully convicted, ſhall be taken, deemed and adjudged to be guilty of High Treaſon, and ſhall ſuffer and forfeit as in Caſes of High Treaſon: And whereas by an Act made in the ſeventh Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for improving the Union of the two Kingdoms*, it is enacted, That from and after the firſt Day of *July*, which was in the Year of our Lord one thouſand ſeven hundred and nine, ſuch Crimes and Offences which are High Treaſon or Miſpriſion of High Treaſon within *England*, ſhall be conſtrued, adjudged and taken to be High Treaſon, and Miſpriſion of High Treaſon within *Scotland*: And whereas the eldeſt Son of the ſaid Pretender is lately arrived in the *French* Dominions, and hath been received and encouraged by the *French* King;' To the End therefore that your Majeſty's faithful People of *Great Britain*, aſſembled in Parliament, may in the moſt ſolemn Manner, expreſs their unſhaken Loyalty, Duty and Affection to your Majeſty's ſacred Perſon and Government; and at the ſame Time avow and manifeſt to the whole World, That it is the fixed Reſolution and Purpoſe of all your Majeſty's Subjects, to ſupport and defend your Majeſty, and your undoubted Right and Title to the Crown of this Realm, and the Proteſtant Succeſſion eſtabliſhed in your Royal Houſe, in Defiance of the ſaid Pretender, his Offſpring and their Adherents; and that they may diſappoint, defeat and extinguiſh the injurious, groundleſs and deteſtable Hopes and Expectations of your Majeſty's Enemies; may it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any of the Subjects of the Crown of *Great Britain*, ſhall from and after the firſt Day of *May* in the Year of our Lord one thouſand ſeven hundred and forty-four, within this Realm or without, hold, entertain or keep any Intelligence or Correſpondence in Perſon or by Letters, Meſſuages or otherwiſe, with the eldeſt or any other Son or Sons of the ſaid Petender, or with either or any of them, or with any Perſon or Perſons employed by the ſaid eldeſt or other Son or Sons of the ſaid Pretender, or by either or any of them, knowing ſuch Perſon to be ſo employed, or ſhall by Bill of Exchange or otherwiſe, remit or pay any Sum or Sums of Money for the Uſe or Service of the ſaid eldeſt or other Son or Sons of the ſaid Pretender, or of either or any of them, knowing ſuch Money

13 W. 3. c. 3.

7 Annæ, c. 21.

Treaſons againſt this Act are excepted out of the general Pardon, 20 *Geo.* 2. *c.* 52.

High Treaſon to hold Correſpondence with any of the Pretender's Sons.

ney to be for ſuch Uſe or Service, ſuch Perſon ſo offending, being lawfully convicted, ſhall be taken, deemed and adjudged to be guilty of High Treaſon, and ſhall ſuffer and forfeit as in Caſes of High Treaſon.

Any of the Pretender's Sons attempting to land in Great Britain or Ireland, to be attainted.

II. And be it further enacted by the Authority aforeſaid, That if the eldeſt or any other Son or Sons of the ſaid Pretender, ſhall after the ſaid firſt Day of *May* land or attempt to land, or ſhall be found in *Great Britain* or *Ireland*, or any of the Dominions or Territories belonging to the Crown of *Great Britain*, or ſhall be found on board any Ship, Veſſel or Boat, being ſo on board with Intent to land in *Great Britain* or *Ireland*, or any of the Dominions or Territories aforeſaid, he and they reſpectively, ſhall by virtue of this Act ſtand and be adjudged attainted of High Treaſon, to all Intents and Purpoſes whatſoever, and ſhall ſuffer and forfeit as Perſons attainted of High Treaſon by the Laws of the Land ought to ſuffer and forfeit.

'III. And whereas in and by the ſaid recited Act of the ſeventh Year of the Reign of her ſaid late Majeſty Queen ANNE, it is provided and enacted, That after the Deceaſe of the Perſon who pretended to be Prince of *Wales*, during the Life of the late King JAMES, and ſince pretends to be King of *Great Britain*, and at the End of the Term of three Years after the immediate Succeſſion to the Crown, upon the Demiſe of her ſaid late Majeſty ſhould take Effect, no Attainder for Treaſon ſhould extend to the diſheriting of any Heir, nor to the Prejudice of the Right or Title of any Perſon or Perſons, other than the Right or Title of the Offender or Offenders, during his, her or their natural Lives only; and that it ſhould and might be lawful to every Perſon or Perſons, to whom the Right or Intereſt of any Lands, Tenements or Hereditaments, after the Death of any ſuch Offender or Offenders, ſhould or might have appertained, if no ſuch Attainder had been, to enter into the ſame;' Be it further enacted by the Authority aforeſaid, That the ſaid Proviſion ſo made by the ſaid laſt recited Clauſe, ſhall not take Place, nor have any Operation, Force or Effect whatſoever, until after the Deceaſes, not only of the ſaid Pretender, but alſo of his eldeſt, and all and every other Son and Sons.

7 Annæ, c. 21. §. 10. poſtponed.

Offences committed out of the Land, may be tried in any Part of Great Britain.

IV. And be it further enacted by the Authority aforeſaid, That where any of the Offences againſt this Act ſhall be committed out of this Realm, the ſame may be alledged and laid, enquired of and tried in any County in that Part of *Great Britain* called *England*, or in any Shire or Stewartry in that Part of *Great Britain* called *Scotland*.

Concerning Treaſon ſee farther 20 Geo. 2. c. 30 & 46.

CAP. XL.

An Act to continue the ſeveral Laws therein mentioned for preventing Theft and Rapine on the Northern Borders of *England*; for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice; for continuing two Clauſes to prevent the cutting or breaking down the Bank of any River, or Sea Bank, and to prevent the malicious cutting of Hop-binds; and for the more effectual Puniſhment of Perſons maliciouſly ſetting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal; and of Perſons unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaces, or beating or wounding the Keepers or other Officers in Foreſts, Chaces or Parks; and for granting a Liberty to carry Sugars of the Growth, Produce or Manufacture of any of his Majeſty's Sugar Colonies in *America*, from the ſaid Colonies directly to foreign Parts in Ships built in *Great Britain*, and navigated according to Law; and to explain two Acts relating to the Proſecution of Offenders for embeziling Naval Stores, or Stores of War; and to prevent the retailing of Wine within either of the Univerſities in that Part of *Great Britain* called *England* without Licence.

'WHEREAS the Laws herein after mentioned, which have by Experience been found uſeful and beneficial, are near expiring;' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for preventing of Theft and Rapine upon the Northern Borders of* England, which by ſeveral Acts hath from Time to Time been continued; and which by an Act made in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for making perpetual the ſeveral Acts therein mentioned, for the better Regulation of Juries, and for impowering the Juſtices of Seſſion or Aſſizes for the Counties Palatine of* Cheſter, Lancaſter *and* Durham, *to appoint a ſpecial Jury in Manner therein mentioned; and for continuing the Act for regulating the Manufacture of Cloth in the Weſt Riding of the County of* York *(except a Clauſe therein contained) and for continuing an Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and for other Purpoſes therein mentioned; and to prevent the cutting or breaking down the Bank of any River, or any Sea Bank; and to prevent the malicious cutting of Hop-binds; and for continuing an Act made in the thirteenth and fourteenth Years of the Reign of King* CHARLES *the Second, for preventing Theft and Rapine upon the Northern Borders of* England; *and for reviving and continuing certain Clauſes in two other Acts made for the ſame Purpoſe*; was further continued until the firſt Day of *September* one thouſand ſeven hundred

13 & 14 Car. 2. c. 22.

6 Geo. 2. c. 37.

Continued to 24 June 1751, &c.

red and forty-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

'Further continued by 24 Geo. 2. c. 57.' *and made perpetual by* 31 *Geo.* 2. *c.* 42.

II. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Powers and Authorities mentioned in the ſaid Act made in the ſixth Year of the Reign of his preſent Majeſty, relating to the ſaid Act made in the thirteenth and fourteenth Year of the Reign of King CHARLES the Second, or for the more effectual preventing of Theft and Rapine upon the Northern Borders of *England*; and which by the ſaid Act made in the ſixth Year of the Reign of his preſent Majeſty, were to continue in Force until the firſt Day of *September* one thouſand ſeven hundred and forty-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame are hereby continued, from the Expiration thereof until the twenty-fourth Day of *June*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

Some Clauſes in Act 6 Geo. 2. c. 37. relating to 13 & 14 Car. 2. to prevent Theft and Rapine on the Northern Borders of England, continued to 24 June 1751. *and made perpetual by* 31 *Geo.* 2. *c.* 42.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice*; which was to continue in Force for three Years, from the firſt Day of *June* one thouſand ſeven hundred and twenty-three, and from thence to the End of the then next Seſſion of Parliament; and which by an Act made in the twelfth Year of the Reign of his ſaid late Majeſty was continued from the Expiration thereof for five Years, and from thence to the End of the then next Seſſion of Parliament; and which by a Clauſe in another Act made in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for making perpetual the ſeveral Acts therein mentioned for the better Regulation of Juries, and for impowering the Juſtices of Seſſion or Aſſizes for the Counties Palatine of* Cheſter, Lancaſter *and* Durham, *to appoint a Special Jury in Manner therein mentioned; and for continuing the Act for regulating the Manufacture of Cloth in the Weſt Riding of the County of* York *(except a Clauſe therein contained); and for continuing an Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and for other Purpoſes therein mentioned; and to prevent the cutting or breaking down the Bank of any River or any Sea Bank, and to prevent the milicious cutting of Hop-binds; and for continuing an Act made in the thirteenth and fourteenth Years of the Reign of King* CHARLES *the Second, for preventing Theft and Rapine upon the Northern Borders of* England; *and for reviving and continuing certain Clauſes in two other Acts made for the ſame Purpoſe*; was further continued until the firſt Day of *September* one thouſand ſeven hundred and thirty-ſix, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act for continuing an Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice; and for continuing two Clauſes to prevent the cutting or breaking down the Bank of any River or Sea Bank, and to prevent the malicious cutting of Hop-binds, contained in an Act paſſed in the ſixth Year of his preſent Majeſty's Reign; and for the more effectual Puniſhment of Perſons removing any Materials uſed for ſecuring March or Sea Walls or Banks, and of Perſons maliciouſly ſetting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal; and of Perſons unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaces, or beating or wounding Keepers or other Officers in Foreſts, Chaces or Parks, and for more effectually ſecuring the Breed of Wild Fowl*; was further continued from the Expiration thereof until the firſt Day of *September* in the Year of our Lord one thouſand ſeven hundred and forty-four, and from thence to the End of the then next Seſſion of Parliament; ſhall be and is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

9 Geo. 1. c. 22. to puniſh Perſons going arm'd and diſguiſed, &c.

12 Geo. 1. c. 30.

6 Geo. 2. c. 37.

10 Geo. 2. c. 32.

Continued to June 24, 1751. 'Further continued by 24 Geo. 2. c. 57.' *and made perpetual by* 31 *Geo.* 2. *c.* 42.

IV. And be it further enacted by the Authority aforeſaid, That the Clauſe in the ſaid Act made in the ſaid ſixth Year of the Reign of his preſent Majeſty, which enacts, That if any Perſon or Perſons, during the Continuance of the ſaid Act made in the ſaid ninth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, ſhall unlawfully and maliciouſly break or cut down the Bank or Banks of any River or any Sea Banks, whereby any Lands ſhall be overflowed or damaged, every ſuch Perſon being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death without Benefit of Clergy; and which by another Act made in the ſaid tenth Year of the Reign of his preſent Majeſty, was further continued during the Continuance of the aforementioned Act made in the ninth Year of the Reign of his ſaid late Majeſty, ſhall be and is hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

Clauſe in 6 Geo. 2. c. 37. § 5. relating to breaking the Banks of any River or Sea Banks, Continued with 9 Geo. 1. c. 22. 10 *Geo.* 2. *c.* 32. continued till 24 June 1751. 'Further continued by 24 Geo. 2. c. 57.' *and made perpetual by* 31 *Geo.* 2. *c.* 42.

V. And be it further enacted by the Authority aforeſaid, That another Clauſe in the ſaid Act, made in the ſaid ſixth Year of the Reign of his preſent Majeſty, which enacts, That if any Perſon or Perſons, during the Continuance of the ſaid Act made in the ninth Year of the Reign of his ſaid late Majeſty King

Clauſe in 6 Geo. 2. c. 37. relating to cutting Hop-binds,

King GEORGE the Firſt, ſhall unlawfully and maliciouſly cut any Hop-binds, growing on Poles in any Plantation of Hops, every ſuch Perſon or Perſons, being thereof lawfully convicted, ſhall be guilty of Felony, and ſhall ſuffer Death without Benefit of Clergy; and which by another Act made in the ſaid tenth Year of the Reign of his preſent Majeſty, was further continued during the Continuance of the before mentioned Act, intituled, *An Act for the more effectual puniſhing wicked and evil diſpoſed Perſons, going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects; and for the more ſpeedy bringing the Offenders to Juſtice*; ſhall be, and is hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

Felony.

Continued by 10 Geo. 2. c. 32.

Continued till 24 June 1751.

'Farther continued by 24 Geo. 2. c. 57.' *and made perpetual by* 31 *Geo.* 2. *c.* 42.

VI. And be it further enacted by the Authority aforeſaid, That a Clauſe in the ſaid Act made in the ſaid tenth Year of the Reign of his preſent Majeſty, for extending, during the Continuance of the ſaid Act made in the ninth Year of the Reign of his ſaid late Majeſty, all the Proviſions in the laſt mentioned Act contained (for the more ſpeedy and eaſy bringing the Offenders againſt the ſaid Act to Juſtice, and the Perſons who ſhall conceal, aid, abet, or ſuccour ſuch Offenders; and for making Satisfaction and Amends to all and every the Perſon and Perſons, their Executors and Adminiſtrators, for the Damages they ſhall have ſuſtained or ſuffered by any Offender or Offenders againſt the ſaid Act, and for the Encouragement of Perſons to apprehend and ſecure ſuch Offender and Offenders; and for the better and more impartial Trial of any Indictment or Information which ſhall be found, commenced, or proſecuted for any of the Offences committed againſt the ſaid Act, together with all Reſtrictions, Limitations, and Mitigations by the ſaid Act directed) to all Caſes of Offences committed by unlawfully and maliciouſly breaking down, or cutting down the Bank or Banks of any River, or any Sea Bank, whereby any Lands ſhall be overflowed or damaged; or by unlawfully and maliciouſly cutting any Hop-binds, growing on Poles, in any Plantation of Hops; or by wilfuly and maliciouſly ſetting on Fire, or cauſing to be ſet on Fire, any Mine, Pit, or Delph of Coal, or Cannel Coal; ſhall be and is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

Clauſe in 10 Geo. 2. c. 32.

Continued till 24 June 1751. *Made perpetual by* 31 *Geo.* 2. *c.* 42.

VII. And be it further enacted by the Authority aforeſaid, That a Clauſe in the ſaid Act made in the ſaid tenth Year of the Reign of his preſent Majeſty (for the Puniſhment of Perſons maliciouſly ſetting on Fire, or cauſing to be ſet on Fire any Mine, Pit, or Delph of Coal, or Cannel Coal) which was to continue in Force during the Continuance of the before-mentioned Act, made in the ſaid ninth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, ſhall be, and is hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

Clauſe in 10 Geo. 2. c. 32. for puniſhing Perſons ſetting Fire to Coal Pits, continued till 24 June 1751. *and made perpetual by* 31 *Geo.* 2. *c.* 42.

VIII. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Powers, and Proviſions in the ſaid Act made in the ſaid tenth Year of the Reign of his preſent Majeſty, relating to the Puniſhment, Trial, and Conviction of ſuch Perſons as ſhall be guilty a ſecond Time of unlawfully courſing, hunting, taking in Toils, killing, wounding, or taking any Red or Fallow Deer, in any open or unincloſed Foreſt or Chaſe where Deer are uſually kept; and for the Puniſhment of ſuch Perſons who ſhall come into any Foreſt, Chace, or Park wherein Deer are uſually kept (be the ſame incloſed or not incloſed) with an Intent to courſe, hunt, take in Toils, kill, wound, or take away any Red or Fallow Deer, and ſhall there unlawfully beat or wound any Keeper or Keepers, Page or Pages of any ſuch Foreſt, Chace, or Park, where Deer are uſually kept, their Servants or Aſſiſtants, in the Execution of his or their Office; which were to continue in Force during the Continuance of the before mentioned Act, made in the ſaid ninth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt, ſhall be, and are hereby continued from the Expiration thereof, until the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

Clauſes in 10 Geo. 2. c. 32. for puniſhing Second Offences relating to killing of Deer, &c.

continued till 24 June 1751. *Made perpetual by* 31 *Geo.* 2. *c.* 42.

IX. And be it further enacted by the Authority aforeſaid, That an Act made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting a Liberty to carry Sugars of the Growth, Produce, or Manufacture of any of his Majeſty's Sugar Colonies in* America, *from the ſaid Colonies directly to foreign Parts, in Ships built in* Great Britain, *and navigated according to Law*; which was to continue in Force for five Years, from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and is hereby continued from the Expiration thereof, until the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

Act 12 Geo. 2. c. 30. relating to the Sugar Colonies.

continued till 24 June 1751.

'Farther continued by 24 Geo. 2. c. 57. §. 7.' *and by* 31 *Geo.* 2. *c.* 35. *to* 29 *Sept.* 1764.

X. And

'X. And whereas by an Act made in the ninth and tenth Years of the Reign of King WILLIAM the Third, intituled, *An Act for the better preventing the Imbezilment of his Majeſty's Stores of War, and preventing Cheats, Frauds, and Abuſes in paying Seamens Wages*; It is enacted, That from and after the four and twentieth Day of *June* one thouſand ſix hundred ninety-eight, it ſhall not be lawful to or for any Perſon or Perſons whatſoever, other than Perſons authorized by contracting with his Majeſty's principal Officers or Commiſſioners of the Navy, Ordnance, or Victualling Office, for his Majeſty's Uſe, to mark any Stores of War, or Naval Stores whatſoever, with the Marks uſually uſed to, and marked upon his Majeſty's ſaid Warlike and Naval or Ordnance Stores (in the Manner as in the ſaid Act is deſcribed) or any other Stores, with the Broad Arrow, by Stamp, Brand, or otherwiſe; upon Pain that every ſuch Perſon or Perſons who ſhall make ſuch Goods ſo marked, as in the ſaid Act mentioned, not being a Contractor with his Majeſty's Principal Officers, or Commiſſioners of the Navy, Ordnance, or Victualling, for his Majeſty's Uſe, or employed by ſuch Contractor for that Purpoſe as aforeſaid, ſhall for every ſuch Offence forfeit ſuch Goods, and the Sum of two hundred Pounds, together with Coſts of Suit; one Moiety whereof ſhall be to his Majeſty, and the other Moiety to the Informer, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Privilege, Protection, Wager of Law, Injunction, or Order of Reſtraint, nor more than one Imparlance ſhall be allowed: And it is thereby further enacted, That ſuch Perſon or Perſons in whoſe Cuſtody, Poſſeſſion, or keeping ſuch Goods or Stores marked as aforeſaid, ſhall be found not being employed as aforeſaid; and ſuch Perſon or Perſons who ſhall conceal ſuch Goods or Stores marked as aforeſaid, being indicted and convicted of ſuch Concealment, or of the having ſuch Goods found in the Cuſtody, Poſſeſſion, or Keeping, ſhall forfeit ſuch Goods, and the Sum of two hundred Pounds, together with the Coſts of Proſecution, one Moiety to his Majeſty, and the other Moiety to the Informer, to be recovered as aforeſaid; and ſhall alſo ſuffer Impriſonment, until Payment and Performance of the Forfeiture, unleſs ſuch Perſon ſhall upon his Trial produce a Certificate, under the Hands of three or more of his Majeſty's principal Officers, or Commiſſioners of the Navy, Ordnance, or Victualling, expreſſing the Numbers, Quantities, or Weights of ſuch Goods, as he or ſhe ſhall then be indicted for, and the Occaſion and Reaſon of ſuch Goods coming to his or her Hands or Poſſeſſion: And whereas by another Act made in the ninth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for continuing ſome Laws, and reviving others, therein mentioned, for exempting Appothecaries from ſerving Pariſh and Ward Offices, and upon Juries, and relating to Jurors, and to the Payment of Seamens Wages, and the Preſervation of Naval Stores and Stores of War, and concerning the Militia and Trophy Money, and againſt clandeſtine Running of uncuſtomed Goods, and for more effectual preventing Frauds relating to the Cuſtoms, and Frauds in mixing Silk with Stuffs to be exported*; the aforeſaid Act of King WILLIAM is recited, and a Penalty of two hundred Pounds, with Coſts of Proſecution, and Pain of Impriſonment, is inflicted upon Perſons having in their Cuſtody, Poſſeſſion, or keeping, or concealing contrary to the ſaid Act, any Warlike, Naval, or Ordnance Stores therein mentioned, or any other Stores marked with the Broad Arrow, by Stamp, Brand, or otherwiſe: And whereas it was neceſſary to give Power to mitigate the ſaid Penalties, and to explain and amend the ſaid Act, It is thereby enacted, That if any Perſon or Perſons ſhall, after the five and twentieth Day of *March* one thouſand ſeven hundred and twenty-three, be lawfully convicted of having in his, her or their Cuſtody, any Timber, thick Stuff, or Plank ſo marked; every ſuch Perſon ſo offending ſhall ſuffer, forfeit, and pay as for having, keeping, or concealing any other Warlike, Naval, or Ordnance Stores, contrary to the ſaid Act: And it is thereby provided and enacted, That it ſhall be lawful to and for any Judge, Juſtice or Juſtices, before whom any Offender or Offenders ſhall be convicted of any of the Crimes or Offences before recited, enacted, or mentioned in the ſaid Act, to mitigate the Penalty for the ſame, as he or they ſhall ſee Cauſe, and to commit the Offender or Offenders ſo convicted to the Common Gaol of the County or Place where the Offence ſhall be committed, there to remain without Bail or Mainprize, until Payment be made of the Penalty and Forfeiture impoſed by that or the ſaid former Act, or mitigated as aforeſaid; or to puniſh ſuch Offender or Offenders corporally, by cauſing him, her or them to be publickly whipped, or committed to ſome publick Workhouſe, there to be kept to hard Labour for the Space of ſix Months, or a leſs Time, as to ſuch Judge, Juſtice or Juſtices in his or their Diſcretion ſhall ſeem meet; any Thing in the ſaid recited Act, or in any other Act to the contrary notwithſtanding: And it is thereby further enacted, That where any Diſputes ſhall ariſe between the Perſons upon whoſe Informations or Oaths any Perſon or Perſons offending in the Premiſſes, or againſt the ſaid former Act, ſhall be proſecuted and convicted touching any Right or Title to any of the Forfeitures or Penalties before mentioned, or any Part thereof; the Judge, Juſtice or Juſtices, before whom ſuch Offender or Offenders ſhall be convicted, ſhall examine the Matter, and finally determine the ſame; and whereas ſome doubts have ariſen touching the Method of Trial and Puniſhment of Offenders againſt the ſaid recited Acts, whether as the ſaid Acts are worded, ſuch Offender or Offenders may be indicted and tried for the Crimes and Offences in the ſaid Acts mentioned, and whether any Judge, Juſtice or Juſtices of Aſſize, or Juſtices of Peace at the Seſſions may hear, try and determine the ſame, and on Conviction ſet ſuch Fine, or mitigate the ſame, and the Forfeitures and Penalties inflicted by the aforeſaid Acts, on ſuch Offender or Offenders, as the Nature of the Offences may deſerve; or whether ſuch Offenders as aforeſaid, in order for recovering the ſaid Forfeitures and Penalties inflicted by the ſaid Act, can only be proceeded againſt by Action of Debt, Bill, Plaint, or Information, in ſome of his Majeſty's Courts of Record at *Weſtminſter*; by Reaſon of which Doubts, it has ſo happened, that Offenders againſt the ſaid recited Acts, having been indicted for the ſame, have eſcaped unpuniſhed, to the great Encouragement of ſuch Offenders and others, to commit the like Crimes and Offences for the future

9 W. 3. c. 41. to prevent imbeziling Stores, and Abuſes in paying Seamens Wages.

Penalty on Perſons concealing Stores.

9 Geo. 1. c. 8.

'future;' For the Remedying whereof, and for the explaining the Acts above mentioned, it is hereby declared and enacted, That it ſhall and may be lawful to and for any Judge, Juſtice or Juſtices at the Aſſizes, or Juſtices of the Peace at the General Quarter-Seſſions to be holden for any County, City, Borough or Town Corporate, to hear, try and determine, by Indictment or otherwiſe, all or any the Crimes or Offences mentioned in the ſaid recited Acts; and that the ſaid Judge, Juſtice or Juſtices of Aſſize, or Juſtices of Peace as aforeſaid, before whom ſuch Offender or Offenders ſhall be indicted, or tried and convicted of all or any the Crimes or Offences in the ſaid recited Acts mentioned, may impoſe any Fine, not exceeding the Sum of two hundred Pounds, on ſuch Offender or Offenders; one Moiety to be paid to his Majeſty, and the other Moiety to the Informer; and may mitigate the ſaid Penalty and Forfeitures, inflicted by the ſaid recited Acts, or either of them, and to commit the Offender or Offenders ſo convicted and fined, to the common Gaol of the County or Place where the Offence ſhall be committed; there to remain without Bail or Mainprize, until Payment be made of the Penalty and Forfeitures impoſed by this or the ſaid former Acts, or mitigated as aforeſaid; or in lieu thereof, to puniſh ſuch Offender or Offenders in the Premiſſes corporally, by cauſing him, her or them to be publickly whipped, and committed to ſome Houſe of Correction, or publick Workhouſe, there to be kept to hard Labour for the Space of three Months, or leſs Time, as to ſuch Judge, Juſtice, or Juſtices of Aſſize, or Juſtices of the Peace, ſhall in his or their Diſcretion ſeem meet; any thing in the ſaid recited Acts, or in any other Act to the contrary notwithſtanding.

Juſtices of Aſſize, or Quarter-Seſſions, may try Offences relating to the Stores, &c.

'XI. And whereas divers Perſons have of late taken Cellars, Vaults or Warehouſes, within the Univerſity of *Oxford*, and the Precincts thereof, in which they retail great Quantities of Wine, not having Licence from the Chancellor or Vice Chancellor of the ſaid Univerſity, in Violation of the Rights of the ſaid Univerſity, and in Prejudice of his Majeſty's Revenues: And whereas the like Offences may be committed within the Univerſity of *Cambridge*, and the Precincts thereof, by Perſons ſelling Wine by Retail not being duly licenſed by the ſaid Univerſity: And whereas the Acts of Parliament relating to Wine Licences do not extend to the ſaid Univerſities;' Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-four, no Perſon or Perſons ſhall ſell Wine by Retail, within either of the ſaid Univerſities, or the Precincts of either of them, unleſs ſuch Perſon or Perſons ſhall be duly licenſed or authorized ſo to do, by the Chancellor or Vice Chancellor of the ſaid Univerſity of *Oxford*, and by the Chancellor, Maſters and Scholars of the ſaid Univerſity of *Cambridge* reſpectively, upon Pain of forfeiting for every Offence the Sum of five Pounds; one Moiety thereof to the Uſe of his Majeſty, his Heirs and Succeſſors; and the other Moiety to the Informer; and that all Perſons offending againſt this Act, ſhall and may be proſecuted and proceeded againſt for the ſaid Forfeitures, in the Courts of the Chancellors or Vice Chancellors of the ſaid Univerſities reſpectively, in a ſummary Way, by ſummoning the Party accuſed to appear in the ſaid Courts reſpectively; and on Appearance, or Contempt of the Party accuſed, by not appearing, being duly ſummoned, and Oath thereof made, ſuch Courts may examine the Matter, and upon Confeſſion of the Party accuſed, or on the Oath of one credible Witneſs, or ſuch Party's having offended againſt this Act, ſuch Courts reſpectively ſhall and may give Sentence againſt ſuch Party, and iſſue their Warrant or Warrants for levying the ſaid Forfeitures, by Diſtreſs and Sale of the Goods of the Party offending, rendering the Overplus, if any, to the Party on whom ſuch Diſtreſs ſhall be made; and for Want of ſuch Diſtreſs, ſhall and may commit ſuch Offender or Offenders to the Houſe of Correction, there to remain without Bail or Mainprize, for the Space of one Month; and ſuch Sentence or Sentences, ſhall be, and are hereby declared to be taken and adjudged to be good, valid and effectual in the Law; and that no Writ of *Certiorari*, or other Proceſs ſhall iſſue or be iſſuable to remove any ſuch Sentence from the ſaid Courts of the ſaid Chancellors or Vice Chancellors reſpectively, or to remove any Order or other Proceedings made or taken by the ſaid Courts reſpectively, upon, touching or concerning any ſuch Sentence, into any of his Majeſty's Courts of Record at *Weſtminſter*, until the Party or Parties againſt whom ſuch Sentence ſhall be given, before the Allowance of ſuch Writ of *Certiorari*, or other Proceſs, ſhall find two ſufficient Sureties, to become bound to the Proſecutor or Proſecutors of ſuch Offenders, in the Sum of fifty Pounds, with Condition to proſecute the ſame with Effect, within twelve Months, and to pay unto the Proſecutor or Proſecutors his or their full Coſts and Charges of the Removal of ſuch Sentence, and the Proceedings thereon, in caſe ſuch Sentence ſhall be affirmed; any Law, Statute, Proviſion or Uſage to the contrary notwithſtanding.

Againſt ſelling Wine without Licence at either of the Univerſities.

The Penalty.

Concerning Wine ſee further 18 *Geo.* 2. *c.* 9. 26 *Geo.* 2. *c.* 12. 30 *Geo.* 2. *c.* 19. 32 *Geo.* 2. *c.* 19.

XII. Provided always, That this Act, or any Thing herein contained, ſhall not in any wiſe be conſtrued to prejudice or confirm any of the Liberties, Privileges, Franchiſes, Juriſdictions, Powers and Authorities appertaining or belonging to the Mayor, Bailiffs and Commonalty of the City of *Oxford*, or to any of them, but that they, and every of them, and their Succeſſors, may have, hold, uſe and enjoy all their Liberties, Privileges, Franchiſes, Juriſdictions, Powers and Authorities, in ſuch large and ample wiſe, as though this preſent Act had never been had or made.

This Act not to affect the Privileges of the Mayor, &c. of Oxford.

CAP. XLI.

An Act for making more effectual ſeveral Acts paſſed for repairing the Road leading from the Stones End in the Pariſh of *Saint Leonard*, *Shoreditch*, in the County of *Middleſex*, to the furthermoſt Part Part of the Northern Road in the Pariſh of *Endfield* in the ſame County, next to the Pariſh of *Cheſhunt* in the County of *Hertford*; and for amending the Road from the Watch-houſe in *Edmonton* to the Market Place in *Endfield*. P R.

The former private Acts continued for 21 Years.

CAP. XLII.

CAP. XLII.

An Act for amending and making more effectual an Act made in the laſt Seſſion of Parliament, for continuing an Act made in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Roads from *Luton* in the County of *Bedford*, to *Weſtwood Gate* in the ſaid County; and from *Luton* to *Saint Albans* in the County of *Hertford*. PR.

CAP. XLIII.

An Act for repairing the Road from the Town of *Buckingham* in the County of *Bucks* to *Warmington* in the County of *Warwick*. PR.

Certain Tolls granted for 21 Years.

Anno decimo octavo GEORGII II. Regis.

'AT the Parliament begun and holden at *Weſtminſter* the firſt Day of *December*, *Anno Domini* one thouſand ſeven hundred and forty-one, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the twenty-ſeventh Day of *November* one thouſand ſeven hundred and forty-four; being the fourth Seſſion of this preſent Parliament.

CAP. I.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-five. EXP. At 4s. in the Pound.

CAP. II.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-five. EXP.

CAP. III.

An Act to enable the Pariſhioners of the Pariſh of *Saint Margaret*, within the Borough of *King's Lynn*, in the County of *Norfolk*, to raiſe Money, by Rates upon themſelves, for finiſhing the Church of the ſaid Pariſh. PR.

CAP. IV.

An Act for repairing the Road leading from the Town of *Kingſton upon Hull*, to and through the Town of *Anlaby*, and from thence to the Town of *Kirk-Ella*, in the County of the ſaid Town of *Kingſton upon Hull*. PR.

Certain Tolls granted for 21 Years.

CAP. V.

An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſix Years; and for declaring that the Duties on Salt, which ariſe and are payable in that Part of *Great Britain* called *Scotland*, ſhall be ſubject to the ſame Charges thereon, as the ſame Duties were liable to by the Act of the fifth Year of the Reign of his late Majeſty King GEORGE the Firſt. EXP.

'WHEREAS by an Act of Parliament, made in the fifth and ſixth Years of the Reign of their late Majeſties King WILLIAM and Queen MARY, of glorious Memory, intituled, *An Act for granting to their Majeſties certain Rates and Duties upon Salt, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of ten hundred thouſand Pounds, towards carrying on the War againſt* France; it was, amongſt other Things, enacted, That from and after the twenty-fifth Day of *March* one thouſand ſix hundred and ninety-four, there ſhould be throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, levied, collected and paid unto their Majeſties, their Heirs and Succeſſors, until the ſeventeenth Day of *May* which ſhould be in the Year of our Lord one thouſand ſix hundred and ninety-ſeven, for Salt, the Rates and Duties following; that is to ſay, For every Gallon of Salt, not being of the Product or Manufacture of the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, imported or to be imported into *England*, *Wales*, or *Berwick* upon *Tweed*, the Sum of three Pence of lawful Money of *England*, over and above the then Duties payable on Salt imported, and after that Rate for a greater or leſſer Quantity; and for every Gallon of Salt, and 5 & 6 W. & M. c. 7.

'and Rock Salt, made at the Salt Works, or taken out of any Pits within the ſaid Kingdom of *England*, 'Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the Sum of one Penny Half-penny, and after 'that Rate for a greater or leſſer Quantity, with divers Proviſions and Directions in the ſaid Act con-'tained for managing, collecting, paying and applying the ſaid Duties: And whereas by another Act
7 & 8 W. 3. c. 31. 'made in the ſeventh and eighth Years of the Reign of his ſaid late Majeſty King WILLIAM the Third, 'intituled, *An Act for continuing to his Majeſty certain Duties upon Salt, Glaſs Wares, Stone and Earthen 'Wares, and for granting ſeveral Duties upon Tobacco Pipes, and other Earthen Wares, for carrying on the 'War againſt* France, *and for eſtabliſhing a National Land Bank, and for taking off the Duties upon Ton-'nage of Ships, and upon Coals*; the ſame Rates and Duties were continued for ever for the Purpoſes of
9 & 10 W. 3. c. 44. 'the ſaid Act: And whereas by an Act of Parliament made in the ninth and tenth Years of the Reign 'of his ſaid late Majeſty King WILLIAM the Third, intituled, *An Act for raiſing a Sum not exceeding 'two Millions, upon a Fund for Payment of Annuities, after the Rate of eight Pounds* per Centum per An-'num, *and for ſettling the Trade to the* Eaſt Indies; it was amongſt other Things enacted, That there 'ſhould be raiſed, levied, collected and paid unto his Majeſty, his Heirs and Succeſſors for ever, for 'Salt, the ſeveral additional Rates and Duties following; that is to ſay, For every Gallon of Salt, 'from and after the twenty-fourth Day of *December* in the Year of our Lord one thouſand ſix 'hundred and ninety-nine, imported from foreign Parts, the Sum of ſeven Pence, of lawful Money 'of *England*, to be paid by the Importer or Importers thereof, and after that Rate for a greater or leſſer 'Quantity; and for every Gallon of Salt, and Rock Salt, from and after the twenty-fourth Day of 'December one thouſand ſix hundred and ninety-nine, made at the Salt Works, or taken out of any 'Pit or Pits within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, 'the Sum of three Pence Halfpenny of like Money, and after that Rate for a greater or leſſer Quan-'tity: And whereas by the Articles of Union between the Kingdoms of *England* and *Scotland*, all the 'ſaid Duties on Salt were, from the Times therein mentioned, to take Place in *Scotland* (except the addi-'tional Duty on Home-made Salt) with ſome Proviſions for preventing Salt made in *Scotland* from being 'brought into *England*, without paying the ſaid additional Duty on Salt made in *England*: And whereas
3 Geo. 2. c. 20. 'by an Act of Parliament made in the third Year of the Reign of his preſent Majeſty, intituled, *An 'Act for taking off certain Duties upon Salt; and for making good any Deficiencies in the Funds that may happen 'thereby; and for charging the reduced Annuity payable to the* Eaſt India *Company on the Aggregate Fund; and 'for Relief of* Mathew Lyon, *Executor of* Mathew Page *deceaſed, in reſpect of the Duty for Salt loſt by the 'Overflowing of the River* Mercy *in the Year one thouſand ſeven hundred and twenty-four*, it is enacted, 'That from and after the twenty-fifth Day of *December* in the Year of our Lord one thouſand ſeven 'hundred and thirty, the Duty of one Penny Halfpenny *per* Gallon on Salt and Rock Salt made in this 'Kingdom, which was granted by the ſaid Act of the fifth and ſixth Years of the Reign of their late 'Majeſties King WILLIAM and Queen MARY; and alſo all the additional Duties on Salt, whether im-'ported from Foreign Parts or Home-made, which were granted by the ſaid Act of the ninth and tenth 'Years of the Reign of his ſaid late Majeſty King WILLIAM the Third, ſhould ceaſe, determine, and be 'no longer paid or payable; and then and from thenceforth all the Powers and Authorities given or 'granted by any Act or Acts of Parliament for the levying, ſecuring, collecting or recovering the ſame; 'and all Penalties and Forfeitures relating thereto; and all Proviſions, Regulations or Reſtrictions rela-'ting to the importing or bringing of Salt made in *Scotland* into *England*, without paying the ſaid addi-'tional Duty on Salt, ſhould ceaſe, determine, and not be put in Execution; and then and from thence-'forth the Right or Demand of any Perſon or Perſons in purſuance of the ſaid recited Acts, or any of 'them, on his or their exporting beyond the Seas, any Salt for which the ſaid Duties had been before ſe-'cured or paid, to have the Securities for the ſame diſcharged, or the Monies paid for the ſame repaid, 'ſhould ceaſe and determine, as to ſo much of ſuch Securities or Payments as were given or made for 'any of the Duties by the ſaid Act to be determined; and that no Drawback on account of ſuch Duties 'ſo ſecured or paid before the ſaid twenty-fifth Day of *December* in the Year of our Lord one thouſand 'ſeven hundred and thirty (except for the Duty of three Pence *per* Gallon on foreign Salt, impoſed by 'the firſt herein recited Act) ſhould be made and allowed on any Salt exported beyond the Seas after 'that Time, with a Proviſo in the ſaid Act contained, that the ſame ſhould not extend to determine the 'ſaid Duty of three Pence *per* Gallon on Salt, not of the Product or Manufacture of the Kingdom of 'England, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, ſo as aforeſaid granted by the ſaid 'Act of the fifth and ſixth Years of the Reign of their ſaid late Majeſties King WILLIAM and Queen 'MARY, nor to determine or make void any of the Proviſions, Rules or Directions made by the ſaid 'Acts, or any of them, and then in Force for Payment of the ſaid Duties by the Importers of ſuch fo-'reign Salt upon the Entry thereof, or for preventing the landing thereof before ſuch Entry made, or the 'ſecuring the ſame by Bond, with ſufficient Sureties, or for allowing the Diſcounts for paying the ſaid 'Duty in ready Money, or for Allowances for Drawbacks of the Duties paid or ſecured on the re-ex-'porting the ſame to foreign Parts, or making good any Accidents or Loſſes that might happen in ſuch 'Salt, after ſhipping the ſame for Exportation to foreign Parts, or to be carried Coaſtwiſe, or for aſcer-'taining the Weight in each Buſhel by which the ſaid Duty ſhould be computed, or to determine or 'make void any former Act or Clauſe relating to the Ships or Veſſels laden with foreign Salt, found 'hovering on the Coaſt, or relating to ſuch Salt exported to *Ireland*, and landed there; but the ſame, 'and every of them, ſhould remain and be in as full Force and Virtue as they then were, if the ſaid laſt
5 Geo. 2. c. 6. 'recited Act had not been made: And whereas by an Act of Parliament made in the fifth Year of the 'Reign of his preſent Majeſty, intituled, *An Act for reviving the Duties on Salt for the Term therein men-'tioned*, it was enacted, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred

'and

'and thirty-two, for and during the Space of three Years, the Duty of one Penny Halfpenny *per* Gallon 'on all Salt and Rock Salt made at the Salt Works, or taken out of any Pits in this Kingdom, and 'after that Rate for a greater or leſſer Quantity, which was granted by the ſaid Act of the fifth and 'ſixth Years of the Reign of their late Majeſties King WILLIAM and Queen MARY, and ſince made 'perpetual; and alſo all the additional Duties on Salt (whether imported from foreign Parts, or made 'in any Part of *Great Britain*) which were granted by the ſaid Act of the ninth and tenth Years of the 'Reign of his ſaid late Majeſty King WILLIAM the Third, or made payable by the Articles of Union be-'tween the Kingdoms of *England* and *Scotland*, ſhould be revived, and be payable and paid in ſuch Man-'ner, and with ſuch Allowances for prompt Payment, and for Waſte on Salt carried Coaſtwiſe, or to '*Ireland*, as if the ſaid laſt recited Act of the third Year of the Reign of his preſent Majeſty had never 'been made; and that all the Powers and Authorities given by the ſaid recited Acts, or either of them, 'or by any other Act or Acts of Parliament, for levying, collecting, recovering, ſecuring and paying 'the ſaid Duties, and all Penalties and Forfeitures relating thereto, and all Proviſions for the Diſtri-'bution of ſuch Penalties and Forfeitures between his Majeſty and the Informers, when recovered, and 'the Methods of ſuing for, recovering, receiving and mitigating the ſame, and all Proviſions, Regu-'lations or reſtrictions relating to the importing or bringing of Salt made in *Scotland* into *England*, with-'out paying the ſaid additional Duty on Salt, ſhould be revived, and be in full Force and Virtue; and 'that the Right or Demand of any Perſon or Perſons in purſuance of the ſaid Acts, for or in reſpect of 'his or their exporting beyond the Seas any Salt for which the ſaid Duties ſhould be paid, or ſecured to 'be paid, to have the Securities for the ſame diſcharged, or the Monies paid for the ſame repaid, ſhould 'be alſo revived, and all Drawbacks on account of ſuch Duties ſo ſecured or paid, ſhould be made or 'allowed for or in reſpect of the Exportation of Salt to Parts beyond the Seas (whether the ſame ſhould 'be foreign Salt, or made within any Part of *Great Britain*) in the ſame Manner as ſuch Drawbacks 'ought to have been made, if the ſaid laſt recited Act had not been made: And whereas the Rates or 'Duties of one Shilling and eight Pence *per* thouſand on all Red Herrings, and of three Shillings and 'four Pence *per* Barrel on all White Herrings cured promiſcuouſly with Red Herrings, or White Her-'rings deſigned for Exportation, but afterwards delivered out for home Conſumption, which were im-'poſed by two ſeveral Acts made in the eighth Year of the Reign of his late Majeſty King GEORGE the 'Firſt; and which in conſequence of the ſaid recited Act of the third Year of his preſent Majeſty, were 'reduced to the Rate of four Pence for every thouſand of ſuch Red Herrings, and of eight Pence for 'every Barrel of ſuch White Herrings, were likewiſe revived by the ſaid late Act of the fifth Year of 'his preſent Majeſty: And whereas the Allowance of five Shillings *per* Barrel on the Exportation of 'ſalted Beef and Pork exported for Sale from any Part of *Great Britain* to any Parts beyond the Seas, 'which was given by the eighth Article of the Treaty of Union between the Kingdoms of *England* and '*Scotland*, and by an Act made in the fifth Year of the Reign of her late Majeſty Queen ANNE, and 'which in conſequence of the ſaid recited Act of the third Year of his preſent Majeſty, was reduced to 'an Allowance of one Shilling and ſix Pence *per* Barrel, was alſo revived by the ſaid laſt recited Act of 'the fifth Year of his preſent Majeſty: And whereas by an Act of Parliament made and paſſed in the ſe- 7 Geo. 2. c. 8.
'venth Year of his Majeſty's Reign, intituled, *An Act for granting and continuing the Duties upon Salt, and 'upon Red and White Herrings, for the further Term of ſeven Years; and for licenſing the erecting new Refineries 'of Rock Salt in the Counties of* Eſſex *and* Suffolk, it was enacted, That from and after the Determination 'of the ſaid Term of three Years, in the ſaid laſt recited Act of the fifth Year of his Majeſty's Reign 'mentioned, the ſeveral and reſpective Rates and Duties upon Salt, and upon Red and White Herrings, 'which by the ſaid Act were revived, ſhould be further continued for and during the Space of ſeven 'Years, and that the ſame ſhould be managed, raiſed, levied, collected, ſecured and paid, in ſuch Man-'ner and Form, and by and under ſuch Powers, Authorities, Penalties, Forfeitures, Proviſions, Re-'ſtrictions and Regulations, for managing, raiſing, levying, collecting, ſecuring and paying the ſame, 'and with ſuch Allowances for prompt Payment, and for Waſte on Salt carried Coaſtwiſe, or to *Ireland*, 'and for Fiſh, Beef and Pork exported to Parts beyond the Seas, and with ſuch Drawbacks and De-'bentures on account of Duties paid, or ſecured to be paid, for Salt exported to Parts beyond the Seas, 'as were particularly mentioned in the ſaid laſt recited Act; and that the ſaid laſt recited Act, and every 'Article, Rule, Clauſe, Matter and Thing therein contained, or thereby referred unto, and then being 'in Force (not otherwiſe altered by the ſaid Act) ſhould be and continue in full Force, for and during 'the ſaid further Term of ſeven Years, as fully and amply, to all Intents and Purpoſes, as if the ſame 'had been particularly recited, expreſſed and enacted in the Body of the ſaid Act: And whereas by an 'Act of Parliament made and paſſed in the eighth Year of his Majeſty's Reign, intituled, *An Act for* 8 Geo. 2. c. 12.
'*granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of 'four Years; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and 'Contracts of Clerks and Apprentices*, it was enacted, That from and after the Determination of the ſaid 'Term of ſeven Years in the ſaid laſt recited Act of the ſeventh Year of his Majeſty's Reign mentioned, 'the ſeveral and reſpective Rates and Duties upon Salt, and upon Red and White Herrings, which by 'the ſaid laſt recited Act were continued, ſhould be further continued for and during the Space of four 'Years; and that the ſame ſhould be managed, raiſed, levied, collected, ſecured and paid in ſuch Man-'ner and Form, and by and under ſuch Powers, Authorities, Penalties, Forfeitures, Proviſions, Re-'ſtrictions and Regulations, for managing, raiſing, levying, collecting, ſecuring and paying the ſame, 'and with ſuch Allowances for prompt Payment, and for Waſte on Salt carried Coaſtwiſe, or to *Ireland*, 'and for Fiſh, Beef and Pork exported to Parts beyond the Seas, and with ſuch Drawbacks or Deben-'tures on account of Duties paid, or ſecured to be paid, for Salt exported to Parts beyond the Seas, as

'were particularly mentioned in the said last recited Act; and that the said last recited Act, and every 'Article, Rule, Clause, Matter and Thing therein contained, or thereby referred unto, and then being 'in Force, not otherwise altered by the said Act, should be and continue in full Force and Effect, for 'and during the said further Term of four Years, as fully and amply, to all Intents and Purposes as if 'the same had been particularly recited, expressed and enacted in the Body of the said Act: And whereas
14 Geo. 2. c. 22. 'by one other Act of Parliament made and passed in the fourteenth Year of his present Majesty's Reign, 'intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for 'the further Term of seven Years; and for allowing Rock Salt to be used in making Salt from Sea Water, at 'the Salt Works at* Neath *in the County of* Glamorgan, it was enacted, That from and after the Deter- 'mination of the said Term of four Years, in the last recited Act of the eighth Year of his Majesty's 'Reign mentioned, the several and respective Rates and Duties upon Salt, and upon Red and White 'Herrings, which by the said last recited Act were continued, should be further continued, for and du- 'ring the Space of seven Years; and that the same should be managed, raised, levied, collected, se- 'cured and paid, in such Manner and Form, and by and under such Powers, Authorities, Penalties, 'Forfeitures, Provisions, Restrictions and Regulations for managing, raising, levying, collecting, secu- 'ring and paying the same, and with such Allowances for prompt Payment, and for Waste on Salt car- 'ried Coastwise, or to *Ireland*, and for Fish, Beef and Pork exported to Parts beyond the Seas, and with 'such Drawbacks or Debentures on account of Duties paid, or secured to be paid, for Salt exported 'to Parts beyond the Seas, as were particularly mentioned in the said before recited Acts; and that the 'said before recited Acts, and every Article, Rule, Clause, Matter and Thing therein contained, or 'thereby referred unto, and now being in Force, and not otherwise altered by the said Act, should be 'and continue in full Force and Effect, for and during the said further Term of seven Years, as fully 'and amply, to all Intents and Purposes, as if the same had been particularly recited, expressed and 'enacted in the Body of the said Act:' Now we your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, towards raising the necessary Supplies for de- fraying the Expences of your Majesty's Government, and for carrying on the present War with Success, have freely resolved to grant and continue to your Majesty all and every the Rates and Duties upon Salt, and upon Red and White Herrings, by the said last recited Act continued; and do most humbly beseech your Majesty, that it may be enacted; And be it enacted, &c.

"The Powers, *&c.* in the former Acts continued for six Years. Duties on Salt in *Scotland* subject to "the same Charges as by 5 *Geo.* 1. *c.* 18. Clause of Loan for 1,000,000 at 3 *l.* 10 *s. per Cent.* Names of "Contributors, and Sums, to be entered in a Book; to be divided into 10 Classes and numbered. Course "of Payment to be determined by Lot. Receipts to be changed for Exchequer Orders. A Register, "and Table of Orders, to be kept. No undue Preference. Counterfeiting of Receipts, Orders, *&c.* "Felony. An Account of Monies raised and paid, to be fixed up in the Auditor's Office. Deficiencies to "be made good out of the next Aids, or Sinking Fund; and replaced out of the next Supplies. Surplus "to be disposed of by Parliament. Surplus arising from Duties on Salt of 14 *Geo.* 2. *c.* 22. applicable to
See 19 Geo. 2. c. 12. "Orders upon this Act." [Revived and made perpetual by 26 *Geo.* 2. *c.* 3.]

CAP. VI.

An Act for repairing the Road leading from a Gate commonly called *Sacred Gate*, on the South East Side of the Town of *Hedon* in the East Riding of the County of *York*, through the said Town to *Hull North Bridge*. PR.

Tolls granted for 21 Years.

CAP. VII.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. VIII.

An Act for repairing the High Road leading from *Boroughbridge* in the County of *York*, through *North Allerton* in the same County, to *Croftbridge* on the River *Tees*; and from thence through *Darlington* in the County of *Durham*, to the City of *Durham*. PR.

Tolls granted for 21 Years. Continued by 22 Geo. 2. c. 32.

CAP. IX.

An Act for granting to his Majesty several additional Duties upon all Wines imported into *Great Britain*; and for raising a certain Sum of Money by Annuities, and a Lottery, in Manner therein mentioned, to be charged on the said additional Duties.

Most Gracious Sovereign,

6 *Ed.* 1. *c.* 15. 4 *Ed.* 3. *c.* 12. 38 *Ed.* 3. *st.* 1. *c.* 11. 28 *H.* 8. *c.* 14. WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, towards raising a Supply to enable your Majesty to carry on the present War with Vi-

7 *Ed.* 6. *c.* 5. 5 *El.* *c.* 5. 12 *Car.* 2. *c.* 25. 18 *Car.* 2. *c.* 5. 1 *Jac.* 2. *c.* 3. 6 *Geo.* 1. *c.* 12.

gour,

gour, and for anſwering other your Majeſty's weighty and important Occaſions, and with an humble and thankful Acknowledgment of your Majeſty's favourable and tender Regard of us your faithful Commons, have cheerfully and unanimouſly given and granted unto your Majeſty an Aid or Aſſiſtance to be raiſed and levied upon all Wines and Vinegar to be imported into *Great Britain*, according to ſuch Rates, and in ſuch Manner and Form as is herein mentioned; and we do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-five, over and above all Subſidies of Tonnage and Poundage, and all other Subſidies, additional Duties and Impoſitions whatſoever, due or payable for all Wines and Vinegar imported into *Great Britain*, by any Act or Acts of Parliament now in Force, there ſhall be raiſed, levied, collected and paid unto his Majeſty, his Heirs and Succeſſors (before landing thereof) the additional Impoſitions, Rates or Duties following, without any Diſcount or Deduction inwards, or Drawback on Re-exportation afterwards; that is to ſay, For every Ton of *French* Wine and *French* Vinegar, which ſhall be imported into this Kingdom, the Sum of eight Pounds, and ſo after that Rate for any greater or leſſer Quantity; and alſo for every Ton of all other Wines and Vinegar imported into this Kingdom, the Sum of four Pounds, and ſo after that Rate for any greater or leſſer Quantity; the ſame to be raiſed, levied, collected, paid and recovered in ſuch Manner and Form, and by ſuch Ways, Means and Methods, and under ſuch Penalties and Forfeitures (except as to Diſcounts and Drawbacks aforeſaid) as are mentioned and expreſſed in the Act of Parliament made and paſſed in the firſt Year of the Reign of his late Majeſty King JAMES the Second, intituled, *An Act for granting his Majeſty an Impoſition upon all Wines and Vinegar imported between the twenty-fourth Day of* June *one thouſand ſix hundred and eighty-five and the twenty-fourth Day of* June *one thouſand ſix hundred and ninety-three*, or in any other Act or Acts of Parliament, by which the ſaid Impoſitions, Rates and Duties upon all Wines and Vinegar imported were continued and made perpetual, and all Powers, Penalties, Forfeitures, Proviſions, Articles and Clauſes therein contained (not any ways altered by this Act) ſhall continue in full Force and Effect during the Continuance of the ſaid Impoſitions, Rates and Duties hereby granted, and ſhall be applied, practiſed and executed for the raiſing, levying, collecting, ſecuring, anſwering and paying the ſaid Impoſitions, Rates and Duties, according to the true Intent and Meaning of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Clauſes, Matters and Things had been again repeated and re-enacted in the Body of this preſent Act; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

An Aid granted to his Majeſty by additional Duties,

on every Ton of French Wine and Vinegar, 8 l. of other Wines and Vinegar, 4 l.

to be raiſed as by 1 Jac. 2. c. 3.

II. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to lay any further Duties upon Wines damaged, corrupt or unmerchantable, and for which the Merchants or Importers thereof ſhall refuſe to pay or ſecure the Duties, and which by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King GEORGE the firſt, intituled, *An Act for the Improvement of his Majeſty's Revenues of Cuſtoms, Exciſe and Inland Duties*, are on ſuch Refuſal directed to be received into the Cuſtody of proper Officers of the Cuſtoms, to be publickly ſold, in order to be diſtilled into Brandy, or to be made into Vinegar.

Unmerchantable Wines exempt;

and to be diſpoſed of as by 12 Geo. 1. c. 28.

III. And it is hereby enacted by the Authority aforeſaid, That the ſaid Impoſitions, Rates and Duties by this Act granted, ſhall from Time to Time, be under the Management and Direction of the reſpective Commiſſioners of his Majeſty's Cuſtoms, and their Officers for the Time being, and ſhall be paid into the Hands of the Receiver General of the Cuſtoms in *England* for the Time being; and ſuch Receiver General ſhall weekly, to wit, on *Wedneſday* in every Week, if it be not an Holy Day; and if it be, then on the next Day after that is not an Holy Day, anſwer and pay all the Monies ariſing by the ſaid additional Impoſitions, Rates and Duties (the neceſſary Charges of raiſing, collecting and anſwering the ſame only excepted) into the Receipt of his Majeſty's Exchequer, diſtinct and apart from all other Monies which ſuch Receiver General ſhall receive for the Uſe of his Majeſty, his Heirs and Succeſſors, for the Uſes and Purpoſes in this Act mentioned.

These Duties to be managed by the Commiſſioners of Cuſtoms;

and paid weekly into the Exchequer.

See farther concerning Wines 26 *Geo.* 2. *c.* 12. 30 *Geo.* 2. *c.* 19. 32 *Geo.* 2. *c.* 19.

IV. And be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept in the Office of the Auditor of the ſaid Receipt of Exchequer, a Book or Books, in which all the Monies hereby appointed to be paid weekly, into the ſaid Receipt as aforeſaid, ſhall be entered ſeparate and apart from all other Monies paid or payable to his Majeſty, his Heirs or Succeſſors, upon any Account whatſoever; and the ſaid Money ſo appointed to be paid into the ſaid Receipt of Exchequer as aforeſaid, ſhall be the yearly Fund for the ſeveral and reſpective Purpoſes herein after mentioned.

A Book to be kept by the Auditor, in which ſuch weekly Payments to be entered ſeparate, to be a Fund for the Purpoſes of this Act.

V. And be it further enacted by the Authority aforeſaid, That all and every the Annuities which by this Act ſhall be granted and made payable, in reſpect of the principal Sum of two millions, to be raiſed in ſuch Manner and Form as is herein after directed, until Redemption thereof by Parliament, as alſo the ſeveral and reſpective other Annuities by this Act made payable at the ſaid Receipt of his Majeſty's Exchequer, during the Lives of the ſeveral Contributors to the Lottery herein after mentioned, or the Lives of their reſpective Nominees, ſhall be charged and chargeable upon, and payable out of the ſaid Rates, Duties and Impoſitions, by this Act granted to his Majeſty; and the ſaid Rates, Duties, and Impoſitions ſhall be and are hereby appropriated for thoſe Purpoſes accordingly.

Annuities for a Principal of 2,000,000 l. payable out of theſe Duties.

VI. And for or towards raiſing the ſaid Sum or Sums of Money, not exceeding in the whole the ſaid Sum of two millions, for the Purpoſes aforeſaid, it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay, unto the firſt or chief Caſhier or Caſhiers of the Governor and

1,500,000 l. to be paid into the Bank by any Perſons,

and Company of the Bank of *England* for the Time being, at or before the reſpective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money, not exceeding one million five hundred thouſand Pounds, in part of the ſaid whole Sum of two millions, for the abſolute Purchaſe of any certain Annuity or Annuities, to commence from the twenty-fifth Day of *March* one thouſand ſeven hundred and forty five, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, in Manner herein after mentioned; ſo as ſuch Caſhier or Caſhiers do firſt give Security, to the good Liking of any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer or Commiſſioners of the Treaſury for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer, for the publick Uſe, the Monies ſo to be advanced and contributed, and to account duly for the ſame; which Annuities before mentioned ſhall be computed at the Rate of three Pounds *per Annum* for every one hundred Pounds, and proportionably for any greater or leſs Sum ſo to be advanced and paid; and the Purchaſe Money for every ſuch Annuity at the Rate aforeſaid, is hereby appointed to be paid unto the ſaid Caſhier or Caſhiers as aforeſaid, at or before the reſpective Days or Times herein after limited; that is to ſay, One fourth Part thereof on or before ſuch Day or Time as ſhall be appointed by the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being; one other fourth Part thereof on or before the nineteenth Day of *June* one thouſand ſeven hundred and forty-five then next enſuing; one other fourth Part thereof on or before the fifteenth Day of *October* then next enſuing; and the remaining fourth Part thereof on or before the twentieth Day of *December* then next following: All which Annuities ſo to be purchaſed, ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſt of the Nativity of Saint *John* the Baptiſt, and the Birth of our Lord Chriſt, by even and equal Portions, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be computed and paid at the Rate of three Pounds *per Centum per Annum* on the whole Sum to be paid by ſuch Contributors, for the Purchaſe of any Part of the ſaid Annuities, from the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-five, unto the Feaſt of the Birth of our Lord Chriſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-five, or within ſix Days after the ſaid Feaſt Day: Nevertheleſs the ſame Annuities ſhall be redeemable according to the Purport and true Meaning of a Proviſo or Condition herein after contained in that Behalf and not otherwiſe; and the ſaid Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England* for the Time being, is and are hereby authorized and required, upon the advancing and paying to him or them any ſuch Sum or Sums of Money as aforeſaid, forthwith to give a Receipt in Writing, ſigned by himſelf or themſelves for each Payment, to the Contributor or Payer thereof (which Receipts ſhall be aſſignable by Endorſement thereupon made, at any Time before the twentieth Day of *December* one thouſand ſeven hundred and forty-five and no longer) and from Time to Time to pay into the Receipt of his Majeſty's Exchequer all the Monies which he or they ſhall receive of or for the ſaid Sum, not exceeding one million five hundred thouſand Pounds, as faſt as he or they ſhall receive the ſame, or any Part thereof, or within five Days afterwards at the furtheſt, and to account for all the Monies ſo to be advanced and paid to him or them, in his Majeſty's Court of Exchequer, according to the due Courſe thereof.

for the Purchaſe of Annuities.

Caſhier to give Security to the Treaſury.

Annuities at 3 l. per Cent per Ann.

Times of paying the Purchaſe Money.

Annuities to be computed from March 25, 1745.

redeemable.

Caſhier to give a Receipt for each Payment.

Receipts aſſignable before Dec. 20, 1745.

Caſhier to pay all Monies into the Exchequer in 5 Days after Receipt.

VII. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entered the Names of all who ſhall be Contributors for ſuch Annuities, after the Rate of three Pounds *per Centum per Annum* as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sum ſo paid; to which Book or Books it ſhall be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, from time to time, and at all ſeaſonable Times, to have Reſort to inſpect the ſame, without any Fee or Charge; and the ſaid Accomptant General for the Time being ſhall, on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, tranſmit an atteſted Duplicate, fairly written on Paper, of the ſaid Book or Books into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever.

Books to be kept at the Bank,

for publick Peruſal.

A Copy of the Books to be tranſmitted into the Exchequer.

VIII. And it is hereby enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act, duly paying the whole Conſideration or Purchaſe-money at the Rate aforeſaid, at or before the reſpective Days and Times in this Act before limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint, his, her or their reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy, the reſpective Annuity or Annuities ſo to be purchaſed out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid; and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption in this Act afterwards contained concerning the ſame; and that all the ſeveral and reſpective Annuities, payable in purſuance of this Act, after the Rate of three Pounds *per Centum per Annum*, and all and every the principal Sums for which the ſame are to be payable, ſhall be free from all Taxes, Charges, and Impoſitions whatſoever.

Contributors Eſtates ſubject only to Redemption.

Annuities free from Taxes.

IX. And it is hereby provided and enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall become intereſted in, or intitled to, any Annuity or Annuities, Part of the ſaid Sum of one million five hundred thouſand Pounds, to be ſubſcribed for in purſuance of this Act, ſhall, upon compleating the Payments of the whole Purchaſe-money, payable in reſpect thereof, have ſuch re-

Contributors to have Credit for the Sums,

ſpective Sums as they ſhall become intereſted in, or intitled unto, forthwith placed to the Credit of the ſaid Contributors, and made transferrable in the Books of the Bank of *England*, by this Act appointed to be kept for that Purpoſe. to be transferrable in the Bank Books.

X. Provided alſo, That in caſe any ſuch Contributor as aforeſaid, who ſhall, on or before ſuch Day or Time, as ſhall be appointed by the ſaid Commiſſioners of the Treaſury, or the ſaid High Treaſurer for the Time being as aforeſaid, have advanced to the ſaid Caſhier or Caſhiers one fourth Part of his, her or their Purchaſe-money, and his, her or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, do not advance and pay to the ſaid Caſhier or Caſhiers, one other fourth Part of his, her or their Conſideration-money, ſo to be paid for ſuch reſpective Annuity or Annuities as aforeſaid, on or before the nineteenth Day of *June* one thouſand ſeven hundred and forty-five then next enſuing; and one other fourth Part thereof on or before the fifteenth Day of *October* then next enſuing; and the remaining one fourth Part thereof on or before the twentieth Day of *December* then next following; then, and in every ſuch Caſe reſpectively, ſo much of the Conſideration-money as ſhall have been actually paid in Part thereof only to the ſaid Caſhier or Caſhiers for ſuch reſpective Annuity, ſhall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary notwithſtanding. Forfeiture on not compleating the Payments by the Times limited.

'XI. And whereas it is intended that the Sum of five hundred thouſand Pounds, being the Reſidue of 'the ſaid Sum of two millions already charged by this Act upon the ſaid additional Impoſitions, Rates, 'or Duties, appropriated for Payment thereof in Manner before directed and appointed, ſhall be raiſed 'by way of a Lottery, for the Purchaſe of Annuities after the Rate of three Pounds *per Centum per An-* '*num*, in Manner herein after mentioned;' Be it therefore enacted by the Authority aforeſaid, That the Annuities becoming due and payable to the Contributors to the Lottery herein after mentioned, their Executors, Adminiſtrators, and Aſſigns, at the ſaid Rate of three Pounds *per Centum per Annum*, in reſpect of the ſaid Principal Sum of five hundred thouſand Pounds, in Manner hereafter in this Act expreſſed, until the Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf, ſhall be charged upon the ſaid additional Impoſitions, Rates, or Duties, from the Feaſt Day of the Birth of our Lord Chriſt one thouſand ſeven hundred and forty-five, and ſhall from time to time be paid Half-yearly at the Feaſts of the Nativity of Saint *John* the Baptiſt, and the Birth of our Lord Chriſt, by even and equal Portions; the firſt Payment thereof to be due and payable for the Half-Year ending at the Feaſt of the Nativity of Saint *John* the Baptiſt one thouſand ſeven hundred and forty-ſix. 500,000 l. to be raiſed by Lottery, for Purchaſe at 3 l. per Cent. Annuities. Annuities to be charged on the additional Duties.

XII. And be it further enacted by the Authority aforeſaid, That for or towards raiſing the ſaid Sum of five hundred thouſand Pounds, it ſhall and may be lawful for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute by paying at or before the reſpective Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpoſe, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds upon this Act; and that every ſuch Contributor or Adventurer, for every ſuch Sum of ten Pounds, which he, ſhe or they ſhall ſo advance, ſhall be intereſted in ſuch Lot or Share of and in the joint Stock of Annuities, eſtabliſhed by this Act, as is herein after mentioned and appointed in that Behalf; and the ſame entire Sums of ten Pounds each, are hereby appointed to be paid unto ſuch Receiver or Receivers, at ſuch Time or Times, and in ſuch Proportions at a Time, as are herein after mentioned in that Behalf; that is to ſay, one fourth Part thereof, on or before the firſt Day of *May* one thouſand ſeven hundred and forty-five; one other fourth Part thereof, on or before the fifth Day of *July* then next enſuing; one other fourth Part thereof, on or before the twenty-third Day of *Auguſt* then next enſuing; and the remaining fourth Part thereof, on or before the third Day of *October* then next following. Tickets to be 10 l. each. Times of paying the Purchaſe-money for Lottery Tickets.

" Managers to be appointed by the Commiſſioners of the Treaſury. Commiſſioners of the Treaſury to " appoint Receivers. Receivers ſhall deliver Tickets to the Contributors. There ſhall be printed 50,000 " Tickets, 7,150 ſhall be fortunate; two of them 10,000 *l.* Three 5,000 *l.* Five 2,000 *l.* Fifteen 1,000 *l.* " Thirty-one 500 *l.* One hundred and fifty-one 100 *l.* Three hundred and ninety-eight 50 *l.* Six thou- " ſand five hundred and forty-five 20 *l.* which with 500 *l.* to the firſt drawn Ticket, and 1,000 *l.* to the " laſt drawn Ticket, will amount to 242,900 *l.* which added to 257,100 *l.* payable on the remaining 42,850 " blank Tickets, at 6 *l.* each, amount together to 500,000 *l.* to be converted into Annuities in reſpect of " the Lottery Tickets. Manner of drawing the Lottery, Prizes to be entered in a Book. A Liſt of the " Prizes to be printed. Diſputes to be determined by the Managers, Counterfeiting of Tickets, Cer- " tificates, or the Numbers of them, Felony. Tickets undiſpoſed of, ſhall be delivered back into the " Exchequer. Managers, *&c.* to be paid by the Treaſury. Guardians may adventure Infants Money " in the Lottery, ſo as ſuch Infants Names be in the Receipts and Tickets. Tickets to be exchanged " for Certificates, after the Lottery is drawn."

XXVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall, upon receiving and taking in the ſaid Certificates, or any of them, give Credit to the Perſons named therein, in the ſame Book or Books with the Contributors for the Purchaſe of the Annuities, not exceeding one million five hundred thouſand Pounds, herein before directed to be inſerted in a Book or Books, or in any other Book or Books, to be by him provided and kept for that Purpoſe, for the principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit ſuch principal Sums ſhall be entered in the ſaid Book or Books, his, her or their Executors and Adminiſtrators, ſhall and may have Power to aſſign and transfer the ſame, or any Part, Share, or Proportion thereof, to any other Perſon or Perſons, Accomptant General of the Bank to give Credit to the Perſons named in Certificates. Annuities transferrable.

Perſons, Bodies Politick or Corporate whatſoever, in other Books, to be prepared and kept by the ſaid Accomptant General for that Purpoſe; and the principal Sums ſo aſſigned or transferred, ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authority herein after mentioned, until the Redemption thereof as aforeſaid; and the ſaid Accomptant General of the Bank of *England* for the Time being, is hereby authorized and directed to cancel and file the Certificates, as they ſhall from time to time be received and taken in by him, and to give the Perſons bringing in the ſame a Note under his Hand, teſtifying the principal Money for which they ſhall have Credit in the ſaid Book or Books, by Reaſon or Means of the Certificates ſo received, taken in and cancelled as aforeſaid, and of the Annuities attending the ſame.

Certificates to be cancelled and filed; and Notes given in their ſtead.

Bank to pay the Annuities.

XXIX. And for the more eaſy and ſure Payment of the ſeveral and reſpective Annuities, amounting in the whole to two millions, by this Act authorized to be purchaſed as aforeſaid; It is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors ſhall, from time to time, until the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be redeemed according to this Act, appoint and employ one ſufficient Perſon, within their Office in the City of *London*, to be their Chief or firſt Caſhier or Caſhiers, and one other ſufficient Perſon, within the ſame Office, to be their Accomptant General; and that ſo much of the Monies, from time to time ariſing, into the Receipt of the Exchequer, for the ſaid additional Duties by this Act appropriated for this Purpoſe (after ſatisfying or reſerving Money ſufficient to ſatisfy the ſeveral Annuities herein after charged upon the ſaid additional Duties, and made payable at the Receipt of his Majeſty's Exchequer, for and during the Life or Lives of the ſeveral Contributors to the Lottery aforeſaid, or the Life or Lives of their reſpective Nominees in Manner herein after mentioned) as ſhall be ſufficient, from time to time, to anſwer the ſaid ſeveral and reſpective Annuities, and other Payments directed to be paid or diſcharged out of the ſame, ſhall, by Order of the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or Commiſſioners of the Treaſury of his Majeſty, his Heirs, or Succeſſors for the Time being, without any further or other Warrant to be ſued for, had, or obtained in that Behalf, from time to time, at the reſpective Half-yearly Feaſt Days, or Days of Payment, in this Act before appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid Firſt or Chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors for the Time being, by way of Impreſt, and upon Account for the Payment of the ſaid ſeveral and reſpective Annuities to be purchaſed upon this Act, at ſuch Times, and in ſuch Manner and Form, as are by this Act preſcribed in that Behalf; and that all and every ſuch Caſhier or Caſhiers, to whom the ſaid Monies ſhall from time to time be iſſued, ſhall from time to time, without Delay, apply and pay the ſame accordingly, and render his Account thereof according to the due Courſe of the Exchequer; any thing herein contained to the contrary notwithſtanding.

Money to be paid into the Bank by the Exchequer.

Caſhiers to account back into the Exchequer.

Accomptant General to inſpect the Caſhiers Accompts.

XXX. And it is hereby alſo enacted, That the ſaid Accomptant General for the Time being, ſhall from time to time inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence, or Delay; and that all and every Perſon and Perſons whatſoever, who ſhall be intitled to any of the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a Perſonal Eſtate, and the ſame ſhall not be deſcendable to the Heir, and ſhall not be liable to any foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute, or Cuſtom to the contrary notwithſtanding.

Annuities a Perſonal Eſtate; and exempt from foreign Attachment.

2,000,000 l. One Capital Stock; attended with Annuities at 3 l. per Cent per Ann.

XXXI. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed, or to which any Perſon or Perſons ſhall become intitled upon this Act, for or towards the ſaid Sum, not exceeding two millions, ſhall be deemed, reputed, and taken to be one Capital or Joint-ſtock, on which the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be attending; and that all and every Perſon and Perſons, and Corporations whatſoever, in Proportion to the Money by him, her or them advanced, or to which they ſhall become intitled as aforeſaid upon this Act, ſhall have, and be deemed to have a proportional Intereſt and ſhare in the ſaid Stock, and in the Annuity attending the ſame, at the Rate aforeſaid; and that the ſaid whole Capital or Joint Stock, or any Share or Intereſt therein, and the proportional Annuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs, and not otherwiſe; and that there ſhall conſtantly be kept, at all ſeaſonable Times, in the Office of the ſaid Accomptant General for the Time being, within the City of *London*, a Book or Books wherein all Aſſignments or Transfers of the ſaid whole Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the ſame, at the Rate aforeſaid, ſhall be entered and regiſtered; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers; or if ſuch Parties be abſent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes, and that the Perſon or Perſons to whom ſuch Transfers ſhall be made, do underwrite his, her or their Acceptance thereof, and that no other Method of aſſigning or transferring the ſaid Stock, and the Annuities attending the ſame, or any Part thereof or any Intereſt therein, ſhall be good or available in Law.

The Stock, &c. transferrable.

The Accomptant General to keep Transfer-books.

Method of transferring.

XXXII. Provided always, That any Perſon or Perſons poſſeſſed of ſuch Stock, with the Annuity or Annuities attending the ſame, or any Eſtate or Intereſt therein, may deviſe the ſame by Will in Writing, atteſted by two or more credible Witneſſes; but that ſuch Deviſee ſhall receive no Payment thereupon, till ſo much of the ſaid Will as relates to the ſaid Stock or Annuity be entered in the ſaid Office; and in

Annuities may be deviſed;

Default

Default of such Transfer or Devise, the said Stock and Annuity attending the same, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on the said Transfer, or any of them; any other Law or Statute to the contrary notwithstanding. Transfers to be made without Stamps.

XXXIII. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any their own Funds, in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation, with all the Powers, Privileges, and Advantages thereunto belonging, for the Purposes in this Act expressed, till all the Annuities to be purchased on this Act shall be redeemed by Parliament, according to the Proviso herein after contained in that Behalf; and that the said Governor and Company, or any Members thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act. Bank to continue a Corporation till these Annuities are redeemed.

XXXIV. Provided always, and be it enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power, and they are hereby authorized out of the said additional Duties by this Act granted and appropriated as aforesaid, to reward the Officers and Clerks of the said Exchequer, that shall be any Ways employed in the Execution of this Act, in relation to the Annuities, to be payable at the said Receipt as herein after mentioned, for their Labour, Pains, and Service therein respectively, and to discharge all such incident Charges, as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances (out of the Contributions to the Lottery aforesaid) as they shall think just and reasonable, for the Service, Pains, and Labour of the Reciever or Receivers of the Contributions to the said Lottery, for receiving and accompting for the same; as also for the Service, Pains, and Labour of the Cashier or Cashiers of the Governor and Company of the Bank of *England*, for receiving and accompting for the Contributions to the Annuities granted by this Act; and also such further Allowances (out of the said additional Duties by this Act appropriated) as they shall think just and reasonable, for receiving, paying, and accompting for the several and respective Annuities payable in respect thereof; and also for the Service, Pains, and Trouble of the Accomptant General of the said Governor and Company, for performing the Duty and Trust incumbent on him by this Act; all which Allowances hereby impowered to be made as aforesaid, in respect to the Service, Pains, and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any thing herein contained to the contrary notwithstanding. Commissioners of the Treasury to appoint the Salaries for the several Officers. Allowances at the Disposal of the Bank.

XXXV. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the half yearly Feast Days, for Payment of the said respective Annuities, or either of them, and upon Repayment by Parliament, of the respective Principal Sums, for which the said respective Annuities, or either of them, shall be payable, to such respective Persons or Corporations, as shall be intitled to the same Annuities, and also upon full Payment of all Arrearages of the same Annuity; then and not till then, the said respective Annuities, shall cease and determine, and be understood to be redeemed; and from and after such Redemption, the Monies arising from the said additional Impositions, Rates, or Duties, shall not be issued or applied to any Use or Purpose, but as shall be directed by future Act or Acts of Parliament, except so much Monies of the said additional Impositions, Rates, or Duties, as shall be sufficient, from time to time, to satisfy and pay the several and respective Annuities by this Act herein after made payable at the Receipt of Exchequer, to the several Contributors to the Lottery before mentioned, or their Assigns, during their Lives, or the Lives of their respective Nominees, in Manner herein after directed; any thing in this or any former Act or Acts of Parliament to the contrary notwithstanding; and that any Vote or Resolution of the House of Commons signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London*, as aforesaid, shall be deemed, and adjudged to be sufficient Notice, within the Words and Meaning of this Act. Proviso for redeeming these Annuities. What shall be sufficient Notice.

" Sale of Chances, *&c.* in the Lottery, prohibited. Office-keepers publishing Schemes relating to " Tickets not in their Possession, in the Lottery, to forfeit 500 l. and be imprisoned three Months. " EXP.

XXXVIII. And for the greater Encouragement of Persons to become Contributors to the Lottery herein before mentioned;' Be it further enacted by the Authority aforesaid, That all and every the Person and Persons who shall advance and pay unto such Receiver or Receivers, to be appointed as aforesaid, at or before the respective Days and Times, and in the respective Proportions herein before directed, the principal Sum of one hundred Pounds for the Purchase of ten Tickets in the said Lottery, shall, for or in respect of the said principal Sum of one hundred Pounds so to be advanced and paid, be intitled to have and receive, at the Receipt of his Majesty's Exchequer, during his or their own Life, or the Life of some other Person to be nominated by him, her or them, or by his, her or their Assigns, an Annuity of four Pounds ten Shillings, being computed after the Rate of nine Shillings *per Annum* for each Ticket, and so in Proportion for any greater Number of Tickets to be contributed for by any such Person or Persons (over and above the Annuity of three Pounds *per Centum per Annum*, by this Act before made payable at the Bank of *England* to such Contributors) which said respective Annuity or Annuities, to be paid at the Encouragement for Contributors of the Lottery to 100 l. Annuity for Life of 4 l. 10 s. besides 3 l. per Cent. per Ann.

the Exchequer as aforesaid, shall commence from the Feast of Saint *John* the Baptist which shall be in the Year of our Lord one thousand seven hundred and forty-five, and be paid and payable to such Contributor or Contributors, or his, her, or their Assign or Assigns, at the Times and in the Manner herein after mentioned; and the said Receiver or Receivers is and are hereby directed and required, as soon as he or they shall have received from any such Contributor or Contributors, one Moiety of the several Sums by them respectively intended to be advanced, for the Purchase of ten Tickets, or more, in the said Lottery as aforesaid, forthwith to give such Contributor or Contributors, or his, her or their Assigns, a Certificate or Certificates, signed by him or them (directed to the Auditor of the Receipt of his Majesty's Exchequer) to be printed or written upon cheque Paper, and cut out indentwise through some Flourish or Device, to be contrived by the said Receiver or Receivers, containing the Names, Surnames, Places of Abode and other Additions, of such Contributor or Contributors, or his, her or their Assigns, together with the principal Sums by them respectively advanced for the Purchase of such Tickets, and the Annuity payable to them in respect thereof, at the Rate aforesaid; (which said Certificate or Certificates shall be assignable, by Indorsement thereupon to be made, and witnessed by two Persons, at any Time or Times before the twentieth Day of *December* one thousand seven hundred and forty-five) and in order to prevent the Auditor of the said Receipt from being imposed upon by any counterfeit or forged Certificate or Certificates, the said Receiver or Receivers shall, and they are hereby directed and required to transmit to the Auditor of the Receipt in the said Exchequer (as soon as the said whole Sum of five hundred thousand Pounds, by this Act intended to be raised by Way of Lottery, shall be advanced and paid to him or them) the Counterpart of the Cheques of all the Certificates given by him or them to such Contributors as aforesaid; upon which said Counterparts of the said Cheques shall be expressed the Number of each Certificate, the Contributor's Name, and the principal Sum contained therein.

A Certificate to be given to Contributors:

Assignable before Dec. 20, 1745.

Counterpart of Cheques of Certificates to be returned to the Exchequer.

XXXIX. And it is hereby further enacted by the Authority aforesaid, That the said Receiver or Receivers shall also, within fourteen Days after the third Day of *October* one thousand seven hundred and forty-five, transmit to the Auditor of the Receipt of the said Exchequer, a Book fairly written on Paper, signed by him or them, containing the Names of the several Contributors, towards raising the said Sum of five hundred thousand Pounds by way of a Lottery as aforesaid, the Number of Tickets subscribed for by each such Contributor, the principal Sums by them respectively paid for the Purchase of such Ticket, and the Annuity payable in respect thereof at the Rate aforesaid; to the end the said Auditor may be thereby satisfied, that the said full and entire Sum of five hundred thousand Pounds, to be advanced as aforesaid, hath been paid to such Receiver or Receivers; which Book shall remain in the Office of the Auditor of the said Receipt of Exchequer for ever.

A Book of the Names of Contributors, &c. to be sent to the Exchequer.

XL. And it is hereby further enacted by the Authority aforesaid, That all and every the Contributor or Contributors aforesaid, or such other Person or Persons as shall be possessed of any such Certificate or Certificates, by this Act directed to be given by such Receiver or Receivers as aforesaid, shall, before the twenty-fifth Day of *December* one thousand seven hundred and forty-five, deliver, or cause to be delivered to the Auditor of the said Receipt of Exchequer, all and every the said Certificate and Certificates aforesaid, to be exchanged for Orders, to be made out in the Manner hereafter mentioned; and shall also, at the same Time, name to the said Auditor, his, her or their own, or some other Life, during which he, she or they, or his, her, or their Assigns, shall be intitled to receive a Dividend or Share of the yearly Fund, hereafter directed to be set apart out of the said additional Impositions, Rates, or Duties, by this Act granted to his Majesty as aforesaid; on Pain of forfeiting, not only the Half-year's Annuity, which shall become due and payable to such Contributors, or their Assigns, on the twenty-fifth Day of *December* one thousand seven hundred and forty-five (in respect of the principal Sums by them severally advanced as aforesaid) but also all such subsequent half yearly Payments, as shall become payable to such Contributors, or their Assigns, until he, she or they shall have produced to the Auditor of the said Receipt their respective Certificates, to be exchanged for Orders as aforesaid; any thing herein contained to the contrary notwithstanding.

Certificates to be changed for Orders before Dec. 25, 1745.

A Life to be named.

Penalty.

XLI. And it is hereby further enacted by the Authority aforesaid, That the Auditor of the said Receipt of Exchequer shall, as soon as conveniently may be, after such Certificate or Certificates shall be delivered to him as aforesaid, cause Orders to be made out upon Vellum or Parchment in lieu of such Certificates; which said Orders shall contain the Names, Surnames, Places of Abode, and other Additions of the respective Contributors, or their Assigns, and of their Nominees, the principal Sums by them advanced, together with the Annuity payable in respect thereof during the Life of such Nominee to be appointed as aforesaid, out of the yearly Fund herein after directed to be set apart for that Purpose; and all such Orders shall be signed by the Commissioners of the Treasury, or any three or more of them, or the High Treasurer for the Time being; and after signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removals of any Commissioner or Commissioners of the Treasury, or High Treasurer; nor shall they or any of them have Power to revoke, countermand, or make void such Orders so signed as aforesaid.

Orders to be made out as soon as may be.

XLII. And it is hereby enacted, That in the Offices of the Auditor of the said Receipt of Exchequer, and Clerk of the Pells severally, there shall be provided and kept one or more Book or Books, in which shall be fairly entered the Names of all such Contributors, and their Nominees, during whose Lives respectively, the several Dividends of the said yearly Fund hereafter directed to be set apart, shall be payable at the Times when the same shall be nominated as aforesaid; to which Books it shall be lawful for the

Book to be kept in the Office of the Auditor, and Clerk of the Pells:

respective

respective Contributors, their Executors, Administrators, or Assigns, from time to time, to have Resort, and to inspect the same without Fee or Reward. to be inspected by Contributors.

XLIII. And it is hereby further enacted by the Authority aforesaid, That out of the Monies arising by virtue of this Act, there shall yearly, and every Year, be separated and kept apart, at the said Receipt of Exchequer, the Sum of twenty-two thousand five hundred Pounds; which said Sum of twenty-two thousand five hundred Pounds shall be, and is hereby declared to be, a yearly Fund for answering and paying the Annuities aforesaid; and shall yearly, and every Year, be equally divided amongst the said Contributors, their Executors, Administrators, and Assigns, during the Lives of their respective Nominees, in Proportion to the principal Sums by them advanced, by two equal half yearly Payments; that is to say, at the Feasts of the Birth of our Lord Christ, and the Nativity of Saint *John* the Baptist; the first Payment thereupon, to be made at the said Feast of the Birth of our Lord Christ one thousand seven hundred and forty-five; and upon the Death of every such Nominee, the Share of the said Fund, which was payable during his or her Life, shall cease and determine. Yearly Fund of 22,500 l. for paying Annuities. Times of Payment. Shares of Annuities to cease on Death of Nominees.

XLIV. And be it further enacted, That it shall and may be lawful for any Contributor, or his, her or their Executors, Administrators, or Assigns, at any Time, during the Life of his, her or their respective Nominees, by proper Words of Assignment to be indorsed on his, her or their Order, to be witnessed by two Persons, to assign or transfer his, her or their Right, Title, Interest, and Benefit of such Order or Orders, to any other Person or Persons; which being notified in the Office of the Auditor of the said Receipt of Exchequer, the Officers there shall cause an Entry or Memorial thereof to be made in the Book of Registry for such Orders, without Fee or Charge; and after such Entry made, such Assignment shall intitle such Assignee, his, her or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons, who shall make such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof. Orders transferrable. To be registered without Fee. Assignees may assign again toties quoties.

XLV. And be it further enacted by the Authority aforesaid, That in case any Guardian or Trustee, having the Disposal of the Money of any Infant, shall, in pursuance of the Power herein before given to him or them in that Behalf, have advanced and paid to such Receiver or Receivers as aforesaid, any Sum or Sums of Money of such Infant for the Purchase of ten Tickets, or more, in the said Lottery, in Manner herein directed, and shall thereupon, within the Time herein before appointed for naming of Lives, name the said Infant to be a Nominee, such Infant, upon Payment of such Sum or Sums of Money, shall become a Contributor within the Meaning of this Act, in such Manner and Proportion, as any other Contributor; and the said Guardians and Trustees, as to the Sum so advanced by them, are hereby discharged. Infants being Purchasers of ten Tickets, and Nominees, intitled to the Benefit.

XLVI. And for preventing all Frauds in receiving any Share of the yearly Fund hereby appointed to be set apart as aforesaid; Be it further enacted by the Authority aforesaid, That every Contributor, his, her or their Executors, Administrators, Assigns, or Agents, upon their demanding any half yearly Payment of his, her or their respective Shares of the said yearly Fund (unless the Nominee appear in Person at the said Receipt) shall produce a Certificate of the Life of his, her or their respective Nominee, signed by the Minister and Churchwardens of the Parish where such Nominee shall be then living upon the Day when the said half yearly Payment shall become due (if such Nominee shall be then residing in that Part of *Great Britain* called *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*) or otherwise, it shall and may be lawful to and for every such Contributor, his, her or their Executors, Administrators, or Assigns, at his, her or their Election, to make Oath of the Truth of his, her or their respective Nominee's Life, upon the Day when the said half yearly Payment shall become due, before one or more Justices of the Peace of the respective County, Riding, City, Town, or Place, wherein such Person, at the Time of making such Oath, shall reside; and in like Manner, every such Contributor, his, her or their Executors, Administrators, or Assigns, or Agents, whose Nominee shall reside in any Town or Place, being extraparochial, upon the Day when any of the said half yearly Payments shall become due, shall make a like Oath before any such Justice or Justices aforesaid, of the Life of such Nominee on that Day (which Oath the said Justice or Justices are hereby impowered to administer) and such Justice or Justices shall make a Certificate thereof, for which Oath and Certificate no Fee or Reward shall be demanded or paid; and the said Certificates shall be filed in the Office of the Auditor of the said Receipt of Exchequer; and if any Person shall be guilty of a false Oath, or shall forge any Certificate, touching the Premisses, and be thereof lawfully convicted, such Person shall incur the Pains and Penalties to be inflicted upon Persons who shall commit wilful Perjury and Forgery; and in case any Nominee shall, at the Time of such Demand, be resident in that Part of *Great Britain* called *Scotland*, or in the Kingdom of *Ireland*, and any one or more of the Barons of the Exchequer there, for the Time being, shall certify that, upon Proof to him or them made (which Proof he and they is and are hereby authorized and required to take in a summary Way) it doth seem probable to him or them, that the said Nominee is living (which Certificate is to be given, and Examination made, without Fee or Charge) the said Certificate being filed as aforesaid, shall be a sufficient Warrant for making the said half yearly Payments to the respective Contributors, their Executors, Administrators, or Assigns; and in case any such Nominee shall, at the Time of such Demand, be resident in any Parts beyond the Seas, the Proprietors of all such Orders, or their Agents, shall produce Certificates of the Life of his, her or their respective Nominees, under the Hand of the *British* Minister residing at the Place where any such Nominee shall be living, upon the Day when the said half yearly Payment shall become due; and in case no *British* Minister shall reside at the Place where any such Nominee shall live, then the said Proprietors of such Orders, or their Absent Nominees to be certified living. Penalty on a false Oath, or forged Certificate. Nominees beyond Seas how to be certified living.

Agents, ſhall produce a Certificate of the Life of his, her or their reſpective Nominees, under the Hand and Seal of the chief Magiſtrate of any, City, Town, or Place, where any ſuch Nominee ſhall be then living, upon the Day when the ſaid half yearly Payment ſhall become due as aforeſaid; and every ſuch Agent or Agents ſhall alſo annex to every ſuch Certificate, an Affidavit to be made by him or them, before one or more of the Barons of the Exchequer, that he or they do believe that ſuch Certificate is true; which Certificate being filed as aforeſaid, ſhall be a ſufficient Warrant for making the ſaid half yearly Payment to the reſpective Contributors, their Executors, Adminiſtrators, or Aſſigns; and if any Perſon or Perſons ſhall receive one or more half yearly Payments upon his or their Annuity or Annuities, for any Time beyond the Death of his, her or their Nominee or Nominees, when the ſame ought to ceaſe, ſuch Perſon or Perſons ſhall forfeit treble the Value of the Monies ſo by him, her or them received, and alſo the Sum of five hundred Pounds; the Moiety whereof ſhall go to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that will ſue for the ſame, by Action of Debt, Bill, Suit, or Information; in which no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or more than one Imparlance ſhall be allowed.

Penalty on receiving an Annuity after Death of Nominee.

On the Death of a Nominee the Contributor ſhall certify, &c.

XLVII. And be it further enacted by the Authority aforeſaid, That every Contributor, his, her or their Executors, Adminiſtrators, or Aſſigns, within one Month next after Notice of the Death of his, her or their reſpective Nominee or Nominees, ſhall certify ſuch Death to the Auditor of the ſaid Receipt of Exchequer for the Time being; and ſhall alſo within three Months after ſuch Notice, deliver or cauſe to be delivered up to the ſaid Auditor, his, her or their Order and Orders, by which he, ſhe or they was, and were intitled, during the Life of ſuch Nominee to any Share of the ſaid yearly Fund, in caſe ſuch Order and Orders be in his, her or their Hands or Power; and in Default thereof, ſuch Contributor, his Executors, Adminiſtrators, and Aſſigns, ſhall forfeit the Sum of ten Pounds, to be recovered by Action of Debt as aforeſaid, and to be had and received for the Uſe of any Perſon who ſhall ſue for the ſame.

Penalty on Default.

Annuities free from Taxes.

XLVIII. And be it further enacted by the Authority aforeſaid, That all the Annuities payable to ſuch Contributors out of the ſaid yearly Fund, ſhall be free from all Taxes, Charges, and Impoſitions whatſoever.

New Orders to be made out in lieu of defaced.

'XLIX. And whereas it may ſo happen, That in Proceſs of Time, ſeveral of the ſaid ſtanding Orders may be loſt, burnt, or deſtroyed, or may become defaced, obliterated, or incumbered with many Aſſignments endorſed thereon, and it may be neceſſary that new Orders ſhould be made forth in lieu thereof;' Be it therefore enacted by the Authority aforeſaid, That in all or any of the ſaid Caſes, any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall, and they are hereby impowered from time to time (upon Certificate under the Hand of the Lord Chief Baron or any other the Barons of the Coif of his Majeſty's Court of *Exchequer*, that he or they are ſatisfied by Proof upon Oath before him or them made, that any ſuch Order or Orders have been loſt, burnt, or otherwiſe deſtroyed) to cauſe new Orders to be made forth at the Exchequer, to be ſigned by him or them, in lieu of ſuch Orders ſo certified to be loſt, burnt or deſtroyed; and the reſpective Officers in the ſaid Exchequer, are hereby directed to pay the Intereſt, which ſhall from time to time become due upon ſuch new Orders, as if the original Order or Orders had been produced; and all ſuch Payments ſhall be allowed in their reſpective Accounts, provided that the Perſon or Perſons intitled to receive the Intereſt due upon ſuch Order or Orders, do give Security to the King, to the good liking of the Perſon appointed to pay the ſame, to pay into the Exchequer for the Uſe of the Publick, ſo much Money as ſhall be paid thereupon, if the Order or Orders ſo certified to be loſt, burnt or otherwiſe deſtroyed, be hereafter produced; and the ſaid Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall and are hereby alſo impowered to cauſe new ſtanding Orders to be made forth, for and in lieu of ſuch Orders as ſhall become defaced, obliterated, or otherwiſe incumbered as aforeſaid; which ſaid Order or Orders ſhall be at the ſame Time delivered up and cancelled, and the new Order or Orders to be made out in lieu thereof, ſhall be made payable, and delivered to the Perſon or Perſons who ſhall appear to be the Proprietor or Proprietors of the ſaid Order or Orders ſo to be delivered up, and cancelled at the Time of ſuch Delivery up as aforeſaid; and the Auditor of the Receipt aforeſaid, ſhall always take care that ſuch Entries or Memorandums be made upon the ſaid new Orders, as may denote their being made in lieu of ſuch defaced, obliterated, incumbered or otherwiſe defective Orders cancelled, and as may ſecure the Publick againſt any double Payments, for or by reaſon of the making out, or iſſuing ſuch new Orders in Manner aforeſaid.

Conditions,

Entries to be made upon new Orders.

Counterfeiting Orders, Aſſignments, &c.

L. And for preventing all Frauds and Abuſes in or about the ſaid ſtanding Orders, or any Aſſignments thereof, or the receiving the Annuities due or to grow due thereon; Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act and aſſiſt in the forging or counterfeiting any Certificate or Certificates to be given by ſuch Receiver or Receivers, or any Order or Orders to be made forth in lieu thereof, in purſuance of this preſent Act, or any Aſſignment or Aſſignments of ſuch Order or Orders, or of the Annuities payable thereon, or of any Receipt or Diſcharge to the Exchequer, for the Annuities due or to grow due on any ſuch Order or Orders, or of any Letter of Attorney, or other Authority or Inſtrument, to transfer, aſſign, alien or convey any ſuch Order or Orders, or to receive the Annuities due or to grow due thereon, or any Part thereof, or ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act or aſſiſt in the forging or counterfeiting any the Name or Names of any of the Proprietors of any ſuch Order or Orders, in or to any ſuch pretended Aſſignment or Aſſigments, Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall knowingly or fraudulently demand

demand, or endeavour to have or receive any ſuch Annuity or Annuities, or any Part thereof, by virtue of any ſuch forged or counterfeit Receipt, Letters of Attorney, Certificate, Inſtrument or Authority, or ſhall falſly and deceitfully perſonate any true and real Proprietor or Proprietors of any of the ſaid Order or Orders, and thereby aſſign or endeavour to aſſign any of the ſaid Order or Orders, or receive or endeavour to receive the Money of ſuch true and lawful Proprietor, as if ſuch Offender were the true and lawful Owner thereof; then and in every ſuch Caſe, all and every Perſon and Perſons being thereof lawfully convicted in due Form of Law, ſhall be adjudged guilty of Felony, and ſhall ſuffer as in Caſes of Felony, without Benefit of Clergy. Felony.

LI. And be it further enacted, That no Fee, Reward or Gratuity whatſoever, ſhall be demanded or taken of any of his Majeſty's Subjects, for receiving or paying the ſaid Contribution Monies, or any of them, or for paying the ſaid ſeveral Annuities, or any of them, or for any Transfer of any Sum, great or ſmall, to be made in purſuance of this Act; upon Pain that any Officer or Perſon offending, by taking or demanding any ſuch Fee, Reward or Gratuity, ſhall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Coſts of Suit; and that all Receipts and Iſſues, and all other Things directed by this Act to be performed in the Exchequer, ſhall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Reward or Gratuity for the ſame; and in caſe the Officers of the Exchequer ſhall take or demand any ſuch Fee or Reward, or ſhall miſapply or divert any of the Monies to be paid into the Exchequer upon this Act, or ſhall pay or iſſue out of the ſame, otherwiſe than according to the Intent of this Act, or ſhall not keep ſuch Books or Regiſters, or make Entries, and do and perform all other Things which by this Act they are directed and required to do and perform; every ſuch Officer ſhall forfeit his Place, and be for ever after incapable of any Office or Place of Truſt whatſoever, and ſhall anſwer and pay treble Coſts of Suit, to any Contributor, or Perſon claiming under him, that will ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law, Injunction or Order of Reſtraint, or more than one Imparlance, ſhall be granted or allowed; and in the ſaid Action the Plaintiff, upon Recovery, ſhall have full Coſts of Suit; one third of which Sum ſhall be paid into the ſaid Receipt of Exchequer, for the Benefit of his Majeſty, his Heirs and Succeſſors, and the other two Thirds ſhall be to and for the Uſe of the Proſecutor. No Fee for paying Annuities, Transfers, &c. Penalty on Miſapplication of Monies, &c.

LII. Provided always, and be it enacted, That in caſe any Officer of the Exchequer ſhall make Payment of any Share or Shares of the ſaid yearly Fund of twenty-two thouſand five hundred Pounds by this Act directed to be ſet apart for the Purpoſes aforeſaid, upon any ſuch Certificate or Certificates as aforeſaid, ſuch Officer ſhall not incur any Penalty, Forfeiture or Diſability, or be liable to any Action of the Contributors for doing thereof, though the ſaid Certificate be forged or falſe, or the ſaid Nominee be dead, unleſs the ſaid Officer did know at the Time of ſuch Payment that the ſaid Nominee was dead, or that the ſaid Certificate was forged or falſe. Caſes exempt from Penalty.

LIII. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times the Produce of the ſaid additional Impoſitions, Rates or Duties ſhall happen to be ſo low or deficient, as that the Monies ariſing therefrom into the Exchequer ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities, and other Charges directed to be paid thereout, at the End of any or either of the reſpective half-yearly Days of Payment at which the ſame are hereby directed to be paid; then and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of the Overplus Monies that ſhall or may happen to ariſe and be paid into the Exchequer in any of the ſubſequent Half Years, as the ſaid reſpective Annuities ſhall from time to time become due and payable; and in caſe ſuch Overplus Monies ſhall not be ſufficient to ſatisfy the Deficiencies hereby intended from time to time to be paid thereout, that then and in every ſuch Caſe the Deficiencies ſo from time to time happening, ſhall from time to time be anſwered and made good by and out of the firſt Supplies which ſhall be granted in Parliament next after ſuch Deficiencies ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiencies ſhall happen, then the ſame ſhall be made good out of any of the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes or Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſame Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be from time to time iſſued and applied accordingly; and if at any Time or Times before any Monies of the ſaid additional Impoſitions, Rates or Duties hereby granted, ſhall be brought into the Exchequer as aforeſaid, there ſhall happen to be a Want of Money for paying the ſeveral Annuities aforeſaid, which ſhall be actually incurred and grown due at any of the ſaid half-yearly Days of Payment before mentioned, that then and in every ſuch Caſe, the Money ſo wanted ſhall and may be ſupplied out of the Monies of the ſaid Sinking Fund (except as before excepted) and be iſſued accordingly. Deficiencies to be made up; out of Overplus Monies, or next Supplies, or Sinking Fund;

LIV. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Sinking Fund, ſhall from time to time be replaced by and out of the firſt Supplies to be then after granted in Parliament. To be replaced out of next Supplies.

LV. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid additional Impoſitions, Rates or Duties, after the ſaid ſeveral and reſpective Annuities, and all Arrears thereof are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe, ſuch Surplus or Remainder ſhall, from time to time, be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament; any Thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding. Surplus to be diſpoſed by Parliament.

Perſons ſued may plead the General Iſſue.

LVI. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued or proſecuted for any thing by him or them done, or executed in purſuance of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

Treble Coſts.

CAP. X.

An Act for the ſpeedy and effectual Recruiting of his Majeſty's Regiments of Foot ſerving in *Flanders*, *Minorca*, *Gibraltar*, and the Plantations, and the Regiments of Marines. EXP.

'WHEREAS for Recruiting his Majeſty's Land Forces and Marines, it is neceſſary that a new 'Supply of Men be forthwith raiſed within the Kingdom of *Great Britain*, by common Conſent 'and Grant in Parliament;' Be it therefore enacted, &c.

"Commiſſioners for the Land Tax to put this Act in Execution: As alſo the Commiſſioners of the Year "1745. Commiſſioners Meeting to be appointed at the Quarter-Seſſions after *Mar.* 25, and *Sept.* 29. "Clerks of the Peace to give Notice of the Times and Places of Meeting, by the Conſtables, *&c.* to "the Commiſſioners and Officers. Perſons not exerciſing any lawful Callings, to be levied, as Soldiers, "by three Commiſſioners, *&c.* Pariſh Officers, *&c.* to ſearch for Perſons to be inliſted, within the De"ſcription of this Act. Commiſſioners ſhall adjudge what Perſons are proper to be inliſted. Rewards "for Pariſh Officers, and Subſiſtence Money for new-raiſed Men. Inhabitants of Pariſhes to aſſiſt Com"miſſioners and Officers. Reward for the Pariſh where Recruits are raiſed. Qualifications of any im"preſſed Man to be judged of, in caſe of a Diſpute, by a Field Officer. Rewards for liſted Soldiers to "be charged to their Regiments. Articles againſt Mutiny, *&c.* to be read to new raiſed Men. A Book "of their Names, *&c.* to be ſent to the War-office. Perſons hindering the Execution of this Act, to "be fined, or impriſoned. No Perſon who has a Vote for Members of Parliament, to be levied as a "Soldier. Perſons ſued may plead the General Iſſue. Treble Coſts. Perſons liſted on this Act, to be diſ"charged in five Years, if demanded. His Majeſty may ſuſpend the Execution of this Act. Commiſ"ſioners and Pariſh Officers executing this Act, to be exempted from Penalties of 25 *Car.* 2. *c.* 2. & "1 *W. & M. ſt.* 1. *c.* 8. & 13 & 14 *W.* 3. *c.* 6. Bailiffs Followers not exempt from being liſted. Harveſt "Labourers exempt, from *May* 15, to *Oct.* 15, 1745, having a Certificate. Continuance of this Act, "to 12 *April* 1746. Indemnity for Miſtakes of Pariſh Officers in executing laſt Year's Act.

CAP. XI.

An Act for indemnifying Perſons who have omitted to qualify themſelves for Offices and Employments, within the Time limited by Law, and for allowing further Time for that Purpoſe. EXP.

CAP. XII.

An Act for continuing and enlarging the Term and Powers granted by an Act made in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, *For repairing the Highways from* Speenhamland, *adjoining to* Newbury, *in the County of* Berks, *to* Marlborough *in the County of* Wilts. PR.

The Act 12 Geo. 1. c. 8. continued for 21 Years.

CAP. XIII.

An Act for more effectually Cleanſing, Deepening, Widening and Preſerving a Creek, called *Beverley* Beck, running into the River *Hull*; and for more effectually repairing the Staiths near the ſaid Beck, and the Roads leading from the ſaid River to the Town of *Beverley*; and for cleanſing the Streets of the ſaid Town; and for regulating the Carriages to and from the ſaid Beck, and the River *Hull*. PR.

13 Geo. 1. c. 4.

'WHEREAS by an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King 'GEORGE the Firſt, intituled, *An Act for Cleanſing, Deepening and Widening a Creek called* Beverley 'Beck, *running into the River* Hull, *and for repairing the Staiths near the ſaid Beck, and for amending the* 'Roads *leading from the ſaid River to the Town of* Beverley *in the Eaſt Riding of the County of* York, *and for* 'cl*anſing the Streets of the ſaid Town*, ſeveral ſmall Tolls and Duties, in the ſaid Act particularly men'tioned, were laid on divers Goods, Wares and Merchandizes, which after the firſt Day of *May* one 'thouſand ſeven hundred and twenty-ſeven ſhould be laded or unladed on or from any Ship, Boat, Keel, 'Wherry, Lighter, Hoy, or other Veſſel, at or in any Part of the ſaid Beck, or at any of the publick 'Staiths or Places along the ſaid Beck, or River *Hull*, and made payable to the ſaid Mayor, Al'dermen, and Capital Burgeſſes of the ſaid Town of *Beverley* for the Time being, and their Succeſſors, 'or to ſuch Perſon or Perſons as they ſhould, by Writing under their common Seal, nominate and 'appoint to collect and receive the ſame; and that the ſame ſhould be applied for and towards the Pur-

'poſes in the ſaid Act mentioned: And whereas ſince the paſſing the ſaid Act, the Mayor, Aldermen, 'and Capital Burgeſſes of the ſaid Town of *Beverley*, have borrowed a conſiderable Sum of Money upon 'the Credit of the Tolls and Duties thereby granted; and although the ſame, together with the Income 'ariſing from the Tolls and Duties collected, have been applied according to the Directions of the ſaid 'Act, yet the ſame are found inſufficient to anſwer the Intention thereof; and the ſaid Beck being now 'in very great Danger of being choaked and warped up by the Sludge and Soil brought in by the Tides, 'and by the Earth falling in from the Banks of the ſaid Beck, which in many Places on both Sides 'thereof are ſhot in, and will require to be repaired and ſupported by Piles, and other expenſive Works, 'without which the ſaid Beck cannot be kept open and ſufficiently cleanſed: And foraſmuch as the clean-'ſing, deepening, widening and preſerving the ſaid Creek or Beck, and amending, repairing and main-'taining the ſaid Banks, Staiths, Roads and Ways, will be a continual Expence, and will require more 'Money than can be raiſed by the preſent Duties granted by the ſaid Act, which are in many Reſpects 'unequal, and not duly proportioned to the reſpective Values of the Goods chargeable therewith:' Wherefore for the better enabling the Mayor, Aldermen and Capital Burgeſſes of the ſaid Town of *Beverley*, to cleanſe, deepen, widen, and preſerve the ſaid Creek or Beck, and to amend, repair, maintain and keep up the ſaid Banks, Staiths, Roads and Ways, and to bring the Duties granted by the ſaid Act to a nearer Equality and Proportion; May it pleaſe your moſt Excellent Majeſty, that it may be enacted, &c.

"Additional Tolls to be paid after *May* 1, 1745. For every Chaldron of Coals, 2*d*. Quarter of Oats, "Barley, or Malt, 1*q*. Quarter of Wheat, Rye, Meſsledine, Beans, Peaſe, Rapeſeed, Hempſeed, Lin-"ſeed, or other Seed or Grain, 1*q*. Hundred of Flour, 3*q*. Hogſhead of Salt, 4*d*. Tun of Salt, in "Bulk, 2*d*. 3 Hogſheads of Sugar, Tobacco, Melaſſes, or of other Goods, 8*d*. 4 Hogſheads of Wine "or Rum, 1*s*. 8*d*. Hogſhead of Brandy or Spirits, 4*d*. 8 Barrels of Soap, Raiſins, Oil, Pitch, Tar, "or other dry Goods, 4*d*. Butt of Currans, 8*d*. 2 Pipes of *Smyrna* Raiſins, 8*d*. 16 Bags of Nails, 4*d*. "Tun of Iron or Lead, 8*d*. 32 Firkins of Butter, 4*d*. 20 Hundred of Cheeſe, 7*d*. Tun of Timber "or Stone, 2*d*. 2 Bags of Hops, 8*d*. Quarter of Oatmeal, 2*q*. Hundred of Pipe Staves, 1*d*. 2*q*. "Dozen of Cynders or Charcoal, 2*q*. 20 Sheep Skins, 1*q*. Quarter of Bark, 1*q*. Pack of Wool, or "other Goods, 1*d*. 12 Dozen of Bottles, 1*d*. 4 Buſhels of Roots or Fruit, 2*q*. Tun of Hemp, "Line, or Flax, 7*d*. Quarter of Fern Aſhes, 2*d*. Small Rundlet of Liquor, not exceeding 10 Gal-"lons, 1*q*. Every ſmall Cask or Parcel, not exceeding 112 Pounds, 1*q*. And for every Tun of other "Goods, 1*s*. payable to the Mayor, *&c.* of *Beverley*, for cleanſing, *&c.* the Beck. Duties prior to this "and the former Act to be continued. Streets, *&c.* of *Beverley*, to be cleanſed by the Inhabitants; or, "on their Neglect, by Order of the Juſtices."

CAP. XIV.

An Act for enlarging the Terms and Powers granted by ſeveral Acts of Parliament for repairing the Highways between *Sheppards Shord* and the *Devizes*, and the Top of *Aſhlington Hill* and *Rowd Ford* in the County of *Wilts*. P R.

Acts of 5 Ann. and 11 Geo. 1. c. 27. continued for 21 Years.

CAP. XV.

An Act for making the Surgeons of *London* and the Barbers of *London* two ſeparate and diſtinct Corporations.

Letters Patent of 1 Edw. IV. granted to Barber Surgeons.

'WHEREAS in and by certain Letters Patent, under the Great Seal of *England*, bearing Date 'the twenty-fourth Day of *February* in the firſt Year of the Reign of his then Majeſty King ED-'WARD the Fourth, after reciting, That the Freemen of the Myſtery of Barbers of the City of *London*, 'uſing the Myſtery or Faculty of Surgery, had for a long Time, exerciſed and ſuſtained, and ſtill conti-'nued to exerciſe and ſuſtain great Application and Labour, as well about the curing and healing 'Wounds, Blows and other Infirmities, as in the letting of Blood, and drawing of Teeth; and that by 'the Ignorance and Unſkilfulneſs of ſome of the ſaid Barbers, as well Freemen of the ſaid City as of others, 'being foreign Surgeons, many Misfortunes had happened to divers People, by the Unſkilfulneſs of ſuch 'Barbers and Surgeons, in healing and curing Wounds, Blows, Hurts and other Infirmities; and that 'it was to be feared, that the like or worſe evils might thereafter enſue, unleſs a ſuitable Remedy was 'ſpeedily provided in the Premiſſes; his ſaid then Majeſty did therefore, at the Supplication of the Free-'men of the ſaid Myſtery of Barbers, in the ſaid City of *London*, grant to them, amongſt other Things, 'that the ſaid Myſtery, and all the Men of the ſame Myſtery of the ſaid City, ſhould be one Body, and 'one perpetual Community; and that two Principals of the ſame Commonalty, of the moſt expert Men 'in the Myſtery of Surgery, might with the Aſſent of twelve, or eight Perſons at the leaſt, of the ſame 'Community, every Year elect and make out of the Community two Maſters or Governors, being the 'moſt expert in the Myſtery of Surgery, to overſee, rule and govern the Myſtery and Commonalty afore-'ſaid, and all Men of the ſame Myſtery and the Affairs of the ſame; and that the aforeſaid Maſters or 'Governors, and Commonalty, and their Succeſſors, might make Statutes and Ordinances for the Go-'vernment of the ſaid Myſteries; and that the Maſters or Governors for the Time being, and their Suc-'ceſſors, ſhould have the Survey, Search, Correction and Government of all the Freemen of the ſaid City,

'being

'being Surgeons, using the Mystery of Barbers in the same City, and of other Surgeons whatsoever, being Foreigners, practising and using the Mystery of Surgery, within the same City and Suburbs of the same, and the Punishment of them, as well Freemen as Foreigners, for their Offences in not perfectly executing, performing and using that Mystery; and should also have the Survey and Search of all Manner of Instruments, Plaisters and other Medicines, and the Receipts to be given, applied and used by the said Barbers and Surgeons, for the curing and healing of Sores, Wounds, Hurts and such like Infirmities; and that no Barber using the said Mystery of Surgery, within the said City, or Suburbs thereof, or other foreign Surgeon whatsoever, should be in any Manner thereafter admitted to execute, perform and exercise the same Mystery of Surgery, unless he had first been approved of, as well instructed in that Mystery, by the said Masters or Governors, or their Successors, sufficiently qualified in that Behalf; and his said Majesty did further grant, that the said Masters or Governors and Commonalty of the said Mystery of Barbers, and their Successors nor any of them, should in any Manner thereafter be summoned or put upon any Assizes, Juries, Inquests, Inquisitions, Attaints or other Recognizances, to be taken within the said City and Suburbs thereof, before the Mayor or Sheriffs, or Coroners of the same City for the Time being, or summoned by any of his Officer or Officers, Minister or Ministers, although such Juries, Inquisitions, or Recognizances, should be summoned upon a Writ or Writs of Right; but that the said Masters or Governors, and Commonalty of the aforesaid Mystery, and their Successors, and every of them, should be thereof acquitted, and wholly discharged for ever; and his said then Majesty thereby further granted unto the aforesaid Masters or Governors, and Commonalty of the said Mystery of Barbers, and to their Successors the following Liberty; to wit, That they at all Times thereafter should and might admit Persons able and sufficiently learned and instructed in the said Mystery of Surgery, and by them approved of in Form, and presented to the Mayor of the said City for the Time being, and no other Persons, or in any other Manner, into the said Mystery of Barber Surgeons, and Liberty of the said City: And whereas by an Act of Parliament made and passed in the thirty-second Year of the Reign of the late King HENRY the Eighth, intituled, *For Barbers and Surgeons*, after taking Notice that it was very expedient and needful to provide for Men expert in the Science of Physick and Surgery for the Health of Man's Body, when Infirmities and Sickness should happen; for the due Exercise and Maintenance whereof, good and necessary Acts had theretofore been made and provided, and that within the City of *London*, Men of great Experience, as well in Speculation as in Practice of the Science and Faculty of Surgery, were abiding and inhabiting, and had more commonly the daily Exercise and Experience of the same Science of Surgery than was had and used within any Parts of the Realm; and by Occasion thereof, many expert Persons were brought up under them as their Servants, Apprentices and others, who by the Exercise and diligent Information of their Masters, might exercise the said Science within divers other Parts of the Realm; to the great Relief, Comfort and Succour of much People, and to the Safegard of their bodily Health, Limbs and Lives; and reciting, That within the said City of *London* there were then two several and distinct Companies of Surgeons occupying and exercising the Science and Faculty of Surgery, the one Company being commonly called *The Barbers of* London, and the other Company called *The Surgeons of* London; and that the said Company of Barbers were incorporated to sue and be sued by the Name of *Masters or Governors of the Mystery or Commonalty of the Barbers of* London, by Letters Patent under the Great Seal of King EDWARD the Fourth, dated the twenty-fourth Day of *February* in the first Year of his Reign, and which were confirmed by several subsequent Letters Patents in the said Act mentioned and referred to; and that the other Company, called *The Surgeons*, had not any manner of Corporation; and that the said two several and distinct Companies of Surgeons were necessary to be united and made one Body Corporate, to the Intent that by their Union and often Assembly together, the good and due Order, Exercise and Knowledge in the said Science or Faculty of Surgery, should be, as well in Speculation as in Practice, both to themselves and their Servants and Apprentices, and by their Learning and diligent and ripe Informations, more perfect, speedy and effectual; it was therefore enacted, That the said two several and distinct Companies of Surgeons, that is to say, both the Barbers and the Surgeons, and every Person of them, being a Freeman of either of the said Companies, after the Custom of the said City of *London*, and their Successors, should from thenceforth be immediately united and made one entire and whole Body Corporate, and one Commonalty perpetual, which at all Times thereafter should be called by the Name of *Masters or Governors of the Mystery and Commonalty of Barbers and Surgeons of* London, and by the same Name to implead and be impleaded before all Manner of Justices in all Courts, in all Manner of Actions and Suits; and also to purchase, enjoy and take to them and their Successors, Lands, Tenements, Rents and other Possessions whatsoever: And it was also thereby enacted, That they should have a Common Seal to serve for the Business of the said Company and Corporation; and that they should, by the same Name, peaceably, quietly and indefeazibly, have, possess and enjoy, to them and their Successors for ever, all such Lands and Tenements, and other Hereditaments whatsoever, which the said Company or Commonalty of Barbers then had and enjoyed, to the Use of the said Mystery and Commonalty of Barbers of *London*; and should also peaceably and quietly have and enjoy all and singular Benefits, Grants, Liberties, Privileges, Franchises and Free Customs, and also all Manner of other Things at any Time given or granted unto the said Companies of Barbers or Surgeons, by whatsoever Name or Names they or any of them were called, or which they or any of them, or any of their Predecessors, then or theretofore had by Acts of Parliament, Letters Patents or otherwise, by any lawful Means at any Time before the said Act, in as large and ample Manner and Form, as they or any of them, had, might or should enjoy the same, notwithstanding the said Union or Conjunction of the said Companies, and as if the same were and had been specially and particularly

32 Hen. 8. c. 40. incorporating and uniting Barbers of London and Surgeons of London;

'expressed

'expreſſed and declared, with the beſt and moſt cleareſt Words and Terms of Law, to all Intents and 'Purpoſes: And it was thereby alſo enacted, That all Perſons of the ſaid Company incorporated by the 'ſaid Act, and their Succeſſors, that ſhould be lawfully admitted and approved to occupy Surgery after 'the Form of the Statute in that Caſe made and provided, ſhould be exempt from bearing of Armour, or 'to be put in any Watches or Inqueſts; and that they and their Succeſſors, ſhould have the Search, 'Overſight, Puniſhment and Correction, as well of Freemen as of Foreign, for ſuch Offences as they 'or any of them, ſhould commit againſt the good Order of Barbery or Surgery, as theretofore among the 'ſaid Company of Barbers of *London* had been uſed and accuſtomed, according to the Rules and Ordi-'nances by them made and approved of, purſuant to the Statute in that Behalf ordained and provided: 'And it was thereby further enacted, That no Perſon within the City of *London*, Suburbs of the ſame, 'and one Mile Compaſs of the ſaid City, uſing any Barbery or Shaving, ſhould occupy any Surgery, 'letting of Blood, or any other Thing belonging to Surgery, except Drawing of Teeth only; and that 'whoſoever ſhould uſe the Myſtery or Craft of Surgery within the Circuit aforeſaid, ſhould, as long as 'he ſhould uſe the ſaid Myſtery or Craft, in no wiſe occupy or exerciſe the Feat or Craft of Barbery or 'Shaving: And whereas in and by certain Letters Patents under the Great Seal of *England*, bearing Date 'the fifteenth Day of *Auguſt* in the fifth Year of the Reign of his late Majeſty King CHARLES the Firſt, 'reciting the ſaid Act of Parliament of the thirty-ſecond Year of the Reign of King HENRY the Eighth; 'and that the Men of the ſame Societies, as well from the Time of their ſaid Union and Incorporation 'as before, reſpectively had, held, uſed and enjoyed divers Liberties, Franchiſes, Immunities, Cuſtoms 'and Preheminences, within the City of *London*, the Suburbs and Liberties thereof, and certain Villages, 'and Places thereto adjacent, as well on account of the ſaid Act of Parliament, and other Acts of Parlia-'ment, as by virtue and on account of divers Charters and Letters Patents made and granted by the late 'King JAMES the Firſt, and other Kings and Queens of *England*, his ſaid Majeſty King CHARLES the 'Firſt did thereby grant, ratify and confirm unto the ſaid Maſters and Governors of the Myſtery and 'Commonalty aforeſaid, and their Succeſſors, all and ſingular the Manors, Meſſuages, Lands, Tene-'ments, Cuſtoms, Liberties, Franchiſes, Immunities, Juriſdictions and Hereditaments whatſoever, as 'well within the City of *London*, the Liberties and Suburbs thereof, as within the Liberties and Precincts 'therein after mentioned, which the Men of the aforeſaid Societies of Barbers and Surgeons, or either of 'them, then lawfully had, held, uſed and enjoyed, by reaſon of any Letters Patents of any of the former 'Kings and Queens of *England*, or by Colour of any lawful Preſcription, Uſe, or Cuſtom, or by any 'other lawful Means, Rights or Title theretofore had, uſed or accuſtomed: And his ſaid late Majeſty 'King CHARLES the Firſt did thereby give Power to the ſaid Company and Corporation to make By-laws 'for the good Order and Government of the ſaid Society, in ſuch Manner, and under ſuch Reſtrictions, 'as is therein mentioned; and to make annual Elections of Maſters or Governors of the ſaid Commonlty, 'whereof two to be Profeſſors in the Art and Science of Surgery; and alſo to elect and conſtitute ten of 'the Freemen of that Society to be Examiners of the Surgeons of *London*, during their Lives: And it was 'thereby further granted, That no Perſon or Perſons whatſoever, whether a Freeman of the ſaid Society, 'or a Foreigner, or a Native of *England*, or an Alien, ſhould uſe or exerciſe the ſaid Art or Science of 'Surgery within the ſaid Cities of *London* and *Weſtminſter*, or either of them, or within the Diſtance of 'ſeven Miles of the ſaid City of *London*, for his or their private Lucre or Profit, (except ſuch Phyſicians 'as are therein mentioned) unleſs the ſaid Perſon or Perſons were firſt tried and examined in the Preſence 'of two or more of the Maſters or Governors of the Myſtery and Commonalty aforeſaid for the Time 'being, by four or more of the ſaid Examiners ſo to be elected and conſtituted as aforeſaid, and by the 'publick Letters Teſtimonial of the ſame Maſters or Governors under their Common Seal approved of, 'and admitted to exerciſe the ſaid Art or Science of Surgery, according to the Laws and Statutes of the 'Kingdom of *England*, under the Penalty in the ſaid Letters Patents mentioned; and that all and every 'of the ſaid Freemen and Surgeons ſo examined, approved of, and admitted as aforeſaid, might lawfully 'uſe and exerciſe the ſame Art and Science of Surgery, as well within the Cities of *London* and *Weſtmin-'ſter*, the Liberties and Suburbs thereof, as in any other Cities, Towns, Boroughs and Places whatſoever 'of the Kingdom of *England:* And it was thereby further granted and provided, That the ſaid Maſters 'and Governors of the Myſtery and Commonalty aforeſaid, and their Succeſſors, might appoint and have a 'publick Lecture for the Art and Science of Surgery in their common Hall, or other convenient Place, 'every Week or otherwiſe, at the Diſcretion of the ſaid Maſters or Governors and their Aſſiſtants, or the 'major Part of them for the Time being, to be held for the better Inſtruction and Information in the 'Principles and Rudiments of the Art and Science of Chirurgery of all and ſingular as well Freemen as 'Foreigners, whether native Subjects of *England* or Aliens, to be entered and admitted as is therein men-'tioned: And it was thereby alſo conſtituted and ordained, That no one, whether a Freeman of the 'Myſtery or Commonalty aforeſaid, or a Foreigner, whether a Native of *England*, or an Alien, exerci-'ſing the Art of Surgery within the Cities of *London* and *Weſtminſter*, or the Suburbs or Liberties thereof, 'or within ſeven Miles of the ſaid City of *London*, ſhould go out from the Port of *London*, or ſend out 'any Apprentice, Servant or other Perſon whomſoever, from the ſame Port, to execute or undertake the 'Place or Office of a Surgeon for any Ship, whether in the Service of the Crown, or of any Merchant 'or others, unleſs they and their Medicines, Inſtruments and Cheſts reſpectively, were firſt examined, 'inſpected and allowed by two ſuch Maſters or Governors of the Myſtery and Commonalty aforeſaid 'for the Time being, as were ſkilled, knowing and Profeſſors in the ſame Art of Surgery, under the Pe-'nalty therein mentioned: And whereas, ſince the ſaid Act for Incorporation of the ſaid two Companies, 'thoſe of the ſaid Company practiſing Surgery, have from their ſole and conſtant ſtudy of and Applica-'tion to the ſaid Science, rendered the Profeſſion and Practice thereof of great Benefit to this Kingdom:

Letters Patents of 5 Car. 1. confirming and enlarging their Privileges, &c.

'And whereas the Barbers belonging to the ſaid Corporation are now, and for many Years have been engaged and employed in a Buſineſs foreign to, and independent of the Practice of Surgery; and the Surgeons belonging to the ſame Corporation being now become a numerous and conſiderable Body, and finding their Union with the Barbers inconvenient in many Reſpects, and in no Degree conducive to the Progreſs or Improvement of the Art of Surgery; and that a Separation of the Corporation of Barbers and Surgeons, and making two Corporations of the preſent united Company of Barbers and Surgeons, will contribute much to the Improvement of Surgery, and thereby become a Matter of publick Utility, are therefore deſirous that the Surgeons being Freemen of the ſaid Company, may be made a Corporation ſeparate and diſtinct from and Independent of the Barbers of and belonging to the ſaid Company;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Adviſe and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Union and Incorporation of the Barbers and Surgeons of *London*, made and effected by the ſaid recited Act of the thirty-ſecond Year of King HENRY the Eighth, ſhall from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, be, and the ſame is hereby diſſolved, vacated and declared to be void and of no Effect, and that ſuch of the Members of the ſaid united Company or Corporation, who are Freemen of the ſaid Company, and admitted and approved Surgeons within the Rules of the ſaid Company and Corporation, and their Succeſſors, ſhall from thenceforth be made, and they are hereby made and conſtituted a ſeparate and diſtinct Body Corporate, and Commonalty perpetual, which, at all Times thereafter, ſhall be called by the Name of *Maſter, Governors and Commonalty of the Art and Science of Surgeons of* London; and by the ſame Name, ſhall and may implead and be impleaded before all Manner of Juſtices in all Courts and in all Manner of Actions and Suits, and purchaſe, enjoy and take to them, and their Succeſſors, any Lands, Tenements, Rents or Hereditaments, not exceeding the yearly Rent or Value of two hundred Pounds in the whole, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Union of Barbers and Surgeons of London diſſolved after June 24, 1745.

Surgeons of London made a ſeparate Body;

and may enjoy Rents not exceeding 200 l. per Annum.

II. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company or Corporation herein before eſtabliſhed and incorporated, from time to time, in the Manner herein after mentioned, to elect, chooſe, and appoint one principal Maſter or Governor, two other Governors or Wardens, ten Examiners of Surgeons, and twenty-one Perſons to be the Court of Aſſiſtants of the ſaid Company or Corporation, to be reſpectively qualified and admitted in ſuch Manner, and to continue in the ſaid Offices reſpectively, for ſuch Time and Times reſpectively, as by the By-laws, Rules, Ordinances, and Conſtitutions of the ſaid Company or Corporation, ſhall be, from time to time, ordered, directed, provided and appointed.

The Corporation may chooſe Officers.

III. And it is hereby further enacted, That it ſhall and may be lawful to and for the Maſter and Governors of the ſaid Company or Corporation for the Time being, or any two of them, with nine or more of the Members of the ſaid Court of Aſſiſtants of the ſame Company for the Time being, when and as often as to two of the ſaid Maſter and Governors ſhall ſeem meet, to hold Courts and Aſſemblies, in order to treat and conſult about and concerning the Rule, Order, State, and Government of the ſaid Company or Corporation herein before eſtabliſhed and incorporated as aforeſaid; and alſo that it ſhall and may be lawful to and for the ſaid Maſter and Governors and Court of Aſſiſtants ſo aſſembled, or the major Part of them, to make, ordain, conſtitute, eſtabliſh, ratify, confirm, annul, revoke, or abrogate, from time to time, ſuch By-laws, Ordinances, Rules, and Conſtitutions, as to them ſhall ſeem requiſite, profitable, and convenient for the Regulation, Government, and Advantage of the ſaid Company or Corporation; ſo as ſuch By-laws, Ordinances, Rules, and Conſtitutions be examined, approved of, and allowed, as by the Laws and Statutes of this Realm is provided and required.

Any two of the Maſter and Governors, with 9 Aſſiſtants, may hold Courts;

and make By-laws, &c.

IV. Provided always, and it is hereby enacted and declared, That the ſeveral By-laws, Ordinances, Rules, and Conſtitutions, made and eſtabliſhed for the Regulation and Government of the ſaid United Company or Corporation, ſo far as the ſame relate to, or concern the Art and Science of Surgery only, and which, on the twenty-third Day of *June* one thouſand ſeven hundred and forty-five, ſhall be ſubſiſting, and in Force, and ſhall not be repealed, annulled, or abrogated by virtue of this preſent Act, ſhall continue and be in Force; and ſhall be exerciſed, obſerved, and executed by the ſaid Company of Surgeons eſtabliſhed and incorporated by this Act, until ſuch Time and Times reſpectively as the ſame By-laws, Ordinances, Rules, and Conſtitutions ſhall reſpectively be repealed, annulled, and made void, by virtue and under the Authority of this preſent Act.

By Laws of the United Company relating to Surgery continued;

until repealed by virtue of this Act.

V. Provided alſo, and it is hereby further enacted and declared, That *John Ranby* Eſquire, Principal Serjeant Surgeon to his Majeſty, ſhall be, and he is hereby conſtituted and appointed Principal Maſter or Governor; and that Maſter *Joſeph Sandford* and *William Cheſelden* Eſquire, two of the preſent Wardens of the ſaid United Company, ſhall be, and they are hereby conſtituted and appointed, the two other Governors or Wardens of the Company of Surgeons made, eſtabliſhed, and incorporated by this Act; and that they ſhall continue in, and hold, enjoy, and exerciſe the ſaid Offices reſpectively from the ſaid twenty-fourth Day of *June*, until others ſhall be elected and appointed to the ſaid Offices reſpectively, as herein after is mentioned: And alſo that *Ambroſe Dickins* Eſquire, Principal Serjeant Surgeon to his Majeſty, *William Petty* Eſquire, *John Shipton* Eſquire, the ſaid *William Cheſelden*, *John Freke*, *William Pyle*, *Legard Sparham*, *James Hickes*, and *Peter Sainthill*, who are the preſent Examiners of Surgeons, together with the ſaid *John Ranby*, ſhall be, and they are hereby conſtituted and appointed Examiners of Surgeons for the ſaid Company of Surgeons made, eſtabliſhed, and incorporated by this Act; and that they ſhall reſpectively continue in, and hold, enjoy, and exerciſe the ſaid Office of Examiners for and during their natural Lives reſpectively, or until they ſhall be reſpectively removed out of the ſaid Office, purſuant, and

Names of the Maſter, Wardens,

Examiners,

and according to the By-laws, Rules, and Conſtitutions of the ſaid Company or Corporation of Surgeons eſtabliſhed and incorporated by this Act: And alſo that the ſaid *John Ranby*, *Joſeph Sandford*, *William Cheſelden*, *Ambroſe Dickins*, *William Petty*, and *John Shipton*, *John Hayward*, the ſaid *John Freke*, *William Pyle*, *Legard Sparham*, *James Hickes*, and *Peter Sainthill*, *Noah Roul*, *John Weſtbrook*, *William Singleton*, and *James Phillips*, and ſuch five other Perſons as ſhall hereafter be elected and appointed for that Purpoſe, in purſuance of this Act, and as is herein after mentioned, ſhall be, and they are hereby conſtituted and appointed the Court of Aſſiſtants of the Company of Surgeons made, eſtabliſhed and incorporated by this Act; and that they ſhall continue in, and hold, enjoy, and exerciſe the ſaid Office during their natural Lives reſpectively, or until they ſhall reſpectively be removed out of the ſaid Office, purſuant and according to the By-laws, Rules, and Conſtitutions of the ſame Company. and Court of Aſſiſtants.

VI. And it is hereby further enacted, That it ſhall and may be lawful to and for the ſaid *John Ranby*, *Joſeph Sandford*, *William Cheſelden*, *Ambroſe Dickins*, *William Petty*, *John Shipton*, *John Hayward*, *John Freke*, *William Pyle*, *Legard Sparham*, *James Hickes*, *Peter Sainthill*, *Noah Roul*, *John Weſtbrook*, *William Singleton*, and *James Phillips*, to meet at or in ſuch Place as the ſaid *John Ranby*, *Joſeph Sandford*, and *William Cheſelden*, or any two of them, ſhall appoint, on the firſt Day of *July* one thouſand ſeven hundred and forty-five, between the Hours of ten and two of the Clock of the ſame Day; and then and there to elect, chooſe, and appoint, out of the Freemen of the ſaid Company or Corporation of Surgeons eſtabliſhed and incorporated by this Act, by the Majority of Votes of ſuch of the ſaid ſixteen Perſons herein before appointed to be of the Court of Aſſiſtants, who ſhall be preſent at ſuch Meeting; ſo many other Perſons to be of the Court of Aſſiſtants of the ſame Company or Corporation, as will make the Number twenty-one, to continue in the ſaid Office for and during their natural Lives reſpectively, or until they ſhall be reſpectively removed out of the ſaid Office. Maſters, &c. to meet on July 1, 1745; to compleat the Court of Aſſiſtants to the Number of 21.

VII. And it is further enacted, That the Maſter, Governors, and Court of Aſſiſtants for the Time being, of the ſaid Company of Surgeons made, eſtabliſhed, and incorporated by this Act, ſhall, upon the firſt *Thurſday* in the Month of *July* in the Year one thouſand ſeven hundred and forty-ſix; and on the firſt *Thurſday* in the Month of *July* in every ſucceeding Year, meet at ſuch Place as the Maſter and Governors of the ſame Company for the Time being, or any two of them ſhall appoint; and then and there elect, chooſe, and appoint, out of their Body, by the Majority of Votes of ſuch of the ſaid Maſter, Governors, and Court of Aſſiſtants, who ſhall be then preſent, one Perſon to be Principal Maſter or Governor, and two other Perſons to be Governors or Wardens of the ſaid Company or Corporation of Surgeons, eſtabliſhed and incorporated by this Act, for the then ſucceeding Year; and then and there alſo, in like manner, elect, chooſe, and appoint, out of their own Body, ſuch other Perſon or Perſons, to be Examiner or Examiners of Surgeons, for the ſame Company, in the Place or Stead of ſuch Examiner or Examiners, as ſhall have happened to die, or have been removed from the ſaid Office of Examiner, in the the then next preceding Year; and alſo in like manner, elect, chooſe, and appoint, out of the Freemen of the ſaid Company or Corporation of Surgeons eſtabliſhed and incorporated by this Act, ſuch Perſon or Perſons to be of the Court of Aſſiſtants of the ſame Cympany or Corporation, in the Place and Stead of ſuch Perſon or Perſons who ſhall have happened to die in, or have been removed from, the ſaid Office of Court of Aſſiſtants, in the then next preceding Year. Annual Meeting to chooſe Officers.

VIII. And it is hereby further enacted, That the ſaid Company of Surgeons made, eſtabliſhed, and incorporated by this Act, and their Succeſſors, and all Perſons who ſhall be Freemen of the ſame Company or Corporation, ſhall and may, from time to time, and at all Times for ever hereafter, have, hold, and enjoy all and every ſuch and the ſame Liberties, Privileges, Franchiſes, Powers, and Authorities, as the Members of the ſaid United Company or Corporation, being Freemen of the ſaid Company, and admitted and approved Surgeons, within the Rules of the ſaid Company and Corporation, could or might reſpectively have had, held, and enjoyed, by virtue of the ſaid recited Act of Union or Incorporation, and the ſaid Letters Patent of his ſaid late Majeſty King CHARLES the Firſt reſpectively, and other the Royal Grants, Charters, and Patents, therein mentioned and referred to, ſo far as the ſame relate to the Art or Science of Surgery only, and not otherwiſe; and that in as full, ample, and beneficial Manner, to all Intents and Purpoſes, as if the ſame had in and by this preſent Act been expreſly repeated and re-enacted; and that they, and all ſuch who already have been, or hereafter ſhall be, examined and approved, purſuant to the Rules of the ſaid Company, ſhall be entitled to practice freely, and without Reſtraint, the Art and Science of Surgery, throughout all and every his Majeſty's Dominions; any Law or Cuſtom to the contrary notwithſtanding. Company of Surgeons to enjoy the ſame Privileges, &c. as by former Acts or Letters Patent.

IX. And it is hereby further enacted, That from and after the ſaid firſt Day of *July* one thouſand ſeven hundred and forty-five, the Examiners of the Company of Surgeons eſtabliſhed by this Act ſhall, and they are hereby required, from time to time, upon Requeſt to them made, to examine every Perſon who ſhall be a Candidate to be appointed to ſerve as a Surgeon, a Surgeon's Mate, of any Regiment, Troop, Company, Hoſpital, or Gariſon of Soldiers in the Service of his Majeſty, his Heirs, or Succeſſors, in like Manner as they do or ſhall examine any Surgeon or Surgeons to be appointed to ſerve on Board any Ship or Veſſel in the Service of his Majeſty, his Heirs or Succeſſors. Candidates to ſerve as Surgeons or Mates of Regiments, &c. to be examined.

X. And it is hereby further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, being Freemen of the ſaid Company and Corporation of Surgeons eſtabliſhed and incorporated by this Act, and who already have been, or hereafter ſhall be, examined and approved purſuant to the Rules and Orders of the ſaid Company, and every of them, for ſo long Time as he and they ſhall uſe and exerciſe the ſaid Art or Science of Surgery, and no longer, ſhall and may, at all Times hereafter, be freed and exempted from the ſeveral Offices of Conſtable, Scavenger, Overſeer of the Poor, and all other Pariſh, Ward, and Leet Offices, and of and from the being put into or ſerving upon any Jury or Inqueſt: Surgeons exempted from Pariſh, Ward, and Leet Offices, and Juries.

And if at any Time hereafter any such Person or Persons, using and practising the said Art or Science of Surgery, and being qualified as aforesaid, shall be chosen and elected into any of the said Offices, or returned, required, or appointed to serve on any Jury, Leet, or Inquest, or be disquieted or disturbed by reason thereof; that then such Person or Persons, producing a Testimonial, under the Common Seal of the said Corporation, of such his Examination, Approbation, and Freedom, to the Person or Persons by whom he shall be so elected or appointed, or by or before whom he shall be summoned, returned, or required to serve or hold any of the said Offices or Duties, shall be absolutely discharged from the same; and such Nomination, Election, Return, and Appointment, shall be utterly void, and of no Effect; any Order, Custom, Law, or Statute to the contrary in any wise notwithstanding.

This Act not to prejudice the President, College, &c. of Physicians, London.

XI. Provided always, and be it hereby enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend, or be construed or taken to prejudice, abridge, or infringe any of the Privileges, Authorities, Powers, Rights, Liberties, or Franchises heretofore granted by any Act or Acts of Parliament, or by any Letters Patents, Charters or Charter of any of his Majesty's Royal Predecessors, Kings or Queens of *England*, to the President and College, or Commonalty, of the Faculty of Physick in *London*.

Freemen of the United Company, not admitted Surgeons, incorporated under a different Name;

may enjoy a Rent not exceeding 200 l. per Ann.

XII. And it is hereby further enacted by the Authority aforesaid, That such of the Members of the said United Company or Corporation, who are Freemen of the said Company, and are not admitted or approved Surgeons, and their Successors, shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-five, be, and they are hereby made and constituted, a Body Corporate, and Commonalty Perpetual, which, at all Times hereafter shall be called by the Name of *The Master, Governors, and Commonalty of the Mystery of Barbers of* London; and by the same Name shall plead and be impleaded before all manner of Justices, in all Courts, and in all manner of Actions and Suits; and also purchase, enjoy, and take to them, and their Successors, any Lands, Tenements, Rents, or Hereditaments, not exceeding the yearly Rent or Value of two hundred Pounds in the whole, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain.

Names of the Master, &c. of the Company of Barbers of London.

XIII. And it is hereby further enacted by the Authority aforesaid, That Master *Jonathan Medley*, the present first Master or Governor of the said United Company or Corporation, and Master *Humphrey Negus*, the present third Master or Governor of the said United Company, and such two other Persons as shall hereafter be elected and appointed for that Purpose in pursuance of this Act, and as is herein after mentioned, shall be and they are hereby respectively established and confirmed the Master and Governors of the Company or Corporation of Barbers of *London*, established and incorporated by this Act; and shall continue in, and hold, exercise and enjoy the said Offices respectively, until others shall be chosen, elected and appointed in and to the same Offices respectively, pursuant and according to the By-laws, Rules, Orders and Constitutions of the same Company; and also that the said *Jonathan Medley*, *Humphrey Negus*, and *William Parker*, *Luke Maurice*, *John Barnwell*, *John Truelove*, *William Haddon*, *John Negus*, *Edward Boxley*, *Samuel Rutter*, *Robert Scrooby*, *Richard Swithin*, *Edward Colebeck*, *Togarmah Jones*, and *John Guerney*, being fifteen of the present Court of Assistants of the said United Company, and such nine other Persons as shall hereafter be elected and appointed for that Purpose in pursuance of this Act, and as is herein after mentioned, shall be and they are hereby constituted and appointed the Court of Assistants of the Company of Barbers, made, established, and incorporated by this Act; and shall continue in, and hold, enjoy and exercise the said Office during their natural Lives respectively, or until they shall be respectively removed out of the said Office, pursuant and according to the said By-laws, Rules, Ordinances and Constitutions of the said Company of Barbers of *London*.

Time and Place of Meeting,

to make up the Court of Assistants of the Barbers Company, the Number 24;

and to elect the third and fourth Governors.

XIV. And it is hereby further enacted, That it shall and may be lawful to and for the said *Jonathan Medley*, *Humphrey Negus*, *William Parker*, *Luke Maurice*, *John Barnwell*, *John Truelove*, *William Haddon*, *John Negus*, *Edward Boxley*, *Samuel Rutter*, *Robert Scrooby*, *Richard Swithin*, *Edward Colebeck*, *Togarmah Jones*, and *John Guerney*, or the major Part of them, to meet at or in the Hall now belonging to the said United Company, situate in *Monkwell-street* in the City of *London*, on the twenty-fifth Day of *June* one thousand seven hundred and forty-five, between the Hours of Nine in the Morning and One in the Afternoon of the same Day, and then and there to elect, choose and appoint out of the Freedom of the said Company or Corporation of the Barbers of *London*, established and incorporated by this Act, by the Majority of the Votes of such of the said fifteen Persons last mentioned, who shall be present at such Meeting, so many other Persons to be of the said Court of Assistants of the said Company or Corporation of the Barbers of *London*, as will make the Number twenty-four, to continue in the said Office respectively for and during their natural Lives, or until they shall be respectively removed out of the said Office; and also that immediately after such Court of Assistants shall be made up the said Number of twenty-four Persons, the said Court of Assistants shall then and there, by the Majority of Votes of such of the said Court of Assistants as shall be then present, elect, choose and appoint from among themselves, two Persons, to be the third and fourth Governors of the said Company or Corporation of the Barbers of *London*, to continue in, hold, exercise and enjoy the said Offices respectively as aforesaid.

Any two of the Master and Governors, with Assistants may hold Courts;

and make or repeal By-laws, &c.

XV. And it is hereby further enacted, That it shall and may be lawful for the Master and Governors for the Time being of the said Company or Corporation of Barbers, or any two or more of them, with eleven or more of the Members of the said Court of Assistants for the Time being, when and as often as to two or more of the said Master and Governors shall seem meet, to hold Courts or Assemblies at or in the Hall of the said Company for the Time being, in order to treat and consult about the Rule, State, Order and Government of the said Company or Corporation of Barbers; and also that it shall and may be lawful to and for the said Master and Governors, and Court of Assistants so assembled, or the major Part of them, to make, constitute, ordain, establish, ratify and confirm all or any such By-laws, Ordinances,

dinances, Rules and Conſtitutions, as to them ſhall ſeem requiſite, proper or convenient for the Regulation, Government, Profit or Advantage of the ſaid Company or Corporation of the Barbers of *London*, and the Members thereof, and the ſame, from time to time, to alter or repeal; ſo as the By-laws, Ordinances, Rules and Conſtitutions ſo to be made and eſtabliſhed, ſhall be examined, approved and allowed of, as by the Laws and Statutes of this Realm is provided and required.

By-laws of the United Company, not relating to Surgery, continued;

XVI. Provided always, and it is hereby enacted and declared, That the ſeveral By-laws, Ordinances, Rules and Conſtitutions, made and eſtabliſhed for the Regulation and Government of the ſaid United Company or Corporation, ſo far as the ſame do not relate to or concern the Art or Science of Surgery, and which on the ſaid twenty-third Day of *June* ſhall be ſubſiſting and in Force, and ſhall not be repealed, annulled or abrogated by virtue of this preſent Act, ſhall continue and be in Force, and ſhall be exerciſed, obſerved and executed by the ſaid Company of Barbers eſtabliſhed and incorporated by this Act, until ſuch Time and Times reſpectively as the ſame By-laws, Ordinances, Rules and Conſtitutions ſhall reſpectively be repealed, annulled and made void, by Virtue and under the Authority of this preſent Act.

until repealed by virtue of this Act.

Maſter and Governors when and by whom to be choſen;

XVII. And it is hereby further enacted by the Authority aforeſaid, That the Maſter and Governors of the ſaid Company or Corporation of Barbers of *London* ſhall be yearly elected and choſen on the ſecond *Thurſday* in *Auguſt*, by the Court of Aſſiſtants, or the major Part of them, or in ſuch Manner as by the By-laws, Rules, Orders and Conſtitutions of the ſame Company or Corporation ſhall be ordained or provided; and that when and as often as any Member of the ſaid Court of Aſſiſtants of the ſaid Company of Barbers ſhall happen to die or be removed, it ſhall and may be lawful to and for the ſurviving Members of the ſaid Court of Aſſiſtants, or the major Part of them, to nominate and elect one other Perſon, being a Freeman of the ſame Company, to be a Member of the ſaid Court of Aſſiſtants, in the Room of the Perſon ſo deceaſed or removed; and the Perſon ſo nominated or elected ſhall continue in, hold and exerciſe the ſaid Office for and during his natural Life, or until he ſhall be removed out of the ſame.

Member of the Court of Aſſiſtants dying or being removed, to be ſupplied.

Company of Barbers to enjoy the ſame Privileges, &c. as before, except in Surgery.

XVIII. And it is hereby further enacted by the Authority aforeſaid, That the Maſter, Governors and Commonalty of the Myſtery of Barbers of *London*, hereby made, eſtabliſhed and incorporated as aforeſaid, and their Succeſſors, and all Perſons who ſhall be free of the ſame Company or Corporation, ſhall and may from time to time, and at all Times for ever hereafter, have, hold and enjoy all and every ſuch and the ſame Liberties, Privileges, Franchiſes, Powers and Authorities, as the ſaid United Company or Corporation, with reſpect to every Thing but Surgery, and the Members of the ſaid United Company, occupying the Feat or Craft of Barbery or Shaving, could or might reſpectively have had, held and enjoyed by virtue of the ſaid recited Act of Union or Incorporation, and Letters Patents of his late Majeſty King CHARLES the Firſt, and other the Royal Grants, Charters and Patents therein reſpectively mentioned and referred to, ſo far as the ſame do not concern or relate to the Art and Science of Surgery; and that in as full, ample and beneficial Manner, to all Intents and Purpoſes, as if the ſame had been expreſly repeated, ſet down, and enacted in and by this preſent Act.

Gift of 510 l. and Annuity of 16 l. veſted in the Surgeons Company;

XIX. And it is hereby further enacted by the Authority aforeſaid, That the Sum of five hundred and ten Pounds now veſted in the ſaid United Company, and which was given and paid to the ſaid United Company by *Edward Arris*, for the Uſe of the publick Anatomy Lectures on the Muſcles, and alſo the Annuity or yearly Rent-charge of ſixteen Pounds given to the ſaid United Company by the Will of *John Gale* Gentleman, for one Anatomy Lecture, by the Name of *Gale's Anatomy*, and charged upon certain Meſſuages and Tenements at *Snow Hill*, in the Pariſh of *Saint Sepulchre*, without *Newgate*, *London*, ſhall from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, be veſted in, and be deemed the ſole Property, Eſtate and Effects of the ſaid Company and Corporation of Surgeons eſtabliſhed and incorporated by this Act; and that the ſaid Sum of five hundred and ten Pounds be accordingly paid by the ſaid Company or Corporation of Barbers of *London*, out of the Eſtate and Effects of and now belonging to the ſaid United Company or Corporation, within three Months next after the ſaid twenty-fourth Day of *June*; and that the ſaid Sum of five hundred and ten Pounds, and the ſaid Annuity or yearly Rent-charge of ſixteen Pounds *per Annum*, ſhall be held and enjoyed by the ſaid Company of Surgeons eſtabliſhed by this Act, upon Truſt, to be applied and diſpoſed of for the Purpoſes intended by the Donors thereof reſpectively; and that from and after the Payment of the ſaid five hundred and ten Pounds by the ſaid Company of Barbers to the ſaid Company of Surgeons, they the ſaid Maſter, Governors and Commonalty of the Myſtery of Barbers of *London*, and their Succeſſors, ſhall for ever be diſcharged of and from the ſaid Sum or Gift of five hundred and ten Pounds, and every Part thereof, and of and from the ſaid Annuity or Gift of ſixteen Pounds *per Annum*, and every Part thereof, and of from all Duties and Truſts in reſpect of the ſaid Gifts, or either of them; and ſhall, from time to time, be ſaved harmleſs and kept indemnified by the ſaid Company of Surgeons, of, from and againſt the ſame, and all Actions, Suits, Charges and Expences which they the ſaid Maſter, Governors and Commonalty of the Myſtery of Barbers of *London*, or their Succeſſors, ſhall or may, from time to time, be put unto or ſuſtain on account thereof; and that all the Reſt and Reſidue of the Real and Perſonal Eſtate and Effects of and belonging to the ſaid United Company or Corporation, and the Arms or Enſigns Armorial of the ſame Company or Corporation, ſhall from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five be veſted in, and the ſame are hereby from thenceforth veſted in the ſaid Company or Corporation of Barbers of *London*, and their Succeſſors, to and for their own ſole and ſeparate Uſe and Benefit for ever.

to be paid to them by the Barbers Company;

and held in Truſt for the Purpoſes intended by the Donors.

XX. And

Books, Papers, &c. belonging to the United Company, and relating to Surgeons only, to be delivered to them.

All other Books, &c. may be inſpected by the Surgeons;

and Copies taken;

ſaid Books, &c. to be produced on any Trial.

XX. And it is hereby further enacted by the Authority aforeſaid, That ſuch of the Books, Papers and Writings which now belong to the ſaid United Company of Barbers and Surgeons, and relate to or concern the Surgeons or Surgery only, ſhall immediately after the ſaid firſt Day of *July* one thouſand ſeven hundred and forty-five be delivered by the ſaid Company of Barbers, eſtabliſhed and incorporated by this Act, to the Maſter and Governors, and Court of Aſſiſtants, of the ſaid Company of Surgeons eſtabliſhed and incorporated by this Act, or ſuch other Perſon or Perſons as they, or the major Part of them ſhall, by Writing under their Hands appoint to receive the ſame, for the Uſe and Benefit of the ſaid Company of Surgeons: And that the Maſter, Governors, and Court of Aſſiſtants of the ſame Company of Surgeons, or any of them, or ſuch other Perſon or Perſons as they, or the major Part of them ſhall, by Writing under their Hands appoint, ſhall and may, from time to time, and at all ſeaſonable Times, upon reaſonable Notice, from and after the ſaid firſt Day of *July* one thouſand ſeven hundred and forty-five have free Acceſs to, and Liberty to inſpect and peruſe, in the Hands of ſuch Perſon or Perſons as the ſaid Company of Barbers ſhall appoint to have the Care and Cuſtody thereof, all the reſt of the Books, Papers and Writings, and alſo all the Charters and Deeds which now belong to the ſaid United Company of Barbers and Surgeons; and from time to time to take ſuch Copies or Extracts of or from the ſame, or any of them, as the ſaid Maſter, Governors, and Court of Aſſiſtants of the ſaid Company of Surgeons, or the major Part of them, or ſuch other Perſon or Perſons ſo to be appointed as aforeſaid, ſhall from time to time deſire or require; and alſo that the ſaid Company of Barbers ſhall, from time to time, and at all Times, upon reaſonable Notice, from and after the ſaid firſt Day of *July*, produce the ſaid laſt mentioned Books, Papers, Writings, Charters and Deeds, or any of them, at the Expence of the ſaid Company of Surgeons, upon any Trial at Law, or Hearing in Equity, or Examination of Witneſſes, or otherwiſe, where the ſaid Company of Surgeons ſhall have Occaſion to make uſe thereof, or of any of them, and permit the ſaid Company of Surgeons to make uſe of the ſame accordingly.

Apprentices entitled to Freedom as before.

XXI. Provided always, and it is hereby further enacted by the Authority aforeſaid, That every Perſon who hath been bound Apprentice to any Member of the ſaid United Company, and by the Laws or Cuſtom of the City of *London*, or otherwiſe, is or would be intitled to his Freedom of the ſaid United Company, and to the Freedom of the ſaid City, in caſe this preſent Act had never been made, ſhall be intitled and admitted to his Freedom in the ſaid Company or Corporation of Surgeons, if his Maſter is or was an examined Surgeon, or elſe to his Freedom in the ſaid Company of Barbers; and in either Caſe ſhall be intitled and admitted to his Freedom of the ſaid City of *London*; any Law, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Publick Act.

XXII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a Publick Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XVI.

An Act to repair the Road leading from *Tadcaſter Bridge* within the County of the City of *York*, to a Place near the ſaid City, called *Hobmoor Lane End*. PR.

Tolls granted for 21 Years.

CAP. XVII.

An Act for giving a publick Reward to ſuch Perſon or Perſons, his Majeſty's Subject or Subjects, as ſhall diſcover a North Weſt Paſſage through *Hudſon's Streights*, to the Weſtern and Southern Ocean of *America*.

'WHEREAS the diſcovering of a North Weſt Paſſage through *Hudſon's Streights*, to the Weſtern *American* Ocean, will be of great Benefit and Advantage to the Trade of this Kingdom: And 'whereas it will be a great Encouragement to Adventurers to attempt the ſame, if a publick Reward was 'given to ſuch Perſon or Perſons as ſhall make a perfect Diſcovery of the ſaid Paſſage:' May it therefore pleaſe your Majeſty that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Ship or Veſſel, Ships or Veſſels, belonging to any his Majeſty's Subjects, ſhall find out and ſail through any Paſſage by Sea between *Hudſon's Bay* and the Weſtern and Southern Ocean of *America*, the Owner or Owners of ſuch Ship or Ships, Veſſel or Veſſels as aforeſaid, ſo firſt finding out and ſailing through the ſaid Paſſage, his or their Executors, Adminiſtrators or Aſſigns, ſhall be intitled to receive, and ſhall receive as a Reward for ſuch Diſcovery, the Sum of twenty thouſand Pounds.

Reward of 20,000 l. to the Owner of the Veſſel diſcovering a North Weſt Paſſage.

Commiſſioners for the Diſcovery;

II. And in order to aſcertain who are the firſt Diſcoverers of the ſaid Paſſage, and to whom the Reward hereby given does of Right belong; Be it further enacted by the Authority aforeſaid, That the Lord High Chancellor of *Great Britain* for the Time being, the Lord Preſident of his Majeſty's moſt Honourable Privy Council for the Time being, the Lord Privy Seal for the Time being, the Lord Steward of his Majeſty's Houſhold for the Time being, the Lord Chamberlain of his Majeſty's Houſhold for the Time being, the Lord High Treaſurer, or Firſt Commiſſioner for executing the Office of Treaſurer of his Majeſty's Exchequer for the Time being, the Lord High Admiral, or firſt Commiſſioner for executing the Office of Lord High Admiral of *Great Britain* for the Time being, his Majeſty's Principal

Secretaries of State for the Time being, the Speaker of the Honourable Houſe of Commons for the Time being, the Chancellor and under Treaſurer of his Majeſty's Exchequer for the Time being, the firſt Commiſſioner for Trade and Plantations for the Time being, the Treaſurer of his Majeſty's Navy for the Time being, the Admirals of the Red, White, and Blue Squadrons for the Time being, be, and they are hereby appointed Commiſſioners for the ſaid Diſcovery; and are hereby authorized and impowered to examine upon Oath any Perſon or Perſons produced by the Claimant or Claimants to ſuch Reward (which Oath the ſaid Commiſſioners, or any three or more of them, are hereby impowered and required to adminiſter) and the ſaid Commiſſioners, or the major Part of them, of which the Lord High Admiral, or the Firſt Commiſſioner for executing the Office of Lord High Admiral of *Great Britain* for the Time being, ſhall be one, being fully ſatisfied, upon Examination and Proof, that ſuch Paſſage by Sea is effectually diſcovered, and ſailed through as aforeſaid, are hereby authorized and required to grant a Certificate under their Hands and Seals, to ſuch Perſon or Perſons as they ſhall judge are intitled to the ſame; which Certificate ſhall be produced to the Lord High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being; and the ſaid Sum of twenty thouſand Pounds ſhall be paid to ſuch Perſon or Perſons as are named in the ſaid Certificate, his or their Executors, Adminiſtrators, or Aſſigns, out of any of the Aids or Supplies which ſhall be granted in Parliament to his Majeſty, his Heirs and Succeſſors, after the ſaid Diſcovery ſhall be compleated, and the ſaid Certificate thereof produced as aforeſaid.

impowered to examine the Claimants Witneſſes;

and grant a Certificate to the Perſon entitled.

III. And, as a further Encouragement, and to promote the proſecuting of and finding out ſuch Paſſage; Be it further enacted by the Authority aforeſaid, That all Perſons whatſoever, being Subjects of his Majeſty, and reſiding in any Place where the ſaid Adventurers may come, in the Proſecution of the ſaid Diſcovery, ſhall give the ſaid Adventurers all Aid and aſſiſtance requiſite; and that the ſaid Perſons, being Subjects as aforeſaid, ſhall no ways obſtruct, moleſt, or refuſe the ſaid Adventurers reaſonable Succour, in any Diſtreſs they may fall into, in the proſecuting ſuch Diſcovery as aforeſaid.

Adventurers to be aſſiſted in Diſtreſs.

IV. Provided always, That nothing in this Act ſhall any ways extend, or be conſtrued to take away or prejudice any of the Eſtate, Rights, or Privileges of or belonging to the Governor and Company of Adventurers of *England* trading into *Hudſon's Bay*.

This Act not to prejudice the Company of Adventurers to Hudſon's Bay.

CAP. XVIII.

An Act to explain and amend the Laws touching the Elections of Knights of the Shire to ſerve in Parliament for that Part of *Great Britain* called *England*.

For former Laws touching Elections refer to 3 *Ed.* 1. *c.* 5. 7 *H.* 4. *c.* 15. 11 *H.* 4. *c.* 1. 1 *H.* 5. *c.* 1. 8 *H.* 6. *c.* 7. 10 *H.* 6. *c.* 2. 23 *H.* 6. *c.* 14. 7 *W.* 3. *c.* 4. 7 & 8 *W.* 3. *c.* 7 & 25. 10 & 11 *W.* 3. *c.* 7. 9 *Ann. c.* 5. 10 *Ann. c.* 23. 2 *Geo.* 2. *c.* 24. 8 *Geo.* 2. *c.* 30. 13 *Geo.* 2. *c.* 20.

'WHEREAS ſeveral Delays and Inconveniencies have ariſen in Elections of Knights of Shires to 'ſerve in Parliament, to the Great Trouble and Expence of the Candidates and Electors;' For Remedy thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, upon every Election to be made within that Part of *Great Britain* called *England*, or Dominion of *Wales*, of any Knight or Knights of the Shire to ſerve in Parliament, every Freeholder, inſtead of the Oath or Affirmation preſcribed to be taken by an Act of Parliament made in the tenth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for the more effectual preventing fradulent Conveyances, in order to multiply Votes for electing Knights of Shires to ſerve in Parliament*, before he is admitted to poll at the ſaid Election, ſhall (if required by the Candidates, or any of them, or any other Perſon having a Right to vote at the ſaid Election) firſt take the Oath (or being one of the People called *Quakers*, the ſolemn Affirmation) following; *videlicet*,

Inſtead of the Oath by 10 *Ann.* c. 23. another is appointed for Freeholders.

'YOU ſhall ſwear (*or being one of the People called* Quakers, *you ſhall ſolemnly affirm*) that you are a 'Freeholder in the County of and have a Freehold Eſtate, conſiſting of '(*ſpecifying the Nature of ſuch Freehold Eſtate, whether Meſſuage, Land, Rent, Tythe, or what elſe; and if ſuch 'Freehold Eſtate conſiſts in Meſſuages, Lands, or Tythes, then ſpecifying in whoſe Occupation the ſame are; and 'if in Rent, then ſpecifying the Names of the Owners or Poſſeſſors of the Lands or Tenements, out of which ſuch 'Rent is iſſuing, or of ſome or one of them*) lying or being at in the County of of 'the clear yearly Value of forty Shillings, over and above all Rents and Charges payable out of, or in 'Reſpect of the ſame; and that you have been in the actual Poſſeſſion or Receipt of the Rents and Profits 'thereof, for your own Uſe, above twelve Kalendar Months, or that the ſame came to you, within the 'Time aforeſaid, by Deſcent, Marriage, Marriage Settlement, Deviſe, or Promotion to a Benefice in a 'Church, or by Promotion to an Office; and that ſuch Freehold Eſtate has not been granted or made to you fraudulently, on purpoſe to qualify you to give your Vote; and that the Place of your Abode is at in and that your are twenty-one Years of Age, as you believe; and that you have not been polled before at this Election.

The Oath.

Which Oath (or ſolemn Affirmation) the Sheriff by himſelf, his under Sheriff, or ſuch ſworn Clerk or Clerks, as ſhall be by him appointed for the taking of the Poll, is hereby required to adminiſter: And in caſe

By whom to be adminiſter'd.

case any Freeholder or other Person taking the said Oath or Affirmation hereby appointed, shall thereby commit wilful Perjury, and be thereof convicted; and if any Person do unlawfully and corruptly procure or suborn any Freeholder, or other Person, to take the said Oath or Affirmation, in order to be polled, whereby he shall commit such wilful Perjury, and shall be thereof convicted, he and they, for every such Offence, shall incur such Pains and Penalties as are in and by two Acts of Parliament, the one made in the fifth Year of the Reign of the late Queen ELIZABETH, intituled, *An Act for punishing such Persons as shall procure or commit wilful Perjury, or suborn or procure any Person to commit any wilful or corrupt Perjury*; the other made in the second Year of his present Majesty, intituled, *An Act for the more effectual preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury; and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money*, contrary to the said Acts.

Penalty of Perjury, or Subornation, the same as by 5 Eliz. c. 9. and 2 Geo. 2. c. 25.

Clauses repealed of 10 Annæ, c. 23. § 2.

'II. And whereas by the said Act made in the tenth Year of the Reign of her late Majesty Queen 'ANNE, It is enacted as follows; *videlicet*, that from and after the first Day of *May* which was in the 'Year of our Lord one thousand seven hundred and twelve, no Person shall vote for the electing of any 'Knight of a Shire within that Part of *Great Britain* called *England*, in Respect or in Right of any Lands 'or Tenements which have not been charged or assessed to the publick Taxes, Church Rates, and Parish 'Duties, in such Proportion as other Lands or Tenements of forty Shillings *per Annum*, within the same 'Parish or Township wherein the same shall lie or be, are usually charged: And whereas by an Act of

and 12 Annæ, st. 1. c. 5.

'Parliament made in the twelfth Year of the Reign of her said late Majesty Queen ANNE, for explaining 'the said recited Clause, It is enacted, That the said Act, or any thing therein contained, shall not extend 'or be construed to restrain any Person from voting in such Election of any Knight of a Shire within that 'Part of *Great Britain* called *England*, in Respect or in Right of any Rents, Tythes, or other incorporeal 'Inheritances, or any Messuages or Lands in extraparochial Places, or any Chambers in the Inns of 'Court, or Inns of *Chancery*, or any Messuages or Seats belonging to any Offices, in regard or by reason 'that the same have not been usually charged or assessed to all or any the publick Taxes, Church Rates, 'and Parish Duties, as mentioned in the above recited Act, or in Respect or Right of any other Messuages 'or Lands not herein before specified, in regard or by reason that the same have not been usually charged 'or assessed to all and every the publick Taxes, Church Rates, and Parish Duties aforesaid; provided 'that such Messuages or Lands have usually been charged or assessed to some one or more of the said 'publick Taxes, Rates or Duties, in such Proportion as other Messuages or Lands of forty Shillings '*per Annum*, in the same Parish or Township where the same shall lie or be, are usually charged to the

In Part repealed.

'same;' Be it enacted by the Authority aforesaid, That so much of the said recited Act as disables any Person to vote for Knights of Shires, in Respect or in Right of any Lands or Tenements which have not been charged or assessed as therein mentioned, shall from and after the said twenty-fourth Day of *June* be and is hereby repealed.

Qualification of Electors.

III. Provided always, That from and after the said twenty-fourth Day of *June*, no Person shall vote for the electing of a Knight or Knights of the Shire to serve in Parliament within that Part of *Great Britain* called *England*, or the Principality of *Wales*, in Respect or in Right of any Messuages, Lands or Tenements, which have not been charged or assessed towards some Aid granted, or hereafter to be granted to his Majesty, his Heirs or Successors, by a Land Tax in *Great Britain*, twelve Kalendar Months next before such Election.

Exception for voting in Right of Chambers or Offices.

IV. Provided also, That this Act, or any thing therein contained, shall not extend, or be construed to restrain any Person from voting in any such Election of any Knight or Knights of a Shire within that Part of *Great Britain* called *England*, or Principality of *Wales*, in Respect or in Right of any Rents, or any Chambers in the Inns of Court or Inns of *Chancery*, or any Messuages or Seats belonging to any Offices, in regard or by reason that the same have not been usually charged or assessed to the Aid com-

Duplicates of the Land-Tax Assessments to be kept among the Records of the Sessions;

monly called *The Land Tax*; and that the acting Commissioners of the Land Tax for the Time being, or any three or more of them, at their Meetings for the respective Divisions, shall sign and seal one other Duplicate of the Copies of the respective Assessments to be delivered to them by the several Assessors, after all Appeals determined, and the same to deliver, or cause to be delivered, to the Clerks of the Peace for their respective Counties, to be by them kept amongst the Records of the Sessions, to which all Persons may resort at all seasonable Times, and inspect the same, paying six Pence for such Inspection; and

to be inspected, or Copies taken.

the said Clerks of the Peace, or their Deputies, are hereby required forthwith to give Copies of the said Duplicates, or any Part thereof, to any such Person or Persons who shall require the same, paying after the Rate of six Pence for every three hundred Words, and so in Proportion for any greater or lesser Number.

Further Qualifications of Electors,

V. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-five, no Person shall vote in any such Election, without having a Freehold Estate in the County for which he votes, of the clear yearly Value of forty Shillings, over and above all Rents and Charges payable out of or in respect of the same, or without having been in the actual Possession, or in Receipt of the Rents and Profits thereof, for his own Use, above twelve Kalendar Months, unless the same came to him within the Time aforesaid, by Descent, Marriage, Marriage Settlement, Devise, or Promotion to any Benefice in a Church, or by Promotion to an Office, or shall vote in Respect or in Right of any Freehold Estate, which was made or granted to him fraudulently, on purpose to qualify him to give his Vote, or shall vote more than once at the same Election:

Penalty of 40*l*.

And if any Person shall vote in any such Election, contrary to the true Intent and Meaning hereof, he shall forfeit to any Candidate for whom such Vote shall not have been given, and who shall first sue for the same, the Sum of forty Pounds, to be recovered by him or them, his or their Executors or Administrators, together with full Costs of Suit, by Action of Debt, in any of his Majesty's Courts of Record

at

at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, Privilege or Imparlance ſhall be admitted or allowed; and in every ſuch Action, the Proof ſhall lie on ſuch Perſon againſt whom the ſame was brought, unleſs the Fact on which ſuch Action is grounded, be the having polled more than once at the ſame Election.

No Publick Tax to be deemed a Charge on a Freehold.

VI. And be it declared by the Authority aforeſaid, That no publick or Parliamentary Tax, County, Church, or Pariſh Rate or Duty, or any other Tax, Rate or Aſſeſſment whatſoever, to be aſſeſſed or levied upon any County, Diviſion, Rape, Lathe, Wapentake, Ward or Hundred, is or ſhall be deemed or conſtrued to be any Charge, payable out of or in reſpect of any Freehold Eſtate, within the Meaning and Intention of this Act, or of the Oath or ſolemn Affirmation herein before directed to be adminiſtered to, and taken by every Freeholder, if required, as aforeſaid.

Booths to be erected at the Expence of the Candidates,

proportioned to the Hundreds, &c. and not exceeding 15.

VII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, at every ſuch Election within that Part of *Great Britain* called *England*, and Dominion of *Wales*, the Sheriff, or in his Abſence the Under Sheriff, or ſuch as he ſhall depute, ſhall appoint, make or erect, or cauſe to be appointed, made or erected, at the Expence of the Candidates, ſuch Number of convenient Booths or Places for taking the Poll, as the Candidates, or any of them ſhall, three Days at leaſt before the Commencement of the Poll, deſire, ſo as the ſame do not exceed the Number of Rapes, Lathes, Wapentakes, Wards, or Hundreds within the ſaid County, and not exceeding in the Whole the Number of Fifteen; and ſhall affix, or cauſe to be affixed, on the moſt publick Part of each of the ſaid Booths or Polling Places, the Name or Names of the Rape, Wapentake, Lathe, Ward, or Hundred, or Rapes, Wapentakes, Lathes, Wards or Hundreds, for which ſuch Booth or Polling Place is allotted or deſigned; and the ſaid Sheriff, Under Sheriff, or ſuch Perſon as he ſhall depute, ſhall appoint a proper Clerk or Clerks at each of the ſaid Booths or Polling Places, to take the Poll (which ſaid Clerk or Clerks ſhall be at the Expence of the Candidates, and be paid not exceeding one Guinea *per* Day each Clerk) and the ſaid Sheriff or Under Sheriff, ſhall alſo make out a Liſt for each of the ſaid Booths or Polling Places reſpectively, of all the ſeveral Towns, Villages, Pariſhes, and Hamlets, lying or being wholly or in part in the Rape, Wapentake, Lathe, Ward, or Hundred, or in the ſeveral Rapes, Wapentakes, Lathes, Wards, or Hundreds, for which ſuch Booth or Polling Place is allotted or deſigned; and ſhall, upon Requeſt made, deliver a true Copy thereof to any of the Candidates, or their Agents, who ſhall deſire the ſame, taking for each of the ſaid Copies the Sum of two Shillings, and no more.

Sheriff to appoint a Clerk at each Booth for polling at the Candidates Expence; Liſt of Towns, &c. for each Booth; of which Copies to be given at 2s. each.

Voting at each Booth to be regulated by the Liſt:

Exception.

VIII. And be it further enacted by the Authority aforeſaid, That no Sheriff, Under Sheriff, or Clerk appointed to take the Poll at any of the ſaid Booths or Polling Places, ſhall admit any Perſon to vote for any Lands, Tenements, or other Freehold Eſtate, ſworn by the ſaid Oath to be lying and being at ſome Pariſh, Town or Place, or Pariſhes, Towns or Places, which Pariſh, Town or Place, or Pariſhes, Towns or Places, or any of them, or any Part of them, is not, or are not mentioned in the Liſt ſo made out for ſuch Booth or Polling Places as aforeſaid, unleſs ſuch Lands, Tenements, or Eſtate lie or be in ſome Town, Liberty or Place not mentioned in any of the Liſts ſo made out for all the ſaid Booths or Polling Places as aforeſaid.

A Cheque Book for every Poll Book allowed each Candidate.

IX. And be it further enacted by the Authority aforeſaid, That the Sheriff or in his Abſence the Under Sheriff, or ſuch as he ſhall depute, ſhall at every ſuch Election allow a Cheque Book for every Poll Book, for each Candidate, to be kept by their reſpective Inſpectors at every Place where the Poll for ſuch Election ſhall be taken or carried on.

No Sheriff to adjourn a County Court for longer than 16 Days.

'X. And whereas by an Act made in the ſeventh and eighth Years of the Reign of King WILLIAM 'the Third, intituled, *An Act for the further regulating Elections of Members to ſerve in Parliament*; *and* '*for the preventing irregular Proceedings of Sheriffs, and other Officers, in the electing and returning ſuch* '*Members*; it is enacted, That upon every Election to be made of any Knight or Knights of the Shire, 'the Sheriff of the County where ſuch Election ſhall be made, ſhall proceed to Election at the next 'County Court, unleſs the ſame fall out to be held within ſix Days after the Receipt of the Writ, or 'upon the ſame Day, and then ſhall adjourn the ſame Court to ſome convenient Day, giving ten Days 'Notice of the Time and Place of Election: And whereas Sheriffs have frequently in ſuch Caſes, where 'the County Court fell out to be held within ſix Days after the Receipt of the Writ, or upon the ſame 'Day, made long Adjournments of the ſame, in order to delay proceeding to Election;' For Remedy thereof for the future, Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, no Sheriff ſhall in ſuch Caſe take upon himſelf to adjourn ſuch Court for longer than ſixteen Days; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Clauſe of 6 Geo. 2. c. 23. repealed.

'XI. And whereas by an Act made in the ſixth Year of the Reign of his preſent Majeſty, intituled, '*An Act to explain and amend an Act made in the ſeventh and eighth Years of the Reign of King* WILLIAM *the* 'Third, *intituled*, An Act for the further regulating Elections of Members to ſerve in Parliament; and 'for the preventing irregular Proceedings of Sheriffs, and other Officers, in the electing and returning 'ſuch Members, *ſo far as the ſame relates to the holding of County Courts*; it is among other Things enacted, 'That no County Court whatſoever, held within that Part of *Great Britain* called *England*, ſhall be adjourned to a *Monday*, a *Friday*, or *Saturday*; and that all and every ſuch Adjournment and Adjournments, and all and every Act and Deed done or performed at ſuch Courts ſo adjourned, ſhall be deemed, 'adjudged and taken to be utterly null and void, to all Intents and Purpoſes whatſoever: And whereas 'the ſame hath been found inconvenient,' Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, ſo much of the ſaid Act, as is herein before recited, ſhall be and is hereby repealed.

Sheriff, &c. offending, to be profecuted.

XII. And be it further enacted by the Authority aforeſaid, That in caſe any ſuch Sheriff or Under Sheriff, who ſhall preſide at any Election of any ſuch Knight or Knights of the Shire, within that Part of *Great Britain* called *England*, or Dominion of *Wales*, ſhall wilfully offend againſt, or act contrary to the true Intent and Meaning of this Act, every ſuch Sheriff or Under Sheriff ſhall be liable to be proſecuted by Information, or Indictment, in his Majeſty's Court of *King's Bench* at *Weſtminſter*, or in the Courts of Great Seſſions in the Principality of *Wales*, or at the Seſſions held for the Counties Palatine of *Cheſter*, *Lancaſter* and *Durham*, or at the Aſſiſes for the County, City, Town or Place, where ſuch Offence ſhall committed, in which no *Noli Proſequi* or *Ceſſat Proceſſus* ſhall be granted; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

No Nolle Proſequi or Ceſſet Proceſſus to be granted.

The Manner of Proceeding in caſe of Offence againſt this Act.

XIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be ſufficient for the Plaintiff, in any Action of Debt given by this Act, to ſet forth in the Declaration or Bill, that the Defendant is indebted to him, in the Sum of and to alledge the particular Offence for which the Action or Suit is brought; and that the Defendant hath acted contrary to this Act, without mentioning the Writ of Summons to Parliament, or the Return thereof; and it ſhall be ſufficient in any Indictment or Information, for any Offence committed contrary to this Act, to alledge the particular Offence charged upon the Defendant; and that the Defendant is guilty thereof, without mentioning the Writ of Summons to Parliament, or the Return thereof; and upon Trial of any Iſſue in any ſuch Action, Suit, Indictment or Information, the Plaintiff, Proſecutor or Informer, ſhall not be obliged to prove the Writ of Summons to Parliament, or the Return thereof, or any Warrant or Authority to the Sheriff, grounded upon any ſuch Writ of Summons.

Limitation of Actions.

XIV. Provided always, That every Action, Suit, Indictment or Information given by this Act, ſhall be commenced within the Space of nine Kalendar Months after the Fact, upon which the ſame is grounded, ſhall have been committed.

Statutes of Jeofails, &c. extended to Proceedings on this Act.

XV. And be it further enacted by the Authority aforeſaid, That all the Statutes of Jeofails and Amendments of the Law whatſoever, ſhall and may be conſtrued to extend to all Proceedings in any Action, Suit, Indictment or Information, given or allowed by this Act, or which ſhall be brought in purſuance thereof.

Treble Coſts.

XVI. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe the Plaintiff or Informer, in any Action, Suit, Indictment or Information, given by this Act, ſhall diſcontinue the ſame, or be nonſuited, or Judgment be otherwiſe given againſt him; then, and in any of the ſaid Caſes, the Defendant againſt whom ſuch Action, Suit or Information ſhall have been brought, ſhall recover his Treble Coſts.

See 19 Geo. 2. c. 28. 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

CAP. XIX.

An Act for repairing the Road from *Birmingham*, in the County of *Warwick* (through *Elmdon*) to a Lane leading by the End of *Stone Bridge*, in the ſaid County. PR.

Tolls granted for 21 Years.

CAP. XX.

Former Proviſions relating hereto 1 *Ed.* 3. *c.* 16. 2 *Ed.* 3. *c.* 6. 18 *Ed.* 3. *ſt.* 2. *c.* 2. 34 *Ed.* 3. *c.* 1 & 5. 12 *R.* 2. *c.* 10. 13 *R.* 2. *ſt.* 1. *c.* 7. 14 *R.* 2. *c.* 11. 17 *R.* 2. *c.* 10. 2 *H.* 5. *ſt.* 1. *c.* 4. 2 *H.* 5. *ſt.* 2. *c.* 1. 18 *H.* 6. *c.* 11. 1 *Ed.* 4. *c.* 2. 1 *R.* 3. *c.* 3. 3 *H.* 7. *c.* 1. 4 *H.* 7. *c.* 12. 6 *Geo.* 1. *c.* 21. *ſec.* 10. 9 *Geo.* 1. *c.* 7. 5 *Geo.* 2. *c.* 18 & 19. 7 *Geo.* 2. *c.* 10. 35 *Geo.* 2. *c.* 24. 16 *Geo.* 2. *c.* 18.

An Act to amend and render more effectual an Act paſſed in the Fifth Year of his preſent Majeſty's Reign, intituled, *An Act for the further Qualification of Juſtices of the Peace.*

'WHEREAS by many Acts of Parliament of late Years made, the Power and Authority of Juſtices of the Peace is greatly increaſed, whereby it is become of the utmoſt Conſequence to the Commonweal, to provide againſt Perſons of mean Eſtate acting as ſuch: And whereas the Laws now in Force are not ſufficient for that Purpoſe;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſix, no Perſon ſhall be capable of being a Juſtice of the Peace, or of acting as ſuch for any County, Riding or Diviſion, within that Part of *Great Britain* called *England*, or the Principality of *Wales*, who ſhall not have either in Law or Equity, to and for his own Uſe and Benefit, in Poſſeſſion, a Freehold, Copyhold or Cuſtomary Eſtate for Life, or for ſome greater Eſtate, or an Eſtate for ſome long Term of Years, determinable upon one or more Life or Lives, or for a certain Term originally created for twenty-one Years or more in Lands, Tenements or Hereditaments, lying or being in that Part of *Great Britain* called *England*, or the Principality of *Wales*, of the clear yearly Value of one hundred Pounds, over and above what will ſatisfy and diſcharge all Incumbrances that affect the ſame, and over and above all Rents and Charges payable out of, or in reſpect of the ſame; or who ſhall not be ſeized of or intitled unto, in Law or Equity, to and for his own Uſe and Benefit, the immediate Reverſion or Remainder of and in Lands, Tenements or Hereditaments, lying or being as aforeſaid, which are leaſed for one, two or three Lives, or for any Term of Years, determinable upon the Death of one, two or three Lives, upon reſerved Rents, and which are of the clear yearly Value of three hundred Pounds; and who ſhall not, before the ſaid twenty-fifth Day of *March*, or before he takes upon himſelf to act as a Juſtice of Peace, after the ſaid twenty-fifth Day of *March*, at ſome General or Quarter-Seſſions for the County, Riding or Diviſion for which he does or ſhall intend to act, firſt take and ſubſcribe the Oath following, *videlicet*,

After March 25, 1746, no Perſon to be a Juſtice of Peace, not poſſeſſed of 100l. per Ann;

or not entitled to the Reverſion of 300l. per Ann;

and who ſhall not take and ſubſcribe the following Oath.

' Amended by 19 Geo. 2. c. 13.'

I *A. B.*

'I *A. B.* do ſwear, That I truly and *bona fide* have ſuch an Eſtate, in Law or Equity, to and for my own Uſe and Benefit, conſiſting of (*ſpecifying the Nature of ſuch Eſtate whether Meſſuage, Land, Rent, Tythe, Office, Benefice or what elſe*) as doth qualify me to act as a Juſtice of the Peace for the County, Riding or Diviſion, of according to the true Intent and Meaning of an Act of Parliament, made in the eighteenth Year of the Reign of his Majeſty King GEORGE the Second, intituled, *An Act to amend and render more effectual an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled,* An Act for the further Qualification of Juſtices of the Peace; and that the ſame (*except where it conſiſts of an Office, Benefice or Eccleſiaſtical Preferment, which it ſhall be ſufficient to aſcertain by their known and uſual Names*) is lying or being, or iſſuing out of Lands, Tenements or Hereditaments, being within the Pariſh, Townſhip or Precinct of or in the ſeveral Pariſhes, Townſhips or Precincts of in the County of or in the ſeveral Counties of (*as the Caſe may be.*)' Oath.

Which Oath ſo taken and ſubſcribed as aforeſaid, ſhall be kept by the Clerk of the Peace of the ſaid County, Riding or Diviſion for the Time being, among the Records of the Seſſions for the ſaid County, Riding or Diviſion. Oath to be recorded.

II. And be it further enacted by the Authority aforeſaid, That every ſuch Clerk of the Peace ſhall, upon Demand for that Purpoſe made, forthwith deliver a true and atteſted Copy of the ſaid Oath in Writing, to any Perſon, paying for the ſame the Sum of two Shillings and no more; which being proved to be a true Copy of ſuch Oath, to be kept amongſt the Records as aforeſaid, ſhall be admitted to be given in Evidence upon any Iſſue in any Action, Suit or Information, to be brought upon this Act. Copy of Oath to be given for 2 s. and admitted in Evidence.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March*, any Perſon who ſhall act as a Juſtice of the Peace for any County, Riding or Diviſion, within that Part of *Great Britain* called *England*, or the Principality of *Wales*, without having taken and ſubſcribed the ſaid Oath as aforeſaid, or without being qualified according to the true Intent and Meaning of this Act, ſhall for every ſuch Offence, forfeit the Sum of one hundred Pounds; one Moiety to the Uſe of the Poor of the Pariſh in which he moſt uſually reſides, and the other Moiety to the Uſe of ſuch Perſon or Perſons who ſhall ſue for the ſame, to be recovered, together with full Coſts of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and in every ſuch Action, Suit or Information, the Proof of his Qualification ſhall lie on ſuch Perſon againſt whom the ſame is brought. Penalty of 100 l. on any Perſon acting unqualified. Proof of Qualification ſhall lie on the Defendant.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That if the Defendant in any ſuch Action, Suit or Information, ſhall intend to inſiſt upon any Lands, Tenements or Hereditaments, not contained in ſuch Oath as aforeſaid, as his Qualification to act as a Juſtice of Peace in Part, or in the Whole, at the Time of the ſuppoſed Offence, wherewith he is charged, he ſhall at or before the Time of his Pleading, deliver to the Plaintiff or Informer, or his Attorney, a Notice in Writing, ſpecifying ſuch Lands, Tenements and Hereditaments (other than thoſe contained in the ſaid Oath) and the Pariſh, Townſhip, Precinct or Place, or Pariſhes, Townſhips, Precincts or Places, and the County or Counties wherein the ſame are reſpectively ſituate, lying or being (Offices and Benefices excepted, which it ſhall be ſufficient to aſcertain by their known and uſual Names) and if the Plaintiff or Informer in any ſuch Action, Suit or Information, ſhall think fit thereupon not to proceed any further, he may with the Leave of the Court, diſcontinue ſuch Action, Suit or Information, on Payment of ſuch Coſts to the Defendant as the Court ſhall award. Defendant to ſpecify Lands (not contained in his Oath) in a written Notice.

V. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That upon the Trial of the Iſſue in any Action, Suit or Information, to be brought as aforeſaid, no Lands, Tenements or Hereditaments, which are not contained in ſuch Oath and Notice as aforeſaid, or one of them, ſhall be allowed to be inſiſted upon by the Defendant, as any Part of his Qualification. Lands not mentioned in the Oath or Notice, not to be allowed.

VI. And be it further enacted and declared by the Authority aforeſaid, Where the Lands, Tenements, or Hereditaments, contained in the ſaid Oath or Notice, are together with other Lands, Tenements, and Hereditaments, belonging to the Perſon taking ſuch Oath, or delivering ſuch Notice, liable to any Charges, Rents or Incumbrances, that within the true Intent and Meaning, and for the Purpoſes of this Act, the Lands, Tenements and Hereditaments, contained in the ſaid Oath or Notice, ſhall be deemed and taken to be liable and chargeable, only ſo far as the other Lands, Tenements and Hereditaments ſo jointly charged, are not ſufficient to pay, ſatisfy or diſcharge the ſame. Lands mentioned in the Oath or Notice, how far chargeable with Incumbrances.

VII. Provided always, That where the Qualification required by this Act, or any Part thereof conſiſts of Rent, it ſhall be ſufficient to ſpecify in ſuch Oath or Notice as aforeſaid, ſo much of the Lands, Tenements or Hereditaments, out of which ſuch Rent is iſſuing, as ſhall be of ſufficient Value to anſwer ſuch Rent. Caſe of Qualification by Rent only.

VIII. Provided always, and be it enacted by the Authority aforeſaid, That in caſe the Plaintiff, or Informer, in any ſuch Action, Suit or Information, ſhall diſcontinue the ſame, otherwiſe than aforeſaid, or be nonſuit, or Judgment be otherwiſe given againſt him, that then and in any of the ſaid Caſes, the Perſon againſt whom ſuch Action ſhall have been brought, ſhall recover treble Coſts. Treble Coſts.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That only one Penalty of one hundred Pounds ſhall be recovered from the ſame Perſon by virtue of this Act, or of an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act for the further Qualifications of Juſtices of the Peace*, for the ſame, or any other Offence committed by the ſame Perſon, before the bringing of the Action, Suit or Information, upon which one Penalty of one hundred Pounds ſhall have been recovered, Only one Penalty recoverable by this and 5 Geo. 2. c. 18.

vered, and due Notice given to the Defendant of the Commencement of such Action, Suit or Information; any Thing in this or the same Act to the contrary notwithstanding.

No subsequent Action to be for Offences prior to the first Action and Notice.

X. Provided always, and be it enacted by the Authority aforesaid, That where an Action, Suit or Information shall be brought, and due Notice given thereof as aforesaid, no Proceedings shall be had upon any subsequent Action, Suit or Information against the same Person, for any Offence committed before the Time of giving such Notice as aforesaid; but the Court where such subsequent Action, Suit or Information shall be brought, may upon the Defendant's Motion, stay Proceedings upon every such subsequent Action, Suit or Information, so as such first Action, Suit or Information be prosecuted without Fraud, and with Effect, it being hereby declared, That no Action, Suit or Information, which shall not be so prosecuted, shall be deemed or construed to be an Action, Suit or Information, within the Intent and Meaning of this Act.

Limitation of Actions.

XI. Provided always, That every Action, Bill, Plaint, or Information, given by this or the said former Act, shall be commenced within the Space of six Kalendar Months, after the Fact upon which the same is grounded shall have been committed.

Places not within this Act.

XII. Provided always, That this Act or any thing herein contained, shall not extend, or be construed to extend, to any City or Town, being a County of itself, or to any other City, Town, Cinque-port, or Liberty, having Justices of the Peace within their respective Limits and Precincts, by Charter, Commission, or otherwise; but that in every such City, Town, Liberty, and Place, such Persons may be capable to be Justices of the Peace, and in such Manner only, as they might have been if this Act had never been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Persons excepted.

XIII. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act, or in an Act passed in the fifth Year of his present Majesty's Reign, intituled, *An Act for the further Qualification of Justices of the Peace*, contained, shall extend to any Peer, or Lord of Parliament, or to the Lords or others of his Majesty's most honourable Privy Council, or to the Justices of either Bench, or to the Barons of the Court of Exchequer, or to his Majesty's Attorney or Solicitor General, or to the Justices of Great Sessions for the County Palatine of *Chester*, and the several Counties of the Principality of *Wales*, within their respective Jurisdictions, or to the eldest Son or Heir Apparent of any Peer, or Lord of Parliament, or of any Person qualified to serve as a Knight of a Shire, by an Act made in the ninth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act to secure the Freedom of Parliaments, by the further qualifying Members to sit in the House of Commons*; any thing herein contained to the contrary thereof in any wise notwithstanding.

Persons excepted.

XIV. Provided also, That nothing in this Act, or in the said Act of the fifth Year of the Reign of his present Majesty contained, shall extend, or be construed to extend, to incapacitate or exclude the Officers of the Board of Green Cloth from being Justices of the Peace within the Verge of his Majesty's Palaces, or to incapacitate or exclude the Commissioners and principal Officers of the Navy, or the two Under Secretaries in each of the Offices of Principal Secretary of State, or the Secretary of *Chelsea College*, from being Justices of the Peace in or for such Counties or Places where they usually have been Justices of the Peace; any thing herein contained to the contrary in any wise notwithstanding.

Persons excepted.

XV. Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to any of the Heads of Colleges or Halls in either of the two Universities of *Oxford* and *Cambridge*, or to the Vice Chancellor of either of the said Universities, or to the Mayor of the City of *Oxford*, or of the Town of *Cambridge*, but that they may be and act as Justices of the Peace of and in the several Counties of *Oxford*, *Berks*, and *Cambridge*, and the Cities and Towns within the same, and execute the Office thereof as fully and freely in all Respects as heretofore they have lawfully used to execute the same, as if this Act had never been made; any thing herein before contained to the contrary notwithstanding.

Concerning the Power and Duty of Justices of Peace see farther 24 *Geo.* 2. *c.* 44 & 55. 26 *Geo.* 2. *c.* 14 & 27.

27 *Geo.* 2. *c.* 16 & 20. *and* 1 *Geo.* 3. *c.* 13. *by which last this Act is amended.*

CAP. XXI.

An Act to continue an Act, made in the sixth Year of the Reign of his present Majesty, for the better Regulation of Lastage and Ballastage in the River *Thames*.

6 Geo. 2. c. 29.

'WHEREAS an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Lastage and Ballastage in the River* Thames, which was to continue in Force from the first Day of *June* one thousand seven hundred and thirty-three, for five Years, and from thence to the End of the then next Session of Parliament; and which by an Act made in the eleventh Year of the Reign of his present Majesty, was further continued for seven Years, and from thence to the End of the then next Session of Parliament, is near expiring: And whereas the said Act hath been found to be a very useful Law, and to tend greatly to the preserving the Navigation of the said River *Thames*, and thereby to promote and encourage the Trade of this Kingdom;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and all and every the Powers, Authorities, Clauses, and Provisions therein contained, shall be and continue,

tinue, and the same is and are hereby continued in Force, from the Expiration thereof, for and during the further Term of eleven Years, and from thence to the End of the then nex Session of Parliament. *Further continued, amended and explained by 32 Geo. 2. c. 16.*

CAP. XXII.

An Act for granting to his Majesty the Sum of eight hundred thousand Pounds out of the Sinking Fund; and for granting a Sum remaining in the Exchequer, arisen by the Surplus of the Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and forty-five; and for the further appropriating the Supplies granted in this Session of Parliament; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices, and for the further enforcing the Payment of the said Duties.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, being desirous not only to raise such Supplies as are necessary to enable your Majesty to carry on the present War with Vigour, but also to use such Ways and Means therein, as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of eight hundred thousand Pounds out of the Surplusses, Excesses, and Overplus Monies, commonly called the *Sinking Fund*, towards the Supply granted to your Majesty for the Service of the Year one thousand seven hundred and forty-five; and to that End and Purpose do most humbly beseech your Majesty that it may be enacted, And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from time to time be and remain in the Receipt of the Exchequer, of the said Surplusses, Excesses, or Overplus Monies, commonly called *The Sinking Fund*, (after paying or reserving sufficient to pay all such Sum and Sums of Monies as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued, and applied, a Sum not exceeding the said Sum of eight hundred thousand Pounds, for and towards the Supply granted to his Majesty for the Service of the said Year one thousand seven hundred and forty-five; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly. Sum of 800 000l. to be issued out of the Sinking Fund, for the Service of the Year 1745.

'II. And whereas it hath been found by Experience, That Soapers Waste is of great Use and Service 'for Improvement of Lands, for which Purpose great Quantities thereof would be used, if the same were 'permitted to be brought into this Kingdom freed and discharged from Payment of the Duties, to which 'the same is now liable upon Importation;' For the Encouragement therefore of such Improvements, Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-five, all the Duties now payable for Soapers Waste, imported into this Kingdom, shall cease and determine; and from thenceforth it shall be lawful to import into this Kingdom Soapers Waste, without paying any Subsidy, Custom, Imposition or other Duty for the same; any Law, Statute, Usage or Provision to the contrary notwithstanding. Duties for Soapers Waste to cease, after June 24, 1745.

III. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall think it adviseable to raise the said Sum of eight hundred thousand Pounds, or any Part thereof, by Loans or Exchequer Bills, in Manner hereafter mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of eight hundred thousand Pounds, upon the Credit of the said Surplusses, Excesses, and Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding three Pounds ten Shillings *per Centum per Annum*, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover that no Money so to be lent upon the Security of this Act shall be rated or assessed to any Tax or Assessment whatsoever. Clause of Loan at 3 l. 10 s. per Cent. free from Taxes.

IV. And be it further enacted, That all and every Person and Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediatly have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, not exceeding the said Rate of three Pounds ten Shillings *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent shall be registred in Course according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders Tallies of Loan to be struck. Manner of Payment.

ders ſhall ſtand regiſtred in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators, or Aſſigns, who ſhall have his, her, or their Order or Orders firſt entered in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes, and Overplus Monies; and he, ſhe, or they, who ſhall have his, her or their Order or Orders next entered, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in, of or for the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*, as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, without undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever (other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid;) and that no Fee, Reward or Gratuity directly or indirectly ſhall be demanded or taken of any of his Majeſty's Subjects for providing or making of any ſuch Books or Regiſters, or any Entries, Views or Searches in or for Payment of Money lent, or the Intereſt thereof as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt with full Coſts of Suit to the Party grieved, and ſhall be forejudged of his Place or Office; and if ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Office or Place; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon ſuch Order, according to each Perſon's due Place and Order as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction or Order of Reſtraint ſhall be in any wiſe granted or allowed.

Sinking Fund liable,

without undue Preference.

No Fee to be taken.

Penalties.

What ſhall not be undue Preference.

V. Provided always, and it is declared, That if it ſhall happen that ſeveral Tallies of Loan or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtred, then it ſhall be interpreted no undue Preference which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

VI. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Method of transferring.

VII. And be it further enacted, That all and every Perſon and Perſons, to whom any Money ſhall be due for Loans to be regiſtred by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his, her or their Order, may aſſign or transfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order, or any Part thereof to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officers ſhall upon Requeſt without Fee or Charge accordingly make) ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof, and Payment thereon, and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment to make void, releaſe or diſcharge the ſame, or any the Monies thereby due, or any Part thereof.

The Sum may be raiſed by Exchequer Bills.

VIII. And to the End there may be no Want or Failure of a certain Sum not to exceed in the whole the ſaid Sum of eight hundred thouſand Pounds, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means for the Publick Service; Be it further enacted by the Authority aforeſaid, That in Caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of eight hundred thouſand Pounds, or any Part thereof, by Exchequer Bills, inſtead of ſuch Loans as aforeſaid, that then they reſpectively are hereby authorized and impowered at any Time or Times to prepare and make, or cauſe to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the ſaid Sum of eight hundred thouſand Pounds, together with ſuch Loans as aforeſaid, in the ſame or like Manner, Form or Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of Parliament for granting an Aid to his Majeſty by a Land Tax, for the Service of the Year one thouſand ſeven hundred and forty-five, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſaid Act.

IX. And

IX. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities, contained in the ſaid laſt-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Aids, Taxes or Aſſeſſments granted by the ſame Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſaid Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated or re-enacted in the Body of this preſent Act. Clauſes of the Land Tax Act relating to Loans and Exchequer Bills, extended to This.

X. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills as ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate and Charges incident to, or attending the ſame, ſhall be and are hereby charged and chargeable upon and ſhall be repaid and borne by or out of the growing Produce of the ſaid Surpluſſes, Exceſſes and Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof. Exchequer Bills chargeable on the Sinking Fund.

XI. And be it further enacted by the Authority aforeſaid, That the Sum of twenty-one thouſand two hundred and forty-four Pounds thirteen Shillings and eight Pence three Farthings, now remaining in the Receipt of his Majeſty's Exchequer, of the Surplus of the Duties on Malt, Mum, Cyder and Perry, granted for the Service of the Year one thouſand ſeven hundred and forty-thee, ſhall and may be iſſued as Part of his Majeſty's Supply for the Service of the Year one thouſand ſeven hundred and forty-five; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding. 21,244 l. 13 s. 8 d. 3 Farthings Surplus of Duties on Malt, &c. for 1743, to be iſſued for 1745.

XII. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-five*; and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled. *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and forty-five*; and ſo much Money (if any ſuch be) of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made, or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo all the Monies coming into the Exchequer by Loans, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſix Years*; *and for declaring that the Duties on Salt, which ariſe and are payable in that Part of* Great Britain *called* Scotland, *ſhall be ſubject to the ſame Charges thereon, as the ſame Duties were liable to by the Act of the fifth Year of the Reign of his late Majeſty King* GEORGE *the Firſt*; and alſo all the Monies coming into the Exchequer by Annuities, after the Rate of three Pounds *per Centum per Annum*, and by Contributions by way of a Lottery, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting to his Majeſty ſeveral additional Duties upon all Wines imported into* Great Britain; *and for raiſing a certain Sum of Money by Annuities and a Lottery, in Manner therein mentioned, to be charged on the ſaid additional Duties*; and the Sum of twenty-one thouſand two hundred and forty-four Pounds thirteen Shillings and eight Pence three Farthings, remaining in the Receipt of his Majeſty's Exchequer, of the Surplus of the Duties on Malt, Mum, Cyder and Perry, granted for the Service of the Year one thouſand ſeven hundred and forty-three; and alſo the Sum of eight hundred thouſand Pounds by this Act granted, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein after expreſſed (that is to ſay) it is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two million two hundred ninety-two thouſand four hundred ſeventy-nine Pounds nine Shillings and ten Pence, for or towards the Naval Services herein after more particularly expreſſed; (that is to ſay) For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance performed and to be performed; and for or towards building an Hoſpital near *Portſmouth*, and purchaſing Land on which the ſame is to be erected, and the neceſſary Walling attending the ſame, for the Year one thouſand ſeven hundred forty-five. Application of the Supplies; by the Land Tax; by Duties on Malt, &c. by Duties on Salt; by Duties on Wines imported; and by Annuities and a Lottery; by 21,244 l. 13 s. 8 d. three Farthings Surplus, &c. and by 800,000 l. by this Act granted,

XIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding forty-five thouſand five Pounds nine Shillings and ten Pence, for the Freight of Tranſports, between the firſt Day of *January* one thouſand ſeven hundred and forty-three and the thirty-firſt Day of *December* one thouſand 45,005 l. 9 s. 10 d. for Freight of Tranſports.

13,345 l. 7 s. 7 d. Halfpenny for Victuals for Land Forces.

thouſand ſeven hundred and forty-four; and any Sum or Sums of Money not exceeding thirteen thouſand three hundred forty-five Pounds ſeven Shillings and ſeven Pence Halfpenny, for the Expence of Victuals provided for his Majeſty's Land Forces, between the firſt Day of *January* one thouſand ſeven hundred and forty-three and the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-four.

19,000 l. to Greenwich Hoſpital.

XIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ten thouſand Pounds, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

263,435 l. 6 s. 1 d. Charge of Ordnance Office for Land Service.

XV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two hundred ſixty-three thouſand four hundred thirty-five Pounds ſix Shillings and one Penny, for or towards defraying the Charge of the Office of Ordnance for Land Service for the Year one thouſand ſeven hundred and forty-five, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

1,878,417 l. 3 s. 10 d. Halfpenny, for Guards, Garriſons, Marines, &c. and for 28,107 effective Men in Flanders, &c.

XVI. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million eight hundred ſeventy-eight thouſand four hundred ſeventeen Pounds three Shillings and ten Pence Halfpenny, for defraying the Charge of Guards, Garriſons and Marines, and other Services in *Great Britain*, *Guernſey* and *Jerſey*, and for defraying the Charge of twenty-eight thouſand one hundred and ſeven effective Men, Commiſſion and Non-commiſſion Officers included, for the Service of the War in *Flanders*, and for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons at *Annapolis Royal*, *Placentia*, *Providence*, *Gibraltar*, *Georgia* and *Rattan*, for the Year one thouſand ſeven hundred and forty-five, and for or towards defraying the extraordinary Charge of Forrage, Waggon Money, and other Expences, incurred or to be incurred, for the Service of the Year one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money not exceeding fifty-ſeven thouſand nine hundred ſixty-five Pounds nine Shillings and two Pence Half-penny, for the Allowance of eight Weeks Pay to the Troops of *Hanover*, for their Return, computed from the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-four, the Time of their Diſcharge; and any Sum or Sums of Money, not exceeding thirty-two thouſand ninety-four Pounds ten Shillings and eight Pence, for defraying the Charge of ſix thouſand *Dutch* Troops, whilſt in *Great Britain*, in the Years one thouſand ſeven hundred and forty-three, and one thouſand ſeven hundred and forty-four; and the Sum of ten thouſand two hundred forty Pounds one Shilling and a Penny, for defraying the Charge of the ſaid ſix thouſand *Dutch* Troops, during the Time of their Continuance in his Majeſty's Service in *Flanders*, in the Year one thouſand ſeven hundred and forty-four; and any Sum or Sums of Money not exceeding thirty-ſeven thouſand ſix hundred and ten Pounds eighteen Shillings and eight Pence Farthing, for the Pay and Forage of the General and Staff Officers, and likewiſe for the Pay of the Officers of the Hoſpital ſerving with his Majeſty's Forces in *Flanders* for the Year one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money not exceeding eighty-five thouſand eight hundred forty-ſeven Pounds four Shillings and nine Pence, for defraying extraordinary Expence of the Troops in *Britiſh* Pay which ſerved in *Flanders* incurred in the Year one thouſand ſeven hundred and forty-four, not provided for by Parliament; and any Sum or Sums of Money not exceeding twenty-three thouſand nine hundred ſixty-one Pounds two Shillings and eleven Pence, for defraying the Charge of two Troops of Rangers, a Highland Company, Boatmen, Half Galleys or Schooners, for the Service of *Georgia*, from the thirtieth Day of *September* one thouſand ſeven hundred and forty-four to the twenty-fourth Day of *December* one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money not exceeding thirty-eight thouſand eight hundred thirty-nine Pounds eighteen Shillings and five Pence Halfpenny, for defraying extraordinary Expences and Services of his Majeſty's Land Forces in *Great Britain*, *Minorca*, *Gibraltar*, and the Plantations, incurred *Anno* one thouſand ſeven hundred and forty-four, not provided for by Parliament; and any Sum or Sums of Money not exceeding twenty-ſix thouſand ſeven hundred ſeventy-five Pounds fifteen Shillings and ten Pence, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and forty-five, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half pay, as is herein after preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding three thouſand eight hundred and ſixty-four Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and forty-five; which ſaid Sum of three thouſand eight hundred and ſixty-four Pounds, ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Majeſty's Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts, or other Directions, and with and ſubject to ſuch Conditions, Qualifications, or other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint.

57,065 l. 9 s. 2 d. Halfpenny for pay of Hanover Troops.

32,094 l. 10 s. 8 d. for 6000 Dutch Troops in Great Britain.

10,240 l. 1 s. 1 d. for Dutch Troops in Flanders.

37,610 l. 18 s. 8 d. Farthing for Pay of Staff Officers in Flandere.

85,847 l. 4 s. 9 d. for extraordinary Expences of the Troops.

23,961 l. 2 s. 11 d. for Rangers, Half-Gallies, &c. for Georgia.

38,839 l. 18 s. 5 d. Halfpenny extraordinary Expences of Land Forces.

26,775 l. 15 s. 10 d. for Officers Half-pay.

3864 l. for Penſions to reduced Officers Widows.

500,000 l. to make good Engagements with the Queen of Hungary.

XVII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding five hundred thouſand Pounds, to make good his Majeſty's Engagements with the Queen of *Hungary*, and to enable her to augment and increaſe her Army for the Support of the Houſe of *Auſtria*, and for carrying

rying on the preſent War with Vigour; and any Sum or Sums of Money not exceeding two hundred thouſand Pounds, to make good his Majeſty's Engagements with the King of *Sardinia*, purſuant to Treaty; and any Sum or Sums of Money not exceeding one hundred thouſand Pounds, to make good his Majeſty's Engagements with the King of *Poland*, as Elector of *Saxony*, purſuant to Treaty; and any Sum or Sums of Money not exceeding twenty-four thouſand two hundred ninety-nine Pounds one Shilling and four Pence, to make good his Majeſty's Engagements with the Elector of *Cologn*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding eight thouſand ſix hundred and twenty Pounds, to make good his Majeſty's Engagements with the Elector of *Mentz*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding five hundred thouſand Pounds, on Account, to enable his Majeſty to make good ſuch other Treaties, as are or ſhall be made with his Majeſty's Allies, and for other Services of the War, for the Year one thouſand ſeven hundred and forty-five.

200,000 l. to the King of Sardinia. 100,000 l. to the King of Poland Elector of Saxony. 24,299 l. 1 s. 4 d. to the Elector of Cologn. 8,620 l. to the Elector of Mentz. 500,000 l. for other Treaties and Services.

XVIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding five thouſand ninety-five Pounds eight Shillings and eight Pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and forty-three; and any Sum or Sums of Money not exceeding thirteen thouſand nine hundred fifty-ſeven Pounds nineteen Shillings and two Pence Halfpenny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets, or Wines made from *Britiſh* or foreign Fruit or Sugar, at *Michaelmas* one thouſand ſeven hundred and forty-four.

5,095 l. 8 s. 8 d. to the Sinking Fund for Stamp Duties, 1743. 13,957 l. 19 s. 2 d. Halfpenny to the Sinking Fund for Duty on Sweets.

XIX. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſixty-five thouſand two hundred ſixty-five Pounds thirteen Shillings and five Pence Half-penny, for making good the Deficiency of the General Fund for the Year ended at *Michaelmas* one thouſand ſeven hundred and forty-four; and any Sum or Sums of Money, not exceeding one hundred ſeventy-ſeven thouſand four hundred twenty-one Pounds eighteen Shillings and three Pence Halfpenny, to make good the Deficiency of the Grants for the Service of the Year one thouſand ſeven hundred and forty-four.

65,265 l. 13 s. 5 d. Halfpenny for Deficiency of the General Fund, 1744. 177,421 l. 18 s. 3 d. Halfpenny for Deficiency of Grants, 1744.

XX. And be it enacted, That the ſaid Aids or Supplies provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Supplies appropriated.

XXI. And as to the ſaid Sum of twenty-ſix thouſand ſeven hundred ſeventy-five Pounds fifteen Shillings and ten Pence, by this Act appropriated on Account of Half-pay, as aforeſaid; It is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop, or Company in which he ſerved was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Employment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame who hath reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

Rules for the Application of Half-pay.

See 19 *Geo.* 2. *c.* 31.

'XXII. And whereas by an Act of Parliament made in the ſeventeenth Year of his Majeſty's Reign, intituled, *An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund; and for applying a Sum remaining in the Exchequer, ariſen by the Coinage Duty, for the Service of the Year one thouſand ſeven hundred and forty-four; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Annuity Orders, and other Orders loſt, burnt, or otherwiſe deſtroyed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices, and to enable the Reverſioners of certain Annuities therein mentioned, to receive ſuch Annuities, if the ſame ſhall not be demanded within a certain Time by the Annuitants for Life, until Proof be made that ſuch Annuitants are living*; ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to ſeveral Uſes and Purpoſes therein expreſſed, amongſt which, any Sum or Sums of Money not exceeding thirty-one thouſand ſix hundred and ninety-five Pounds and twelve Shillings, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of thirty-one thouſand ſix hundred and ninety-five Pounds and twelve Shillings, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers according to the Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon

17 Geo. 2. c. 33.

The Overplus of laſt Year's Half-pay, to be applied to the Compaſſionate Liſt.

of their long Service, or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity; or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants, under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any Thing in this Act or the ſaid former Act to the contrary notwithſtanding.

8 Annæ, c. 9. 9 Annæ, c. 21.

'XXIII. And whereas by two ſeveral Acts of Parliament made and paſſed in the eighth and ninth 'Years of the Reign of her late Majeſty Queen ANNE, certain Rates and Duties to be under the Ma- 'nagement of the Commiſſioners for the Stamp Duties, were charged and directed to be levied, and con- 'tinued, for or in reſpect of Monies given, paid, or contracted for, with Clerks, Apprentices or Servants, 'to be paid at ſuch Times, and in ſuch Manner, and under ſuch Penalties, as in and by the ſaid ſeveral 'Acts are reſpectively mentioned, expreſſed and provided; and whereas ſeveral Perſons have, through 'Neglect or Inadvertency, omitted to pay the ſeveral Rates and Duties payable in that Behalf, and to 'have the Indentures or Contracts ſtamped within the Times for thoſe Purpoſes reſpectively limited by 'the ſaid Acts, whereby ſuch Clerks, Apprentices or Servants, and their Maſters or Miſtreſſes reſpec- 'tively, have incurred, and may be ſubject to ſeveral Penalties, Forfeitures, and Diſabilities;' It is there-

Further Time for Payment of Duties for Indentures to Auguſt 1, 1745; and for ſtamping Indentures to Sept. 29, 1745.

fore further enacted by the Authority aforeſaid, That upon Payment of the ſeveral Rates and Duties ſo omitted or neglected to be paid as aforeſaid, on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-five, to the Perſon or Perſons to whom the ſame ought to be paid, purſuant to the ſaid Act; and upon tendering to be ſtampt ſuch Indentures or Contracts ſo omitted to be ſtampt at the ſame Time, or at any Time before the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-five, the ſame Indentures or Contracts ſhall be good and available in Law and Equity, and may be given in Evidence in any Court whatſoever; and the Clerks, Apprentices, or Servants therein named, ſhall be capable of following and exerciſing their reſpective intended Trades or Employments, as fully as if the Rates and Duties ſo omitted, had been duly paid within the reſpective Times, in the ſaid former Acts, or either of them, limited and appointed; and the Perſons who have incurred any Penalties, by the Omiſſions aforeſaid, upon Payment of ſuch Rates and Duties as aforeſaid, within the Time before limited, are hereby acquitted and diſcharged from the ſaid Penalties; any thing in the ſaid two former Acts, or either of them, contained to the contrary notwithſtanding.

Further Penalties for not paying the ſaid Duties;

XXIV. And for the better enforcing the Payment of the Rates and Duties directed to be levied and paid by the ſaid former Acts; it is hereby further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty-five, if any Maſter or Miſtreſs ſhall neglect to pay the ſaid Rates and Duties for Clerks, Apprentices or Servants, within the reſpective Times, in and by the former Acts limited and appointed in that Behalf, according to the true Intent and Meaning of the ſame, every ſuch Maſter and Miſtreſs ſhall, for every ſuch Neglect, forfeit and pay double the Rates and Duties charged and directed to be paid and levied by the ſaid former Acts, or either of them (over and above all Penalties and Forfeitures thereby inflicted) for all Monies which ſhall at any Time or Times, after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, be given, paid, contracted or agreed for, with or in relation to every ſuch Clerk, Apprentice or Servant; which ſaid Penalties and Forfeitures, directed to be levied by this preſent Act,

how to be recovered.

ſhall be paid by the ſaid Maſters or Miſtreſſes reſpectively, and ſhall be recovered, paid and applied, in ſuch and the ſame Manner as any Penalties or Forfeitures inflicted by the ſaid former Acts, or either of them, are thereby directed to be recovered, levied, paid or applied.

Encouragement to Clerks, Apprentices, &c. to pay the Duties on Indentures, if not paid by Maſters, &c.

XXV. And it is hereby further enacted, That if any Maſter or Miſtreſs of any ſuch Clerk, Apprentice or Servant reſpectively, ſhall neglect to pay the ſaid Rates and Duties ſo charged by the ſaid former Acts, or either of them, within the reſpective Times therein limited in that Behalf, whereby the Penalties or forfeitures incurred by virtue of this Act, will become charged upon, and be payable by them reſpectively; and any ſuch Clerk, Apprentice or Servant reſpectively, ſhall, and do in that Caſe pay, or cauſe to be paid, the Rates and Duties charged by the ſaid former Acts, or either of them; and alſo the Penalties and Forfeitures inflicted and incurred by this preſent Act, at any Time within one Year after the ſame ſhall ſo reſpectively become charged, incurred, and made payable by virtue of this Act as aforeſaid (ſuch Maſter or Miſtreſs not having then paid the ſaid Rates, Duties, Penalties and Forfeitures reſpectively, although required by ſuch Clerk, Apprentice or Servant ſo to do); then, and in ſuch Caſe, it ſhall and may be lawful to and for any ſuch Clerk, Apprentice, or Servant, within three Months after ſuch Payment of the ſaid Rates, Duties, Penalties, and Forfeitures reſpectively, by him, her, or them, as aforeſaid, to demand of his or her Maſter or Miſtreſs, or his, her or their Executors or Adminiſtrators, ſuch Sum or Sums of Money, as was or were paid to ſuch Maſter or Miſtreſs, for or in reſpect of ſuch Clerkſhip, Apprenticeſhip or Servitude; and in Caſe ſuch Sum or Sums of Money ſhall not be paid within three Months after ſuch Demand thereof made, it ſhall and may be lawful to and for any ſuch Clerk, Apprentice or Servant, to ſue for and recover the ſame, with full Coſts of Suit, againſt ſuch Maſter or Miſtreſs, his, her or their Executors or Adminiſtrators, by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and every ſuch Clerk, Apprentice or Servant, ſhall and may immediately after Payment of ſuch Rates, Duties, Penalties and Forfeitures as aforeſaid, be diſcharged from his, her or their Clerkſhip, Apprenticeſhip, and Service reſpectively; and from all Actions, Penalties, Forfeitures and Damages, for not ſerving the Time, for which he, ſhe or they were reſpectively bound, contracted for, or agreed to ſerve ſuch Maſter or Miſtreſs reſpectively.

Such Clerks, &c. to have the ſame Benefit as in caſe of turning over.

XXVI. Provided always, and it is hereby further enacted and declared, That every ſuch Clerk, Apprentice or Servant, ſhall avail him or herſelf, and have ſuch and the ſame Benefit and Advantage of the Time he or ſhe ſhall reſpectively have continued with, and ſerved ſuch Maſter or Miſtreſs reſpectively,

as he or ſhe could or might have done, in caſe of any Aſſignment or Turning over to any new or other Maſter or Miſtreſs.

See farther concerning Indentures 20 *Geo.* 2. *c.* 45. 32 *Geo.* 2. *c.* 23.

CAP. XXIII.

An Act to repair and widen the Road leading from *Godmancheſter* in the County of *Huntingdon*, through *Fen Stanton* and *Cambridge*, to the *Firſt Rubbing Houſe* on *Newmarket Heath* in the County of *Cambridge*. PR.

Tolls granted for 21 Years.

CAP. XXIV.

An Act for effectually preventing the Exportation of Foreign Linens, under the Denomination of *Britiſh* or *Iriſh* Linens.

For former Proviſions concerning Linens refer to 28 *H.* 8. *c.* 4.

1 *El. c.* 12. 7 & 8 *W.* 3. *c.* 39. 1 *Ann. ſt.* 2. *c.* 8. 3 *Ann. c.* 8. 7 *Ann. c.* 7. 10 *Ann. c.* 19 & 21. 12 *Ann. ſt.* 2. *c.* 9, 19 & 21. 1 *Geo.* 1. *c.* 36. 3 *Geo.* 1. *c.* 7 & 21. 15 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 30.

'WHEREAS by Reaſon of the Bounty or Allowances granted on the Exportation of *Britiſh* and *Iriſh* Linens, evil-minded Perſons may fraudulently endeavour to export Linens of foreign Fabrick and Manufacture, and to receive the ſaid Bounties or Allowances for the ſame, as if the ſame were of the Manufacture of *Great Britain* and *Ireland*: And whereas certain Stamps are required by Law, to be put upon Linens, made in that Part of *Great Britain* called *Scotland*, and in *Ireland*, which may have been put on foreign Linens, in order to vend them as Linens of the Manufacture of that Part of *Great Britain* called *Scotland*, or of *Ireland*;' For Remedy whereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-five, no Stamp Maſter or Lapper in *Scotland* or *Ireland*, ſhall any way mark, ſtamp, or ſeal any Linens whatſoever, until ſuch Stamp Maſter or Lapper ſhall have taken an Oath for the true and faithful Execution of his Office, before one or more Juſtice or Juſtices of the Peace in *Scotland* and *Ireland* reſpectively (which Oath the ſaid Juſtice or Juſtices is and are hereby authorized and required to adminiſter) nor until after the Owner or Manufacturer of any Linen brought to be marked or ſtamped, ſhall before the Stamp Maſter of the Place, next adjoining to the Place of Abode of the Owner or Maker of ſuch Linen, take an Oath (which Oath the ſaid Stamp Maſters, ſeverally and reſpectively, are hereby authorized and required to adminiſter) that ſuch Linens deſired to be marked or ſtamped, and every Part thereof, is and are really and truly of the Manufacture of *Scotland* or *Ireland*, and of no other Place.

Stamp Maſters to take an Oath for the true Execution of their Office.

Linens to be ſtamped muſt be ſworn to be of the Manufacture of Scotland or Ireland.

II. And be it further enacted by the Authority aforeſaid, That no Bounty ſhall be paid or allowed on the Exportation of any *Britiſh* or *Iriſh* Linens, but on ſuch only, at both Ends of every Piece whereof the Name and Place of Abode of the Manufacturer or Maker thereof, together with the Year of our Lord, wherein the ſaid Piece was manufactured or made; and alſo a Number, denoting the Order in which ſuch Piece was ſo manufactured or made in ſuch Year, beginning with N° I. and proceeding progreſſively, according to the Number of Pieces made by ſuch Manufacturer or Maker in each Year; and alſo the Name and Place of Abode of the Exporter or Seller thereof for Exportation, ſhall be ſeverally marked or ſtamped in plain, diſtinct, and legible Letters, Figures, and Words at Length; and unleſs at the Ends of every Piece of ſuch Linen, there ſhall be marked or ſtamped in plain, diſtinct, and legible Letters, Words, and Figures, the Month and Year when, and the Name of the Port at which ſuch Linens ſhall be entered for Exportation, claiming the Bounty; and unleſs (except in the Inſtance herein after mentioned) the Ends of every ſuch Piece of Linen, near which ſuch Marks or Stamps ſhall be made, ſhall be whole and entire, as the ſame were when it was cut or taken out of the Loom; any Law or Statute to the contrary thereof in any wiſe notwithſtanding; all which Marks or Stamps ſhall be marked or ſtamped with Lamp-black and burnt Oil, in a plain, legible, and durable Manner.

Conditions of paying a Bounty on Linens exported.

'III. And whereas it is a frequent Practice in *Scotland*, to cut a Piece of Linen after it is taken out of the Loom into two or more Pieces, for the Purpoſe of bleaching or whitening the ſame, whereby one or more of ſuch Pieces may not have the Maker's or Manufacturer's Name made or ſet thereon, as is herein before directed:' For Remedy whereof, Be it enacted by the Authority aforeſaid, That every Piece of Cloth intended to be cut for the Purpoſe of bleaching or whitening, ſhall be ſo cut in the Preſence of the Stamp Maſter of the Place next adjoining to the Place of Abode of the Owner of ſuch Cloth, and each Piece cut off, not having the Manufacturer's or Maker's Name and Place of Abode ſtamped thereon, ſhall be ſtamped with the Name and Place of Abode of the ſaid Stamp Maſter, and with the Name and Place of Abode of the Manufacturer and Maker thereof, together with the Year of our Lord wherein the ſame was ſo bleached or whitened, which the Stamp Maſter is hereby impowered and directed to ſtamp thereon; and no Bounty ſhall be paid or allowed on Exportation of any ſuch cut Piece of Cloth that ſhall not have the ſaid Stamps thereon: And if any Perſon or Perſons ſhall, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, ſtamp or mark any Linens, or cauſe or procure any Linens to be ſtamped or marked, contrary to all or any of the Directions of this Act, or ſhall mark or ſtamp, or cauſe or procure the ſame to be marked or ſtamped, with a Mark or Stamp, expreſſing the Name or Place of Abode of any Perſon or Perſons, other than that of the real and true Manufacturer or Maker thereof, or expreſſing an untrue Deſcription of the real and true Manufacturer's or Maker's Place of

Pieces cut for Bleaching ſhall be cut in Preſence of a Stamp Maſter;

no Bounty without ſuch Stamps:

Penalty on falſe Stamps:

of Abode, or of the Year of our Lord in which ſuch Linen was manufactured, or of the Order in which the ſame was manufactured or made, or ſhall wilfully mark or ſet on any ſuch Linens any falſe or counterfeit Stamp, in Imitation of the Mark or Stamp uſed by any Manufacturer or Maker of *Britiſh or Iriſh* Linens, or ſhall wilfuly or maliciouſly cut off, obliterate, waſh, take out, or deſtroy, or cauſe or procure to be cut off, obliterated, waſhed, or taken out, or deſtroyed, any Stamp or Mark marked or ſtamped on Linen, ſuch Perſon or Perſons ſhall forfeit the Sum of five Pounds for every Piece of Linen ſo ſtamped as aforeſaid, to be ſued for and recovered by Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, the Court of Seſſion, Court of Juſticiary, or Court of *Exchequer* in *Scotland*, or in any of his Majeſty's Courts of Record in *Dublin* reſpectively, wherein no Eſſoin, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed; and one Moiety of the ſaid Penalties ſhall be to the Uſe of the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as will ſue or proſecute for the ſame.

or on taking out Stamps;

5 l. for each Piece.

Penalty of ſtamping foreign Linens as Britiſh or Iriſh.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall make or affix, or cauſe to procure to be made or affixed, on any Linens of foreign Manufacture or Fabrick, imported into *Great Britain* or *Ireland*, any of the Marks or Stamps required by Law to be put on Linens of the Manufacture of *Scotland* or *Ireland*, or ſhall make or affix, or cauſe or procure to be made or affixed, on any ſuch foreign Linens, any of the Marks or Stamps hereby required to be marked or ſtamped upon Linens of the Manufacture of *Great Britain* or *Ireland*, or ſhall make or affix, or cauſe or procure to be made or affixed, on any ſuch foreign Linens, any Mark or Stamp, Marks or Stamps, in Imitation of any of the ſaid Marks or Stamps hereby, or by any other Law or Laws now in Force, required to be marked or ſtamped on *Britiſh* or *Iriſh* Linens; ſuch Perſon ſo offending, and being thereof convicted, ſhall ſtand on the Pillory during the Space of one Hour in the Forenoon, and alſo be puniſhed by Fine not exceeding fifty Pounds, or by Impriſoment for any Time not exceeding twelve Months, at the Diſcretion of the Court before whom ſuch Offender ſhall be convicted: And if any Perſon ſhall, after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, ſell or expoſe to Sale, or pack up for Sale, or enter for Exportation, any foreign Linens marked or ſtamped with all or any of the Marks or Stamps hereby, or by any other Law now in Force, required to be marked or ſtamped upon Linens of the Manufacture of *Great Britain* or *Ireland*, knowing ſuch Linen to be foreign; every Perſon ſo offending, and being thereof convicted, ſhall forfeit the ſaid Linens, and the Sum of five Pounds for each Piece thereof ſo ſold, expoſed to Sale, or packed up for Sale, or entered for Exportation as aforeſaid, to be ſued for and recovered by Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, the Court of Seſſion, Court of Juſticiary, or Court of Exchequer in *Scotland*, or in any of his Majeſty's Courts of Record in *Dublin* reſpectively, wherein no Eſſoin, Privilege, Wager of Law, or more than one Imparlance ſhall be allowed; and one Moiety of the ſaid Penalties ſhall be to the Uſe of the King's Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as will ſue or proſecute for the ſame: And in caſe it ſhall be made a Queſtion, Whether ſuch Linens are of the Manufacture or Fabrick of *Great Britain* or *Ireland*, or of any foreign Country; in ſuch caſe the *Onus probandi* thereof ſhall lie upon the Claimer of ſuch Linen, or the Defendant in ſuch Action or Suit.

To ſtand in the Pillory and be fined 50 l. or impriſoned 12 Months.

Penalty on exporting foreign Linens ſtamped as Britiſh or Iriſh,

to forfeit the Linens, and 5 l. per Piece;

In caſe of a Queſtion, Whether Linens be foreign; the Onus probandi to lie on the Defendant.

Method of ſtamping not to be altered.

V. Provided always, and it is hereby declared, That nothing herein contained ſhall extend to vary or alter the Method of ſtamping of Linens of the Manufacture of *Ireland* or *Scotland*, by virtue of any Law or Laws now in Force relating thereto; but that, beſides the Marks or Stamps herein before mentioned, all ſuch Linens ſhall be marked and ſtamped in the ſame Manner as the ſame ought to have been if this Act had not been made.

See farther concerning Linens, Chap. 25, 27, & 36. Alſo 21 Geo. 2. c. 26. 24 Geo. 2. c. 46. 29 Geo. 2. c. 15. 32 Geo. 2. c. 32.

CAP. XXV.

An Act for allowing certain additional Bounties on the Exportation of *Britiſh* and *Iriſh* Linens.

See 20 Geo. 2. c. 36.

'WHEREAS the Manufactures of Linens, made in the Kingdoms of *Great Britain* and *Ireland*, 'are of late Years greatly improved and increaſed, whereby the Price of Linens, as well of fo'reign as of Home Fabrick, hath been conſiderably reduced; and there is Reaſon to believe, that the ſaid 'Manufactures of Linen would be greatly improved, and the Exportation thereof to foreign Parts conſi'derably increaſed, if an additional Bounty were allowed on all *Britiſh* and *Iriſh* Linens exported, as is 'herein after mentioned;' Therefore may it pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, there ſhall be allowed, over and above the Bounty or Allowance already given, a further Bounty of one Halfpenny for every Yard of *Britiſh* or *Iriſh* Linens made of Hemp or Flax, of the Value of five Pence *per* Yard, and not exceeding the Value of twelve Pence *per* Yard; and a Bounty of three Halfpennies for every Yard of ſuch *Britiſh* and *Iriſh* Linens, of above the Value of twelve Pence *per* Yard, and not exceeding the Value of one Shilling and ſix Pence *per* Yard, which between the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five and the twenty-fifth Day of *March* which will be in the Year one thouſand ſeven hundred and fifty, or at any Time thereafter before the End of the then next Seſſion of Parliament, ſhall be exported out of *Great Britain* to *Africa*, *America*, *Portugal*, *Gibraltar*, or the Iſland of *Minorca*, or which ſhall be exported to *Spain*, from and after the Time that it ſhall be lawful

Further Bounty of a Halfpenny per Yard for Linens of Value from 5d. to 12d. per Yard; and 1d. Halfpenny per Yard from 1 s. to 1 s. 6 d. to be exported from June 24, 1745, to March 25, 1750, &c.

ful to export ſuch Linens to that Kingdom; the ſame to be given and paid out of the Money that hath ariſen or ſhall ariſe, by an Act of the fifteenth and ſixteenth Years of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty an additional Duty on Foreign Cambricks imported into* Great Britain, *and for allowing thereout a Bounty upon certain Species of* Britiſh *and* Iriſh *Linens exported.* 15 & 16 Geo. 2. c. 29.

II. And it is hereby further enacted by the Authority aforeſaid, That *Britiſh* or *Iriſh* Linens of the reſpective Values mentioned in the ſaid Act of the fifteenth and ſixteenth Years of his preſent Majeſty's Reign, which ſhall be exported out of *Great Britain* to *Gibraltar*, or the Iſland of *Minorca*, ſhall be intitled to the Bounties and Allowance thereby given on the Exportation of the like Species of Linens to *Africa*, *America*, *Portugal* or *Spain* reſpectively. Linens exported to Gibraltar or Minorca intitled to like Bounties.

III. Provided always, That the Exporter or Seller for Exportation of ſuch *Britiſh* and *Iriſh* Linens ſhall, in his Entry thereof, expreſs the Quantity and Value, and likewiſe indorſe, on the Cocquet granted upon ſuch Entry, the true Quantity and Value of the ſaid Linens intended to be ſhipt; and moreover ſhall, before he receives any ſuch Bounty, produce a Certificate from the Searcher or other proper Officer appointed to ſee the ſame ſhipped, verifying the ſhipping thereof; and ſhall likewiſe give ſufficient Security to the Collector or Cuſtomer of the Port, in the Penalty of double the Value of the Goods intended to be exported, and one hundred Pounds; which Security they are hereby impowered to take in the Name, and to the Uſe of his Majeſty, his Heirs and Succeſſors, that ſuch Linen ſo ſhipped, or intended to be ſhipped, or any Part thereof, ſhall not be relanded or brought on Shore again in any Port or Part of *Great Britain*, *Ireland*, or the *Iſle of Man*; and ſhall alſo, before he receives any ſuch Bounty, make Oath, or being a *Quaker*, a ſolemn Affirmation (which Oath or Affirmation the proper Officers of the Cuſtoms have hereby Power to adminiſter) of the reſpective Values of ſuch Linens upon which the ſaid Bounties reſpectively are granted, and that the ſame were made in *Great Britain* or *Ireland*. Proviſo. Conditions of receiving the Bounty.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That no Linen of the Manufacture of *Ireland*, to be exported from *Great Britain*, ſhall be intitled to the Bounty; but ſuch as ſhall be, at the Time of ſuch Exporation, the Property of a Perſon or Perſons reſiding in *Great Britain*, or in ſome of his Majeſty's Colonies or Plantations in *America*, of which the Exporter or Seller for Exportation of ſuch *Iriſh* Linen is hereby required to make Oath (or being of the People called *Quakers*, a ſolemn Affirmation) which Oath or Affirmation the proper Officer or Officers of the Cuſtoms have hereby Power to adminiſter. No Iriſh Linen intitled, unleſs the Property of ſome Reſident in Great Britain or America.

V. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to give any Bounty on any Linens that are ſtriped or chequered, or made into Buckrams or Tilletings. No ſtriped, chequered, &c. Linens intitled;

VI. Provided alſo, and it is hereby enacted, That no Linens ſhall be intitled to any of the Bounties given by this or the ſaid former Act, which ſhall not be of the Breadth of twenty-ſix Inches, or upwards. nor leſs than 26 Inches broad.

VII. And be it enacted by the Authority aforeſaid, That the Species of *Iriſh* Linen made of Flax and Hemp, whereof the Piece or Bolt contains thirty-eight Yards in Length, and twenty-four Inches in Breadth, and Cloths of different Lengths and Breadths in Proportion, from Number one to Number ten incluſive, which ſhall weigh fifteen Pounds Weight or upwards, to forty Pounds Weight, as the ſame is deſcribed in an Act made in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for the further encouraging and regulating the Manufacture of* Britiſh *Sail Cloth*; *and for the more effectual ſecuring the Duties now payable on foreign Sail Cloth imported into this Kingdom*; ſhall not be intitled to any Bounty or Reward by virtue or in conſequence of this Act; any thing in this or any former Act contained to the contrary in any wiſe notwithſtanding. Species of Iriſh, &c. Linens excluded. 9 Geo. 2. c. 37.

VIII. And it is hereby further enacted by the Authority aforeſaid, That if any *Britiſh* or *Iriſh* Linens, for which the Bounty ſhall have been given or claimed, ſhall be relanded in *Great Britain*, *Ireland*, or the *Iſle of Man*, the ſame ſhall be forfeited, and every Perſon concerned in bringing back or relanding the ſame, ſhall forfeit twelve Pence for every Yard ſo brought back or relanded. Linens relanded; to be forfeited, and 2 d. per Yard.

IX. And to prevent Linens exceeding the Value of eighteen Pence *per* Yard, being exported for the Sake of the Bounty, Be it further enacted by the Authority aforeſaid, That the Collector and Comptroller, or other proper Officers of the Cuſtoms, may open, view and examine any or all ſuch Linens, as ſhall be entered at the Value of eighteen Pence *per* Yard, or under, and compare the ſame with the Value and Price thereof, ſworn to, or affirmed in the Entry and Indorſement on the Cocquet; and if, upon ſuch View and Examination it ſhall appear, that all or any Pieces of ſuch Linen are of greater Value than eighteen Pence *per* Yard, then and in ſuch Caſe, the Exporter or Seller of ſuch Goods for Exportation ſhall, on Demand made in Writing by the Cuſtomer or Collector, and Comptroller of the Port where ſuch Goods and Merchandizes are entered, deliver or cauſe to be delivered, ſo many Pieces of ſuch Linen as ſhall be demanded by the ſaid Officer, into his Majeſty's Warehouſe at the Port of Exportation, for the Uſe and Benefit of the Crown; and upon ſuch Delivery, the Cuſtomer or Collector of ſuch Port, with the Privity of the Comptroller, ſhall out of any Money in the Hands of ſuch Cuſtomer or Collector, ariſing by Cuſtoms or other Duties belonging to the Crown, pay to ſuch Exporter, or Seller for Exportation, the Value of nineteen Pence *per* Yard, taking a Receipt for the ſame from ſuch Exporter or Seller for Exportation, in full Satisfaction for the ſaid Goods, as if they had been regularly ſold; and the reſpective Commiſſioners of the Cuſtoms ſhall cauſe the ſaid Goods to be fairly and publickly ſold for the beſt Advantage, and out of the produce thereof, the Money ſo paid or advanced as aforeſaid, ſhall be repaid to ſuch Cuſtomer or Collector, with the Privity of the Comptoller, to be replaced to ſuch Funds from whence the ſame was borrowed, and the Overplus (if any) ſhall be paid into his Majeſty's Exchequer, towards the *Sinking Fund*, by the Title of *The additional Duty on Cambricks*: And in caſe the Exporter Means to prevent Linens exceeding 18 d. per Yard, being exported, &c. 19 d. per Yard to be paid the Exporter, for ſuch Linens.

Linens refuſed at that Price,

porter or Seller for Exportation of ſuch Linens ſhall, on Demand made in Writing by the Cuſtomer or Collector, and Comptroller of the Port where ſuch Linens are entered for Exportation, refuſe to deliver or cauſe to be delivered, all or any of ſuch Linens, into his Majeſty's Warehouſe at the Port of Exportation for the Uſe and Benefit of the Crown, and to receive from the ſaid Officers of the Cuſtoms at the ſaid Port, the Value of nineteen Pence *per* Yard for ſuch Linens, in full Satisfaction for the ſame; or if ſuch Linens ſhall be leſs in Quantity, than ſhall be expreſſed in the ſaid Indorſement on the ſaid Entry or Cocquet, or if the ſame ſhall be entred and indorſed under a wrong Denomination, then and in every ſuch Caſe all ſuch Linens which ſhall be ſo refuſed to be delivered, or which ſhall appear to be leſs in Quantity than expreſſed in ſuch Indorſement, or entered or indorſed under a wrong Denomination, ſhall be forfeited and loſt, and ſhall and may be ſeized by any Officer or Officers of the Cuſtoms.

or leſs in Quantity than entered, or entered under a wrong Denomination, forfeited.

To prevent Frauds in obtaining Bounties,

X. And in order to prevent Abuſes, by exporting Linens which ſhall be under the Value of five Pence *per* Yard, when the Exporter or Seller ſhall, in his Entry and Indorſement on his Cocquet, expreſs, that the Value thereof is five Pence, or upwards *per* Yard, in order fraudulently to obtain a Bounty of one Penny, inſtead of a Halfpenny *per* Yard, or under the Value of ſix Pence *per* Yard, when the Exporter or Seller for Exportation ſhall expreſs the Value thereof to be ſix Pence, or upwards *per* Yard, in order fraudulently to obtain a Bounty of three Halfpence, inſtead of one Penny *per* Yard; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Searcher or other proper Officer, after the Entry of any of the ſaid Goods, and before or after the ſhipping thereof, to open and ſtrictly examine, any Bale, Truſs, Cheſt or other Package, to ſee if the Goods are right entered and indorſed on the Cocquet; and if on ſuch Examination, the ſame ſhall be found to be right entered and indorſed, the Searcher ſhall, at his own Charge, cauſe the ſame to be repacked; which Charge ſhall be allowed to the ſaid Officer by the Commiſſioners of the Cuſtoms, if they think it reaſonable; but in caſe the Officer ſhall, on Examination, find ſuch Goods to be leſs in Quantity than ſhall be expreſſed in the Indorſement in the Exporter's or Seller's Entry or Cocquet, or ſhall find any Part thereof to be under the Value expreſſed in the Indorſement on ſuch Entry or Cocquet, or that the Goods ſhall be entered and indorſed under a wrong Denomination, or that the ſame are not of the Manufacture of *Great Britain* or *Ireland*, whereby his Majeſty would have been defrauded, all the Goods contained in all and every the Package or Packages indorſed on the ſaid Entry or Cocquet, may be ſeized by any Officer or Officers of the Cuſtoms, and the ſame ſhall be forfeited and loſt, and the Owner or Merchant ſhall loſe the Benefit of receiving the Bounty for ſuch Goods.

Officer may examine Linens,

if leſs in Quantity, or under the Value, or under a wrong Denomination, to be forfeited.

Proviſion made for a Deficiency in the Duty on Cambricks, at certain Ports;

'XI. And whereas in many Ports of the Kingdom of *Great Britain*, from which *Britiſh* or *Iriſh* Linens may be exported, there may not be ſo much collected and received by the additional Duty on Cambricks, granted by the ſaid Act made in the fifteenth and ſixteenth Years of his preſent Majeſty's Reign, as may be ſufficient to pay the Bounty allowed by this and the ſaid former Act, whereby the Exporters, or Sellers for Exportation, at ſuch Ports, cannot have the Benefit of the ſaid Bounty;' For Remedy thereof, Be it enacted by the Authority aforeſaid, That if any of the Collectors of the Cuſtoms in any of the Out-ports in *South Britain*, or of any Port in *North Britain*, ſhall not have ſufficient Money in his Hands, ariſing by the ſaid additional Duty, to ſatisfy and pay ſuch Bounty which ſhall be due to any Exporter, or Seller for Exportation, of *Britiſh* or *Iriſh* Linnens as aforeſaid, that then ſuch Collector of any of any of the ſaid Out-ports in *South Britain*, ſhall (if required) give to the Perſon intitled to ſuch Bounty, a Certificate, without Fee or Reward, under his Hand, atteſted by the Comptroller, of what is due to ſuch Perſon for ſuch *Britiſh* or *Iriſh* Linnen ſo exported, from any ſuch Port in *South Britain*, certifying to the Commiſſioners of his Majeſty's Cuſtoms at *London*, that he hath not Money in his Hands, ariſing from the Duties granted by the ſaid Act, ſufficient to pay the ſame; and ſuch Collector of any Port in *North Britain*, ſhall likewiſe (if required) give to the Perſon demanding ſuch Sum or Sums of Money, lawfully authorized, without Fee or Reward, a Certificate under his Hand, to the Commiſſioners of his Majeſty's Cuſtoms at *Edinburgh*, of what is due to ſuch Perſon, for the Bounty of the *Britiſh* Linnens exported from any ſuch Port in *North Britain*; and upon producing ſuch Certificate and the Debenture of the Linnens exported, to the Commiſſioners there, they are hereby required, in caſe there be any Money in the Hands of the Receiver General, or Caſhier of the Cuſtoms there, ariſing by the Duties granted by the ſaid Act, to pay or cauſe to be paid to the Perſon producing ſuch Certificate and Debenture, being authorized as aforeſaid, the Sum or Sums of Money ſo certified; and if they have not ſufficient to pay ſuch Sum or Sums of Money, they ſhall forthwith, without Fee or Reward, give ſuch Exporter, or Seller for Exportation, a Certificate, certifying the ſame to the Commiſſioners of his Majeſty's Cuſtoms at *London*; which reſpective Certificates being affixed to the Debentures, for the Bounty of the ſaid Linnens ſo exported, and being produced to the ſaid Commiſſioners of his Majeſty's Cuſtoms at *London*, they the ſaid Commiſſioners are hereby authorized and required on Demand, by the Perſon authorized as aforeſaid, that ſhall bring the ſame, to cauſe the Monies thereby due, to be paid by the Receiver General, or Caſhier of the Cuſtoms, without Fee or Reward, out of ſuch Monies as ſhall be in his Hands, ariſing out of the Duties granted by the ſaid Act of the fifteenth and ſixteenth Years of his Majeſty's Reign, for the Payment of the ſaid Bounty; and in caſe ſuch Receiver or Caſhier ſhall not have Money in his Hands ſufficient for paying the Whole of ſuch Sum or Sums of Money ſo certified as aforeſaid, he is hereby authorized and required to pay the ſame, ſo far as the Money in his Hands will then go, and the Remainder, from time to time, as the Money ariſing by the Duties granted by virtue of the ſaid Act, ſhall be by him received; and he is alſo hereby required to obſerve a due Courſe of paying ſuch Debentures, in the Order of Time which they ſhall be produced or preſented to the Commiſſioners of the Cuſtoms, who ſhall cauſe ſuch Debentures to be numbered progreſſively, as they ſhall be preſented to them, or to the Officer or Officers appointed by them to receive the ſame.

Collector to give a Certificate; certifying the Deficiency to the Commiſſioners of Cuſtoms at London or Edinburgh;

to be paid out of the Duties granted by 15 Geo. 2. c. 23.

Debentures to be numbered.

XII. And it is hereby further enacted by the Authority aforesaid, That all Bonds taken or to be taken, and all Debentures made or to be made pursuant to this Act, shall not be chargeable with any of the Duties upon stampt Vellum, Parchment or Paper; any Law or Statute made or to be made to the contrary notwithstanding. Bonds and Debentures exempt from Stamp Duties.

XIII. And be it further enacted by the Authority aforesaid, That if any Person shall falsely make any Oath or Affirmation by this Act directed to be made, and shall thereof be legally convicted in any of his Majesty's Courts of Record in *Great Britain*, such Person so guilty shall forfeit the Sum of two hundred Pounds, and be imprisoned for twelve Months. Penalty of false Oath 200l. and Imprisonment 12 Months.

XIV. And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures in this Act mentioned shall and may be prosecuted and determined by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland* respectively, wherein no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance shall be allowed; and one Moiety of the said Penalties and Forfeitures shall be to the Use of the King's Majesty, and the other Moiety to such Person or Persons as will sue for or prosecute the same; and in case in any such Suit, it shall be made a Question, whether any such Linnens are of the Manufacture or Fabrick of *Great Britain* or *Ireland*, or of any foreign Country, in such Case the *Onus Probandi* thereof shall lie upon the Exporter or Seller thereof for Exportation. Penalties how to be determined, Onus Probandi on the Exporter.

XV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same as any Defendant or Defendants have in other Cases by Law. General Issue. Treble Costs. *See the References to the foregoing Chapter.*

CAP. XXVI.

An Act for repealing the present Inland Duty of four Shillings *per* Pound Weight upon all Tea sold in *Great Britain*, and for granting to his Majesty certain other Inland Duties in lieu thereof; and for better securing the Duty upon Tea, and other Duties of Excise; and for pursuing Offenders out of one County into another.

May it please Your most Excellent Majesty,

'WHEREAS by an Act of Parliament made and passed in the tenth Year of the Reign of his late Majesty King GEORGE the First of glorious Memory (intituled, *An Act for repealing certain Duties therein mentioned, payable upon Coffee, Tea, Cocoa Nuts, Chocolate, and Cocoa Paste imported, and for granting certain Inland Duties in lieu thereof; and for prohibiting the Importation of Chocolate ready made, and Cocoa Paste; and for better ascertaining the Duties payable upon Coffee, Tea, and Cocoa Nuts imported; and for granting Relief to* Robert Dalzell *late Earl of* Carnwath) an Inland Duty, after the Rate of four Shillings *per* Pound Weight Averdupois, and in that Proportion for a greater or lesser Quantity, was imposed and charged upon all Tea to be sold in *Great Britain*, from and after the twenty-fourth Day of *June* one thousand seven hundred and twenty-four, over and above all Customs, Subsidies and Duties, which should then remain payable to his Majesty for the same, upon Importation thereof, to be paid in Manner as in the said Act is directed: And whereas great Frauds and Abuses have been committed by the clandestine Importation of Tea from Parts beyond the Seas, as also by fraudulent relanding thereof (after the same hath been exported from this Kingdom to foreign Parts, and the Duties thereupon drawn back) without paying any Duties for such Tea, contrary to the true Intent and Meaning of the several Acts of Parliament relating to the said Duties, and to the manifest Prejudice of the fair Traders in the said Commodity:' For Remedy whereof, and for the greater Discouragement of the pernicious and illegal Practices of unlawfully importing and clandestinely running and landing of Tea, and also for the more effectual securing to your Majesty a Revenue to arise by the Duties thereupon; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-five, the Inland Duty of four Shillings *per* Pound upon Tea, granted by the before recited Act of the tenth Year of the Reign of his said late Majesty King GEORGE the First, shall cease, determine, and be no longer paid or payable; any Thing in the said Act to the contrary thereof in any wise notwithstanding. 10 Geo. 1. c. 10. Duty of 4s. per lb. on Tea, by 10 Geo. 1. c. 10. to cease.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-five, in lieu of the said Duty by this Act repealed as aforesaid, the Inland Duties herein after mentioned shall be and are by this Act charged upon all Tea, which shall from thenceforth be sold in *Great Britain*, in Manner herein after mentioned; (that is to say) one Shilling *per* Pound Weight Averdupois, and in that Proportion for a greater or lesser Quantity, and also a further Duty of twenty-five Pounds for every one hundred Pounds of the gross Price at which such Tea 1s. per lb. and 25l. per Centum on the Price on all Teas sold by the East India Company;

Tea ſhall be ſold at the publick Sales of the United Company of Merchants of *England* trading to the *Eaſt Indies*, and proportionably for a greater or leſſer Sum, over and above all Cuſtoms, Subſidies, and Duties payable to his Majeſty for the ſame upon the Importation thereof; which ſaid ſeveral Duties of one Shilling *per* Pound Weight, and twenty-five Pounds *per Centum*, ſhall be paid down in ready Money by the Proprietor or Proprietors of ſuch Tea, or ſuch Perſon or Perſons as ſhall be appointed by him, her or them, to the Receiver or Collector of the ſaid Inland Duties, before ſuch Proprietor or Proprietors, or other Perſon or Perſons, ſhall receive or take out, for any Purpoſe whatſoever, ſuch Tea from the Warehouſe or Warehouſes, wherein the ſame is appointed to be lodged by the before recited Act of the tenth Year of the Reign of his ſaid late Majeſty, according to the Directions of the ſaid Act concerning Tea taken out of ſuch Warehouſe or Warehouſes.

When to be paid.

Commiſſioners appointed in purſuance of 20 Geo. 1. c. 10. ſhall be Commiſſioners for the Duties by this Act; with like Powers, &c.

III. And for the better aſcertaining, charging, collecting, levying, raiſing, paying, and ſecuring the ſeveral Rates and Duties by this Act impoſed, and for preventing Frauds concerning the ſame; Be it further enacted by the Authority aforeſaid, That ſuch Commiſſioners, or Perſons as now are appointed, or hereafter ſhall be appointed, in purſuance of the ſaid Act of the tenth Year of the Reign of his late Majeſty King GEORGE the Firſt, ſhall be his Majeſty's Commiſſioners for the Receipt and Management of the ſaid Inland Duties by this Act charged and impoſed upon Tea as aforeſaid, and that all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauſes, Matters and Things (not otherwiſe altered by this Act) which in and by the ſaid recited Act are provided, ſettled, or eſtabliſhed, for raiſing, levying, collecting, paying, recovering, adjudging, or aſcertaining the ſaid Duty of four Shillings *per* Pound Weight upon Tea thereby granted, or by any other Act concerning the Duty upon Tea, ſhall be exerciſed, practiſed, applied, uſed, levied, recovered, and put in Execution, for the raiſing, levying, collecting, recovering, and paying the Duties by this Act granted, as fully and effectually, to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauſes, Matters and Things, were particularly repeated, and again enacted, in the Body of this preſent Act; any Thing in this or any former Act to the contrary thereof in any wiſe notwithſtanding.

Duties appropriated to the ſame Uſes as the 4 s. per lb.

IV. Provided always, and it is hereby enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, all Monies ariſing by the ſaid Inland Duties by this Act charged and impoſed, ſhall be appropriated, iſſued and applied, and the ſame are hereby appropriated and made payable to the ſame Uſes, Intents and Purpoſes, as the Duty of four Shillings *per* Pound upon Tea was appropriated and made applicable, by the ſaid Act of the tenth Year of the Reign of his late Majeſty King GEORGE the Firſt, and ſhall be alſo ſubject and liable to the ſame Redemption by Parliament, as the ſaid Duty of four Shillings *per* Pound was by the ſaid Act ſubject and liable unto.

No Drawback for Tea exported,

'V. And whereas by ſeveral Acts of Parliament now in Force, ſeveral Drawbacks or Allowances are 'directed to be paid upon the Exportation of Tea, which have tempted many Exporters thereof to com-'mit great Frauds and Abuſes, to the Prejudice of his Majeſty's Revenue, and the fair Traders:' For Remedy whereof, Be it enacted by the Authority aforeſaid, That no Drawback whatſoever ſhall be allowed or paid for any Tea which ſhall be exported, or ſhipped to be exported at any Time or Times after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, and that no Debenture or Certificate ſhall be granted or made forth, for or in order to the Repayment or drawing back of the Duties upon any ſuch Tea ſo exported, or ſhipped to be exported, after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, but ſuch Drawback or Repayment ſhall from thenceforth ceaſe, determine, and be no longer paid; any Law, Statute or Proviſion to the contrary thereof in any wiſe notwithſtanding.

Means to prevent Diſputes touching the Price.

VI. And for the preventing any Diſputes that may ariſe touching the Price at which Teas ſhall be ſold at the publick Sales of the United Company of Merchants of *England* trading to the *Eaſt Indies*, Be it further enacted by the Authority aforeſaid, That the Commiſſioners who are or ſhall be appointed for the Management of the ſaid Inland Duties, or the major Part of them for the Time being, ſhall have

Officers to attend the Sales of Tea, and report the Price on Oath;

Power to conſtitute, under their Hands and Seals, ſuch and ſo many Officers as they ſhall find needful for attending the ſaid publick Sales, and take an Account of the Names of the ſeveral Buyers, and Price at which each and every Lot of Tea ſhall be ſold, and ſhall thereof make Returns or Reports in Writing, upon Oath, to the ſaid Commiſſioners; and from ſuch Reports or Returns the Charge of the ſaid Duty of twenty-five Pounds *per Centum* upon the groſs Price of Tea impoſed by this Act ſhall be ſettled and aſcertained: And for the preventing Miſtakes, and better regulating ſuch Charge, it ſhall and may be lawful for ſuch Officer or Officers, at any Time or Times, upon Requeſt made to the Court of Directors of the ſaid Company, to inſpect all and every ſuch Book or Books as ſhall be appointed and kept for taking an Account, in Behalf of the ſaid Company, of the particular Price and Prices that Tea ſhall from time to time be ſold for at their ſeveral publick Sales; which Book or Books the ſaid Court of Directors is hereby required, from time to time, to produce to ſuch Officer or Officers ſo demanding the ſame.

may inſpect the Company's Books,

'VII. And whereas many Perſons do frequently, at Sales for Tea, by the ſaid United Company, bid 'for, and are declared beſt Bidders, for large Quantities of Tea, without intending or being able to 'pay for the ſame, unleſs ſuch Tea ſhould after ſuch Sales riſe in Price, by Means whereof, the Prices 'of Tea are frequently raiſed, and the Running of Tea will be ſtill encouraged;' For Remedy whereof, Be it enacted by the Authority aforeſaid, That every Perſon who ſhall at any publick Sale of Tea, made by the ſaid United Company, be declared to be the beſt Bidder or Bidders for any Lot or Lots of Tea, ſhall within three Days after being ſo declared the beſt Bidder or Bidders for the ſame, depoſit with the

Beſt Bidder to depoſit 40 s. for every Tub and Cheſt, in three Days;

ſaid United Company, or ſuch Clerk or Officer as the ſaid Company ſhall appoint to receive the ſame, forty Shillings for every Tub, and for every Cheſt of Tea; and in caſe any ſuch Perſon or Perſons ſhall refuſe or neglect to make ſuch Depoſit within the Time before limited, he, ſhe or they ſhall forfeit and loſe ſix Times the Value of ſuch Depoſit, directed to be made as aforeſaid, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; one Moiety of which Forfeiture ſhall go to his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon as ſhall ſue or proſecute for the ſame; and the Sale of all Teas, for which ſuch Depoſit ſhall be neglected to be made as aforeſaid, is hereby declared to be null and void; and all ſuch Teas ſhall be again put up by the ſaid United Company to publick Sale, within fourteen Days after the End of the Sale of Teas, at which ſuch Teas were ſold; and all and every Buyer or Buyers, who ſhall have neglected to make ſuch Depoſit as aforeſaid, ſhall be, and is and are hereby rendered incapable of bidding for, or buying any Teas at any future publick Sale of the ſaid United Company.

or forfeit ſix Times the Value of ſaid Depoſit.

The Teas to be put up again in 14 Days.

'VIII. And whereas the ſeveral Dealers in Tea, and other Traders, ſubject to the Survey of the Officers appointed by the Commiſſioners of Exciſe, are required by the Laws concerning the Duties of Exciſes and other Duties under the Management of the ſaid Commiſſioners, to make true and particular Entries of Shops, Warehouſes, Rooms, Places and Utenſils, by them made uſe of for carrying on their reſpective Trades; and whereas many Perſons, in order to avoid ſuch Penalties as they may incur by Offences committed againſt the ſaid Laws, have of late frequently made, or procured to be made, ſuch Entries in fictitious Names, or in the Names of mean and obſcure Perſons, of little or no Ability or Subſtance, and who have little or no Intereſt or Property in the Stock of ſuch Trades; and whereas many ſuch Traders, being the real Proprietors and Owners of ſuch Shops, and other Places, and who generally attend in ſuch Shops, and carry on their reſpective Trades there, pretend to be only Servants or Managers to ſuch fictitious or obſcure Perſons, and do refuſe to diſcover the Places of Reſidence of ſuch Perſons, in whoſe Names ſuch Entries have been made; whereby great Frauds paſs unpuniſhed;' For Remedy whereof, Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, any Entry now made, or hereafter to be made, of any Shop, Warehouſe, Room, Place or Utenſil, to be made uſe of for carrying on any the Trade or Trades aforeſaid, ſhall not be deemed or taken to be a legal Entry, unleſs the ſame be made in the Name of the true and real Owner or Owners of, and Trader and Traders in ſuch Shop or Place; and that the Perſon or Perſons who ſhall act as viſible Owner, Occupier or Proprietor, Owners, Occupiers or Proprietors of any ſuch Shop or Place whatſoever, or principal Manager or Managers in the carrying on ſuch Trade there, ſhall be deemed and taken to be the real Owner and Trader, Owners and Traders, and ſhall be ſubject and liable, as ſuch, to all Duties, Penalties and Forfeitures, impoſed by any Act relating to the Duties of Exciſe, or any other Duty under the Management of the ſaid Commiſſioners, for or by reaſon of any Stock, Goods or Commodities made, kept, or found there, or for not making true and particular Entries of ſuch Shops, Places, or Utenſils, according to Law, or for any other Offences committed, or that ſhall be committed by the Owners, Traders, Dealers in, or Makers of any ſuch Goods or Commodities of, at or in ſuch Shops or Places; and that all Stock, Goods, Commodities and Utenſils, which ſhall be found in or upon ſuch Shops or Places, ſhall be ſubject to, and charged with all ſuch Duties, Penalties and Forfeitures.

Means to prevent Frauds by fictitious Names.

Perſon acting as Owner, deemed the real Owner.

Goods, &c. found in Places of Trade, ſubject.

'IX. And whereas ſeveral Quantities of Tea, which have already been, or may be ſold at the publick Sales by the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, may happen to be and remain on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, in ſome one or more of the Warehouſes, appointed in purſuance of the ſaid Act of the tenth Year of the Reign of his ſaid late Majeſty King GEORGE the Firſt; It is therefore provided, enacted and declared by the Authority aforeſaid, That all ſuch Teas which have been ſold, or ſhall be ſold before the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, and which nevertheleſs ſhall remain and be found in ſuch Warehouſe or Warehouſes on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, ſhall be liable to, and be charged with the aforeſaid Duties of one Shilling *per* Pound Weight, and twenty-five Pounds *per Centum* upon the groſs Price of all Teas taken out of ſuch Warehouſe or Warehouſes; and for aſcertaining and adjuſting the ſaid Duty of twenty-five Pounds *per Centum* on the groſs Price, the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, ſhall and are hereby required to lay before the ſaid Commiſſioners, for the ſaid Inland Duties by this Act granted, a Liſt of the Names of the Perſons to whom the Teas, remaining in any ſuch Warehouſe or Warehouſes on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, were ſold, together with the Prices at which the ſame were ſold at the ſaid Company's publick Sale; and the ſaid United Company are hereby alſo required to permit the Officer or Officers for the Duties by this Act granted, who ſhall be appointed to attend the publick Sales of the ſaid United Company as aforeſaid, upon Requeſt to the Court of Directors of the ſaid Company, to inſpect all and every their Book and Books, containing the Names of the ſeveral Perſons, to whom any Tea remaining in any ſuch Warehouſe on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, were ſold, and the particular Price or Prices at which the ſame were ſold; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

10 Geo. 1. c. 10.

Teas ſold, and remaining in the Warehouſes, liable.

Means of aſcertaining the Duty of 25 l. per Cent.

'X. And whereas it may happen, that the Tea imported by the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, may not always be ſufficient to anſwer the Conſumption thereof in *Great Britain*, and to keep the Price of Tea in this Kingdom upon an Equality with the Price thereof in other the neighbouring Countries of *Europe*;' Be it therefore enacted by the Authority aforeſaid,

East India Company may import Tea from any Parts of Europe, subject to the Duties,

That in every such Case, it shall and may be lawful for the said United Company of Merchants of *England* trading to the *East Indies*, and their Successors, to import into *Great Britain*, in *British* Ships navigated according to Law, such Quantities of Tea as they shall think necessary from any Parts of *Europe*, subject to the several Duties payable for Tea consumed in *Great Britain*, and also to the same Rules, Methods and Directions, as are prescribed and given with respect to Tea imported by them from the *East Indies*, so as Notice be first given to the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, of the Quantity of Tea so intended to be imported, with the Name of the

taking a Licence from the Treasury.

Ship and Master, or Commander, in which the same is to be laden, and taking a Licence under the Hands of the said Commissioners of the Treasury, or any three or more of them, or the said High Treasurer for the Time being, for the Lading and Importing thereof as aforesaid, which Licences they are hereby authorized and impowered to grant to the said Company without any Fee or Reward, or any other Charge; any Law, Usage or Custom to the contrary notwithstanding.

Company neglecting to supply the Market;

XI. Provided always, and be it further enacted by the Authority aforesaid, That if the said United Company of Merchants of *England* trading to the *East Indies*, shall at any Time neglect to keep this Market supplied with a sufficient Quantity of Tea, at reasonable Prices, to answer the Consumption thereof in *Great Britain*, it shall and may be lawful to and for the said Commissioners of the Treasury,

Licences may be granted to others.

or any three or more of them, or the said High Treasurer for the Time being, to grant Licences to any other Person or Persons, Body or Bodies Politick or Corporate, to import Tea into *Great Britain*, from any Parts of *Europe*, in such and the like Manner, and subject to such Duties, and under such Restrictions and Limitations, and upon such Notices, and with such Licences, as are herein before prescribed and directed, with respect to Tea to be imported from any Parts of *Europe*, by the said United Company of Merchants of *England* trading to the *East Indies*; any Thing in this or any former Act or Acts of Parliament to the contrary thereof in any wise notwithstanding.

Tea imported from any Parts of Europe, shall pay the Subsidies, &c.

XII. Provided always, and be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-five, all Tea imported into *Great Britain*, from any Parts of *Europe*, by the said United Company of Merchants of *England* trading to the *East Indies*, or by any other Person or Persons, Bodies Politick or Corporate (to be licensed as aforesaid) shall be entered at the Custom-house, and shall pay or secure the several Subsidies and additional Impositions, now chargeable upon all Tea imported by the said Company from the *East Indies*; and all Tea so to be imported by the said United Company, from any Parts of *Europe* as aforesaid, shall be forthwith

and be put into Warehouses.

carried and put into such Warehouse or Warehouses, as are now made use of by the said United Company, for the receiving Tea imported by them from the *East Indies*, or such others as they shall provide for that Purpose, to be approved by the Commissioners of his Majesty's Customs, or the major Part of them for the Time being, and shall not be taken out of such Warehouse or Warehouses, until such Tea shall be sold at the publick Sales of the said United Company, and the several Duties charged thereupon by this Act shall be paid; and all Tea imported from any Parts of *Europe*, by any other Person or Persons, Bodies Politick or Corporate (to be licensed as aforesaid) shall also be forthwith carried or put into such Warehouse or Waeehouses, as shall be provided for that Purpose, at the Charge of the respective Importer or Importers of such Tea, to be also approved by the said Commissioners of his Majesty's Customs, or the major Part of them for the Time being, and shall not be taken out thence upon any Account

Six Days Notice of Sales of Tea to be given in the London Gazette.

whatsoever, until the same shall be publickly sold by such Person or Persons, or Bodies Politick or Corporate (of which Sale or Sales, six Days Notice shall be given in the *London Gazette*); and the Inland Duties charged thereupon by this Act shall be paid as aforesaid; any thing in this or any former Act to the contrary thereof in any wise notwithstanding.

'XIII. And whereas by the Laws now in Force concerning the Duties of Excise, and other Duties 'under the Management of the Commissioners of Excise in that Part of *Great Britain* called *England*, all 'Forfeitures and Offences made and committed within the immediate Limits of the chief Office in *London*, 'are to be heard, adjudged and determined by the chief Commissioners and Governors of Excise; and 'all such Forfeitures and Offences made and committed within all or any other the Counties, Cities, 'Towns or Places in *England*, are to be heard and determined by any two or more of the Justices of the 'Peace residing near to the Place where such Forfeitures shall be made or Offence committed: And 'whereas many Persons chargeable with Duties of Excise, or other Duties under the Management of the 'said Commissioners, or incurring Penalties by Offences against the said Laws, do frequently avoid Pro'secutions for the same, by removing out of the Jurisdiction wherein such Duties were charged or Of'fences committed, to the great Prejudice of the Revenue, and Discouragement of the fair Traders:' For

Offences may be prosecuted out of the Jurisdictions where committed.

Remedy whereof, Be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-five, it shall and may be lawful for the said Commissioners and Justices respectively, within whose Jurisdiction any Person charged with any of the said Duties, or who shall have committed any Offence against the said Laws or any of them, or against this Act, shall be found to summon, hear, adjudge and determine, and issue any Process or Warrant in the same Manner as such Commissioners or Justices may now do in case of such Offences as are committed within their respective Jurisdictions: And in case the said Commissioners or Justices shall, upon any Judgment given by them respectively, issue a Warrant or Warrants of Distress, and the Person or Persons authorized to execute such Warrant, or any of them, shall make a Return thereto, that no sufficient Distress can be found, then it shall and may be lawful for the said Commissioners and Justices respectively, within whose Jurisdiction the Party shall at any Time be found, against whom such Warrant shall have been issued, upon producing to them such Warrant and Return thereof, to commit such Offender to the next County Gaol till Satisfaction be made.

XIV. And

XIV. And be it further enacted and declared by the Authority aforeſaid, That all Fines, Penalties and Forfeitures by this Act impoſed, and all other Fines, Penalties and Forfeitures by any former Act impoſed, relating to the Duties of Exciſe, or any other Duty now under the Management of the ſaid Commiſſioners of Exciſe, ſhall be ſued for, levied, recovered or mitigated, by ſuch Ways, Means and Methods, as any Fine, Penalty or Forfeiture is or may be recovered or mitigated by any Law or Laws of Exciſe, or by this Act, or by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding; and that one Moiety of every ſuch Fine, Penalty and Forfeiture ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform or ſue for the ſame. Forfeitures how to be recovered.

XV. And be it hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted or proſecuted, for any thing done by virtue or in purſuance of this or any other Act relating to the Duties of Exciſe, or other Duties under the Management of the Commiſſioners of Exciſe, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, or ſuch other Act, and the ſpecial Matter in Evidence in his or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him, her or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt any ſuch Plaintiff or Plaintiffs. General Iſſue. Treble Coſts.

See farther 21 *Geo.* 2. *c.* 14. *Permitting Exportation of Tea to Ireland and America, without paying Duty.*

CAP. XXVII.

An Act for the more effectually preventing the ſtealing of Linen, Fuſtian and Cotton Goods and Wares, in Buildings, Fields, Grounds, and other Places uſed for Printing, Whitening, Bleaching or Drying the ſame.

'WHEREAS many Doubts and Difficulties have ariſen upon the Conſtruction of an Act paſſed in the fourth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the ſtealing of Linen, Fuſtian and Cotton Goods and Wares, from Fields, Grounds and other Places uſed for whitening, bleaching or drying the ſame*; in regard the ſaid Act doth not expreſs and mention, with ſufficient Certainty, the reſpective Goods and Wares, the ſtealing whereof from the reſpective Places therein mentioned and deſcribed, is by the ſaid Act intended to be prevented, whereby the good and wholeſome Ends propoſed by the ſaid Act have in a great Meaſure been fruſtrated, and by Means thereof, many of his Majeſty's good Subjects have been greatly injured in their Properties, and put to very great Expences and Charges in watching the ſame, which nevertheleſs hath hitherto proved ineffectual:' For Remedy whereof, and for the more effectual preventing of Thefts, frequently committed in Buildings, Fields, Grounds and other Places uſed for Printing, Whitening, Bleaching or Drying of Linen, Fuſtian and Cotton Goods or Wares for the future; may it pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon and Perſons, who at any Time after the firſt Day of *June* one thouſand ſeven hundred and forty-five ſhall by Day or Night feloniouſly ſteal any Linen, Fuſtian, Callico, Cotton, Cloth, or Cloth worked, woven, or made of any Cotton, or Linen Yard mixed, or any Thread, Linen or Cotton Yarn, Linen or Cotton Tape, Incle, Filleting, Laces or any other Linen, Fuſtian or Cotton Goods or Wares whatſoever, laid, placed or expoſed to be printed, whitened, bowked, bleached or dryed in any whitening or bleaching Croft, Lands, Fields or Grounds, Bowking-houſe, Drying-houſe, Printing-houſe or other Building, Ground or Place made uſe of by any Callico Printer, Whitſter, Crofter, Bowker or Bleacher, for Printing, Whitening, Bowking, Bleaching or Drying of the ſame, to the Value of ten Shillings, or who ſhall aid or aſſiſt, or ſhall wilfully or miliciouſly hire or procure any other Perſon or Perſons to commit any ſuch Offence, or who ſhall buy or receive any ſuch Goods or Wares ſo ſtolen, knowing the ſame to be ſtolen as aforeſaid, being lawfully convicted thereof, ſhall be, and is and are hereby declared to be guilty of Felony, and every ſuch Offender ſhall ſuffer Death, as in Caſes of Felony, without Benefit of Clergy; any Law or Uſage to the contrary notwithſtanding. 4 Geo. 2. c. 16. Whoever ſhall ſteal Linen, &c. laid to be printed, bleached, &c. or ſhall aid or hire another to commit ſuch Offence, ſhall be guilty of Felony, and ſuffer Death.

II. Provided always, That in caſe the Judge or Court, by and before whom any ſuch Offender or Offenders ſhall be tried and convicted, ſhall think it reaſonable, upon the Circumſtances of the Caſe, that ſuch Offender or Offenders or any of them, inſtead of ſuffering Death, ſhould be tranſported to ſome of his Majeſty's Colonies or Plantations beyond the Seas; it is hereby further enacted, That in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Judge or Court, and he or they ſhall hereby have full Power and Authority, inſtead of giving Judgment of Death againſt ſuch Offender or Offenders, as in the Caſes of Felony, without Benefit of Clergy, in Manner herein before directed, to order ſuch Offender or Offenders, being tried and convicted as aforeſaid, to be tranſported to any of his Majeſty's Colonies or Plantations in *America*, for the Space of fourteen Years, upon the like Terms and Conditions, and by the ſame Ways and Means, and in like Manner, as any other Felons may or are to be tranſported to any of his Majeſty's ſaid Colonies or Plantations, by Force or Virtue of any Law for that Purpoſe now in Force; any thing in this Act contained to the contrary notwithſtanding. The Court may order ſuch Offenders to be tranſported for 14 Years.

III. And be it further enacted by the Authority aforeſaid, That if any ſuch Offender or Offenders aforeſaid, who ſhall be ſo ordered for Tranſportation by, or by virtue of this Act, ſhall break Gaol, or eſcape thereout, before ſuch Tranſportation, or ſhall return into, or be at large within any Part of this Kingdom Such Offenders breaking Gaol, or returning, to ſuffer Death.

Kingdom of *Great Britain*, without ſome lawful Cauſe, before the Expiration of the ſaid Term of fourteen Years, for which ſuch Offender or Offenders ſhall be ordered to be tranſported as aforeſaid; that then, and in ſuch Caſe, all and every ſuch Offender or Offenders, being thereof lawfully convicted, ſhall ſuffer Death as Felons, and have Execution awarded againſt them as Perſons attainted of Felony, without Benefit of Clergy.

This Act to commence 1 June 1745; and the Act 4 Geo 2. c. 16. repealed.

IV. And it is further enacted by the Authority aforeſaid, That this Act ſhall be deemed to commence from the ſaid firſt Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty-five; and from that Time the ſaid Act made in the fourth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the ſtealing of Linen, Fuſtian and Cotton Goods and Wares, from Fields, Grounds and other Places, uſed for Whitening, Bleaching or Drying the ſame*, ſhall be, and is hereby repealed.

Concerning Linen ſee further c. 36. *likewiſe* 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

CAP. XXVIII.

12 *Car.* 2. *c.* 4. 13 & 14 *Car.* 2. *c.* 11. 25 *Car.* 2. *c.* 6. 2 *W.* & *M. ſt.* 2. *c.* 4 & 10. 4 & 5 *W.* & *M. c.* 5 & 15. 6 *W.* & *M. c.* 1. 6 & 7 *W.* 3. *c.* 7. 5 *Geo.* 1. *c.* 11. 6 *Geo.* 1. *c.* 21. 7 *Geo.* 1. *ſt.* 1. *c.* 21. 8 *Geo.* 1. *c.* 15, 18 & 31. 9 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 7 & 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *ſt.* 2. *c.* 17. 9 *Geo.* 2. *c.* 35. 15 *Geo.* 2. *c.* 31.

An Act to indemnify Perſons who have been guilty of the unlawful importing, landing or running of prohibited, uncuſtomed or other Goods or Merchandize.

'WHEREAS, notwithſtanding the ſeveral Laws already made to prevent the unlawful importing and clandeſtine landing and running of prohibited and uncuſtomed Goods, divers wicked and evil diſpoſed Perſons have of late, not only carried on, and do ſtill continue ſuch pernicious and illegal Practices, in open Defiance of the Laws, to the great Diminution of the publick Revenue, and to the manifeſt Prejudice of the fair Traders, and likewiſe ſeduced great Numbers of other Perſons to join with them in the ſaid wicked Practices; yet nevertheleſs as there may be ſome Hope that many of the ſaid Perſons who have been unwarily ſeduced as aforeſaid, may be reclaimed by Grace and Clemency from offending in the like Manner for the future:' Therefore for the Quiet and Eaſe of his Majeſty's Subjects, who may have been guilty of ſuch Offences, and that ſuch of them as are not yet become incorrigible, being freed from their Fears and Apprehenſions, may be induced to leave off their illegal Practices, and to return to their lawful Callings and Occupations, and that ſuch Perſons as ſhall, after ſuch an Act of Indulgence, and ſo publick Warning, preſume to commit any of the ſaid Offences, may be left without Excuſe, and be brought to Juſtice, and duly puniſhed as their Crimes ſhall deſerve; may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every his Majeſty's Subjects of this his Majeſty's Realm of *Great Britain*, who before the firſt Day of *May* in the Year of our Lord one thouſand ſeven hundred and forty-five have incurred any Penalty or Forfeiture in, by or for the clandeſtine running, landing, unſhipping, concealing or receiving any prohibited Goods, Wares or Merchandizes, or any foreign Goods, liable to the Payment of the Duties of Cuſtoms and Exciſe, or either of them, and who are or may be ſubject to any Information, or other Proſecution whatſoever, for the Penalties for the running, landing, unſhipping, concealing or receiving thereof, or for landing of any Goods, without the Preſence of an Officer, ſhall be, and are by the Authority of this preſent Act, acquitted, indemnified, releaſed and diſcharged, againſt the King's Majeſty, his Heirs and Succeſſors, and againſt all and every other Perſon and Perſons, Bodies Politick and Corporate, and any Officer or Officers of the Cuſtoms or Exciſe, and every of them, of and from all the ſaid Offences (not in this preſent Act hereafter excepted) and of and from all Penalties, Forfeitures, Indictments, Outlawries, Convictions, and Judgments, not herein after excepted, incurred, had or given, or that may or might ariſe or accrue for or by Reaſon or Means of any the ſaid Offences, or other Matters or Things herein before mentioned and expreſſed.

Perſons who before May 1, 1745, have incurred any Penalty, &c. for running, &c. Goods, indemnified,

may plead this Act for their Diſcharge, without Fee; only 16 d. for entering the Plea.

II. And be it further enacted, That all and every of his Majeſty's Subjects may by him, her or themſelves, or by his, her or their Deputy or Deputies, Attorney or Attornies, according to the Laws of this Realm, plead and inſiſt on this Act of Indemnity for his, her or their Diſcharge, of or for any thing that is by virtue of this Act acquitted, releaſed, or diſcharged, without any Fee or Payment to any Perſon or Perſons for the Writing or Entering of ſuch Plea, or the Judgment thereupon, but only ſixteen Pence to the Clerk or Officer who ſhall enter ſuch Plea or Matter for Judgment, or the Party's Diſcharge in that Behalf; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Suits againſt Officers of Cuſtoms, &c. to be diſcharged;

III. Provided always, and be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall take, receive, or be intitled to any Benefit or Advantage by virtue of this preſent Act of Indemnity, either by pleading or inſiſting on the ſame in any Court of Juſtice, or otherwiſe, and who hath or (before he, ſhe or they ſhall claim the Benefit of this preſent Act) ſhall have brought, commenced, or proſecuted any Action, Plaint, or Information, Indictment, or other Proſecution whatſoever, againſt any Officer of his Majeſty's Cuſtoms or Exciſe, or other Revenue, or againſt any Perſon or Perſons who ſhall or may have been aiding or aſſiſting to any ſuch Officer, for or concerning any Matter, Cauſe, or Thing done or committed by ſuch Officer, or by any Perſon or Perſons aiding or aſſiſting him, on Occaſion, or for or by Reaſon or Means of any of the Offences, Treſpaſſes, Frauds, Miſdemeanors,

or other Matters or Things by this Act intended to be releaſed and diſcharged, ſhall, before ſuch Time as he, ſhe or they ſhall be admitted to make ſuch Plea as aforeſaid, or to take any Benefit or Advantage of this Act, abſolutely releaſe and diſcharge ſuch Action or Actions, diſcontinue and cauſe all Proceedings to be ſtaid in all and every ſuch Informations, Indictments, and other Proſecution and Proſecutions brought or commenced as aforeſaid. before any Benefit can be taken.

IV. And be it further enacted, That if any Perſon or Perſons who ſhall claim the Benefit of this Act, ſhall, after ſuch Claim, bring or commence, or cauſe to be brought or commenced any Action, Plaint or Information, or other Proſecution whatſoever againſt any Officer of his Majeſty's Cuſtoms, Exciſe, or other Revenue, or other Perſon or Perſons who ſhall have aided or aſſiſted any ſuch Officer, for or concerning any Act, Matter, or Thing done or committed by them, or any of them, on Occaſion of, or for or by Reaſon or Means of any of the Offences, Frauds, Miſdemeanors, or other Matters or Things intended to be releaſed and diſcharged by this Act; ſuch Claim is and ſhall be deemed to be an abſolute Diſcharge and Releaſe to ſuch Officer or other Perſons, of and from all and every ſuch Actions, Suits, and Proſecutions; and ſuch Officer or other Perſon may plead the General Iſſue, and give the ſpecial Matter in Evidence; and the ſaid Officer, or other Perſon, ſhall recover his Coſts of Suit againſt the Perſon or Perſons ſo bringing or commencing ſuch Action or Proſecution. Claiming the Benefit of this Act ſhall be a Diſcharge to Officers, &c. from ſuch Suits: General Iſſue.

V. Provided alſo, and be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall take, receive, or be intitled to the Benefit of this preſent Act of Indemnity, and ſhall afterwards be guilty of, or commit any of the like Offences, Treſpaſſes, Frauds, or Miſdemeanors, as are herein before mentioned, or hereby intended to be acquitted, releaſed, or diſcharged, or any of the Offences hereafter in this Act mentioned or expreſſed, ſhall be ſubject and liable to be proſecuted, not only for or in reſpect of ſuch new Offence by him, her or them committed, but ſhall alſo for and in reſpect of the ſaid Offences committed before the making this Act, and for and in reſpect of all Bonds and Securities by them or any of them given to his Majeſty, or to any Perſon or Perſons for his Majeſty's Uſe, commonly called *Smuggling Bonds*, be ſubject and liable to all and every the ſame Pains, Penalties, Forfeitures, and Actions, for Duties of Cuſtoms or Exciſe, and Actions upon the ſaid Bonds and Securities, as he, ſhe or they would have incurred, or been ſubject or liable to in caſe this Act had never been made; any thing herein contained to the contrary thereof notwithſtanding. Penalties on Perſons offending, after having taken the Benefit of this Act.

VI. Provided alſo, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend to acquit, releaſe, or diſcharge any Judgment or Judgments, where the Monies or other Things recovered have been actually levied, or the Defendant or Defendants taken in Execution upon ſuch Judgments, before the firſt Day of *May* one thouſand ſeven hundred and forty-five; nor ſhall the ſame extend, or be conſtrued to extend to acquit, releaſe, or diſcharge any Judgment or Judgments, in reſpect to ſuch Part thereof as belongs to the Informer, or ſuch Perſon or Perſons, who hath or have joined with his Majeſty in ſuch Suit or Suits, wherein ſuch Judgment or Judgments hath or have been obtained, unleſs and until ſuch Perſon or Perſons, who would take the Benefit of this Act, ſhall pay to ſuch Informer, or other Perſon or Perſons the full Coſts of ſuch Suit or Suits, in which ſuch Judgment or Judgments ſhall have been obtained. Limitation of this Act.

VII. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, who have committed or been guilty of any of the Offence or Offences herein before mentioned, for which any ſuch Perſon or Perſons is or are by any Law or Statute now in being liable to be tranſported as a Felon or Felons, ſhall, for any of the ſaid Offences, take or receive the Benefit of this preſent Act, and ſhall afterwards be guilty of or commit any of the ſaid Offences, for which he, ſhe or they is or are now liable to be tranſported as aforeſaid; then all and every ſuch Perſon and Perſons (being duly convicted of or for any of the ſaid Offences hereafter to be committed as aforeſaid, and upon due Proof made, that ſuch Perſon or Perſons had committed any of the ſame Offences before the making this Act, and had taken or received the Benefit thereof for his, her or their Diſcharge) ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy. Offenders liable to be tranſported, taking the Benefit of this Act, and repeating ſuch Offences, ſhall ſuffer Death

VIII. Provided alſo, That all Perſons who have, before the firſt Day of *May* one thouſand ſeven hundred and forty-five, compounded with or agreed to pay any Sum of Money by way of Compoſition to his Majeſty, or to the Lords Commiſſioners of his Majeſty's Treaſury, or to any of the Barons of the Exchequer, or to the Commiſſioners of the Cuſtoms or Exciſe reſpectively for the Time being, on his Majeſty's Behalf, for or in reſpect of the above mentioned Offences, or for the Forfeitures or Penalties ariſing thereby, ſhall make good ſuch Compoſitions and Agreements as have been by them reſpectively made; or, in Default thereof, all and every ſuch Perſon ſhall be excluded and deprived of and from all Benefit and Advantage of this Act. Compoſitions for Offences to be made good; or the Benefit of this Act loſt.

Items ſee farther 19 *Geo.* 2. *c.* 34. 21 *Geo.* 2. *c.* 2. 28 *Geo.* 2. *c.* 21. 30 *Geo.* 2. *c.* 18 & 29. 32 *Geo.* 2. *c.* 20. *Concerning Cuſtoms.*

CAP. XXIX

CAP. XXIX.

An Act for granting further Powers to the Commissioners for building a Bridge cross the River *Thames*, from the City of *Westminster* to the opposite Shore in the County of *Surrey*; and for the better enabling them to finish the said Bridge, and to perform the other Trusts reposed in them. PR.

9 Geo. 2. c. 29. 20 Geo. 2. c. 16. 21 Geo. 2. c. 25. 22 Geo. 2. c. 33. 23 Geo. 2. c. 16. 24 Geo. 2. c. 40. 25 Geo. 2. c. 26. 27 Geo. 2. c. 32.

'WHEREAS the Commissioners for building a Bridge cross the River *Thames*, from the *Woolstaple*, or thereabouts, in the Parish of *Saint Margaret* in the City of *Westminster*, to the opposite Shore in the County of *Surrey*, or any seven or more of them, are, by several Acts of Parliament, passed in the Reign of his present Majesty, authorized and impowered to make, open, design, assign, and lay out, such Ways, Streets, and Passages, as they shall find proper to make, open, and lay out, on each Side the River *Thames*, to and from the intended Bridge, the Courts of Justice, both Houses of Parliament, and the Parts adjacent; and to agree for and purchase such Houses and Ground as they shall find necessary for them to be possessed of, and to be removed, rebuilt, pulled down, or employed for that Purpose, comprized within certain Limits and Bounds, mentioned and described in the said Acts, or some of them; and likewise to let, sell, or dispose of, such Piece or Pieces of Ground, either together or in Parcels, as they may, by Means of such Purchases, be possessed of, over and above what may be necessary for the opening and widening of the said Ways, Streets, and Passages, as they shall find most advantageous and convenient, to any Person or Persons who shall be willing to contract, agree for, or purchase the same; as also to design, assign, and lay out, in what Manner the new Houses to be built shall be erected and built; and of what Breadth and Extent the said Streets, Ways, and Passages shall be: And whereas the said Commissioners have designed, assigned, and laid out, several Streets, Ways, and Passages, to and from the said intended Bridge, the Courts of Justice, both Houses of Parliament, and the Parts adjacent; and in order to preserve the same, and the Buildings now erected, and hereafter to be erected upon the said Pieces or Parcels of Ground, free from all Nusances and Annoyances, and to preserve the Uniformity and Beauty thereof, have agreed to dispose of Part of the said Premisses, under such Covenants, Conditions, Agreements, Limitations, and Restrictions, as they have found necessary for those Purposes, and for the Benefit of the Publick in general; but which cannot effectually be enforced by the Laws now in being, so as to remain a perpetual Lien on the said Premisses, without the further Aid and Authority of Parliament:' Therefore, for promoting and encouraging a Design so useful and beneficial to the Publick, and for a better and more effectual enforcing the several Covenants, Agreements, Limitations, and Restrictions, under which the said Commissioners have or shall dispose of any Piece, Pieces, or Parcels of Ground or Buildings, pursuant to the Powers given them by the said Acts, or any of them, May it please your most Excellent Majesty, that it may be enacted, *&c.*

"If any Occupier of Ground sold or let by the Commissioners, shall, contrary to their Covenant, make or suffer any Nusance, *&c.* to the Buildings relating to the Bridge, *&c.* any seven Commissioners, *&c.* may enter and view; and if made in open Streets leading to the Bridge, *&c.* the Commissioners, *&c.* may remove them; and if done in Breach of any Covenant, *&c.* Notice shall be given to the Owner or Occupier to remove the same, according to Covenant; on Refusal or Neglect seven Days after Notice, Commissioners, *&c.* may enter and remove such Nusance according to Agreement; the Charges whereof shall be paid by the Person causing the Nusance; with the Penalty comprised in the Covenant; on Neglect or Refusal, they may be levied by Distress and Sale; if no sufficient Distress can be found, the Rents shall be received by the Commissioners till Satisfaction made. Out of the Aids granted for the Year 1745, 25,000 l. granted to the Commissioners for building the Bridge, *&c.* An Account of the said 25,000 *l.* to be laid before the Parliament within 20 Days after opening the Session. Publick Act."

Enforced by 29 *Geo.* 2. *c.* 38. *and the Powers extended by* 30 *Geo.* 2. *c.* 34.

CAP. XXX.

An Act to amend on Act made in the eleventh Year of the Reign of King WILLIAM the Third, intituled, *An Act for the more effectual Suppression of Piracy.*

11 W. 3. c. 7.

'WHEREAS by an Act made in the eleventh Year of King WILLIAM the Third, intituled, *An Act for the more effectual Suppression of Piracy*; It is (amongst other Things) enacted, That all Piracies, Felonies, and Robberies committed on the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals have Power, Authority, or Jurisdiction, may be examined, enquired of, tried, and determined and adjudged, according to the Directions of the said Act, in any Place at Sea, or upon the Land, in any of his Majesty's Islands, Plantations, Colonies, Dominions, Forts, or Factories, to be appointed for that Purpose by the King's Commission, in the Manner therein directed: And it is also thereby further enacted, That if any of his Majesty's natural born Subjects, or Denizens of this Kingdom, shall commit any Piracy or Robbery, or any Act of Hostility, against others of his Majesty's Subjects, upon the Sea, under Colour of any Commission from any foreign Prince or State, or Pretence of Authority from any Person whatsoever, such Offenders shall be deemed Pirates, Felons, and

'and Robbers; and they being duly convicted, according to the said Act, or according to an Act of the 'twenty-eighth Year of the Reign of King HENRY the Eighth, therein recited, shall have and suffer such 28 Hen. 8. c. 15.
'Pains of Death, Loss of Lands, Goods and Chattels, as Pirates, Felons, and Robbers upon the Seas, 'ought to have and suffer: And whereas, since the present Wars with *France* and *Spain*, divers of his 'Majesty's natural born Subjects have entered in the Service of his Majesty's Enemies, on board Privateers, or other Ships, having Commissions from the Crowns of *France* or *Spain*, and committed divers 'Hostilities against his Majesty's Subjects upon the Seas, in the *West Indies*, and other Parts: And 'whereas Doubts have arisen, whether as such Offenders have, by such their Adherence to the King's 'Enemies, been guilty of High Treason, they can be deemed guilty of Felony, within the Intent of the 'said Act, and, as such, liable to be tried by the said Court of Admiralty appointed or to be appointed 'by virtue of the said Act:' Therefore, to put an End to the said Doubts, and to prevent the Inconveniencies that must arise, by the Want of speedy Justice on such Offenders; May it please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons being natural born Subjects, or Denizens of his Majesty, who during the present or any future Wars, have committed, or shall commit any Hostilities upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals have Power, Authority or Jurisdiction against his Majesty's Subjects, by Virtue or under Colour of any Commission from any of his Majesty's Enemies, or have been, or shall be any other ways adherent, or giving Aid or Comfort to his Majesty's Enemies upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals have Power, Authority or Jurisdiction, may be tried as Pirates, Felons and Robbers in the said Court of Admiralty, on Ship-board, or upon the Land, in the same Manner as Persons guilty of Piracy, Felony and Robbery, are by the said Act directed to be tried; and such Persons being upon such Trial convicted thereof, shall suffer such Pains of Death, Loss of Lands, Goods and Chattels, as any other Pirates, Felons and Robbers ought, by virtue of the said recited Act of the eleventh Year of King WILLIAM the Third, or any other Act, to suffer.

Subjects or Denizens, during any Wars, committing Hostilities at Sea, &c. against his Majesty's Subjects, where the Admirals have Power, or giving Aid, &c. to Enemies at Sea, may be tried as Pirates. 11 W. 3. c. 7.

II. Provided, and it is hereby declared and enacted, That any Person who shall be tried and acquitted, or convicted, according to this Act, for any of the said Crimes, shall not be liable to be indicted, prosecuted, or tried again in *Great Britain*, or elsewhere, for the same Crime or Fact as High Treason.

not to be tried again for the same Crime as High Treason.

III. Provided, That nothing in this Act contained shall be construed to extend to prevent any Persons guilty of any of the said Crimes, who shall not be tried according to this Act, from being tried for High Treason within this Realm, according to the aforesaid Act of the twenty-eighth Year of King HENRY the Eighth.

Criminals not tried by this Act, may be tried for High Treason, by 28 H. 8. c. 5.

CAP. XXXI.

An Act for the more effectual recovering and collecting of certain Duties granted towards the Support of the Royal Hospital at *Greenwich*; and to oblige Agents for Prizes to register their Letters of Attorney.

'WHEREAS by an Act made in the seventh Year of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act for the Increase and Encouragement of Seamen*; and an Act 7 W. 3. c. 21.
'made in the eighth Year of his said late Majesty's Reign, intituled, *An Act to enforce the Act for the In-* 8 W. 3. c. 23.
'*crease and Encouragement of Seamen*; and also another Act made in the tenth Year of the Reign of her late 10 Ann. c. 17.
'Majesty Queen ANNE, intituled, *An Act for the better collecting and recovering the Duties granted for the 'Support of the Royal Hospital at* Greenwich, *and for the further Benefit thereof; and for preserving her Ma-'jesty's Harbour Moorings*; and another Act made in the second Year of the Reign of his present Majesty 2 Geo. 2. c. 7.
'King GEORGE the Second, intituled, *An Act for the more effectual collecting in* Great Britain *and* Ireland, '*and other Parts of his Majesty's Dominions, the Duties granted for the Support of the Royal Hospital at* 'Greenwich; there was given and established for the Support of the said Royal Hospital, a Duty of six 'Pence *per Mensem*, payable by all Seamen; and by the said several Acts, it was (among other Things) 'enacted, That the said Duty should be paid by every Seaman, and other Person whatsoever, that should 'serve or be employed by his Majesty, or by any other Person or Persons whatsoever, in any of his Majesty's Ships, or in any Ship or Vessel belonging to any of the Subjects of *Great Britain* or *Ireland*, or 'Dominions thereunto belonging, or to any of the Subjects of his Majesty, within the Islands of *Jersey*, '*Guernsey*, *Alderney*, *Sark*, and *Man*, and every of them respectively, and within all and every his Majesty's Colonies, Islands, and Dominions in *America* (other than and except such Persons as in the said 'Acts are excepted) which said Duties should be paid by the Master, Commanders, and Owners of all 'and every such Ships and Vessels respectively, who were authorized, impowered, and required to deduct and detain the same, out of the Wages, Shares, or other Profits payable or accruing to every Seaman, or other Person employed in any such Ship or Vessel, and liable to the Payment of the said Duty, 'if such Seaman or other Person shall have, or be intitled to any such Wages, Shares or Profits: And 'whereas the Commissioners for collecting the said Duty, do find great Difficulty in collecting the same 'from Privateers, or private Ships of War, having Letters of Marque, and who neither clear Inwards 'or Outwards;' For Remedy thereof, and to the Intent that the said Duty may be more easily and effectually collected for the Uses aforesaid, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That every Officer or Seamen, or other Person whatsoever, that shall

serve

6 d. per Month to be paid by every Officer or Seaman in any Privateer,

serve or be employed in any Privateer, or private Ship of War, having a Letter of Marque, belonging to any of the Subjects of *Great Britain* or *Ireland*, or Dominions thereunto belonging, or to any of the Subjects of his Majesty, within the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark* and *Man*, or any of them respectively, or within his Majesty's Colonies, Islands, and Dominions in *America*, shall pay the said Duty of six Pence *per* Month, or proportionably for any lesser Time, during the Time he or they shall serve, or be employed in, or belong to, any such Ship or Vessel, for the better Support of the said Royal Hospital at *Greenwich*, and to augment the Revenue thereof for the Purposes in the said recited Acts mentioned.

to Greenwich Hospital.

Commander to detain the same out of Wages, or Shares, &c.

II. And it is hereby declared, That the Master, Commander, or Owner of every Privateer, or private Ship or Vessel of War, having a Letter of Marque, is hereby impowered and required to deduct and detain, out of the Wages, Shares of Prizes, or other Profits, payable or accruing to such Officer, Seaman, or other Person employed in his Ship or Vessel, the said Duty of six Pence *per* Month, (other than for such Persons as by the said Acts are exempted) and shall pay the same to such Officer or Officers, as are or shall on that Behalf be appointed by the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being.

Commander of a Privateer sailing from any Port,

III. And be it further enacted by the Authority aforesaid, That from and after the first Day of *June* which shall be in the Year of our Lord one thousand seven hundred and forty-five, the Master or Commander of every Privateer, or private Ship or Vessel of War, having a Letter of Marque before he sails from any of the Ports of *Great Britain* or *Ireland*, or from any of the Ports of *Jersey*, *Guernsey*, *Alderney*, *Sark*, or *Man*, or from any of the Ports within his Majesty's Colonies, Islands, and Dominions in *America*, shall deliver to the Collector of the Customs of the Port he sails from, a List in Writing, signed by him, of the Names, Ages, and Descriptions of every Seaman, or other Person employed in or belonging to such Privateer, or private Ship or Vessel of War, having a Letter of Marque; and upon the Arrival, Entry, or Return of every such Ship or Vessel, at or into any of the Ports aforesaid, the Master or Commander of such Ship or Vessel, shall deliver to the Collector of the Customs of the Port he arrives at, an authentick Copy, upon Oath, of the List he delivered in to the Collector of the Customs of the Port from whence he sailed, and a particular Account, whether all or any of the Men which sailed with him are returned; and if any are wanting, such Master or Commander shall and is hereby required to give an Account in Writing what is become of them; and in case any such Master or Commander as aforesaid, shall obstinately refuse or neglect to deliver such Lists and Accounts as aforesaid, every such Offender shall forfeit the Sum of fifty Pounds, one Moiety whereof shall be to the Use of the said Royal Hospital, and the other Moiety to such Person or Persons as shall sue for the same.

shall give the Collector a List of his Men;

and on Return shall give a Copy of the same, on Oath,

with an Account what is become of those wanting;

under Penalty of 50 l.

Receivers may summon Commanders or Owners,

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Receiver and Receivers of the said Duty of six Pence *per* Month, payable to the said Royal Hospital, his or their Deputy or Deputies for the Time being, for the better Discovery of what shall be due from the Persons serving on Board, or belonging to any Privateer, or private Ship or Vessel of War, having a Letter of Marque as aforesaid, by Warrant under his or their Hands, to summon all such Masters and Commanders, or (in their Absence) the Owner or Owners of such Privateers, or private Ships and Vessels of War, having Letters of Marque, to be and appear at the Office of the said Receiver or Receivers, his or their respective Deputy or Deputies (so as the Person summoned be not obliged to travel above ten Miles for the making such Appearance) which said Receiver or Receivers, or his or their Deputy or Deputies, are hereby impowered and directed to examine every such Master and Commander, or Owner or Owners, as to the Number and Times of Service of all and every Person or Persons belonging to, or employed in such Ships or Vessels, who are liable to, or chargeable with the said Sum of six Pence *per* Month; and if such Masters or Commanders, or (in their Absence) the Owners, or any of them, shall refuse when so summoned (not having a reasonable Excuse) to appear before the said respective Persons, hereby impowered to examine them in Manner as aforesaid; or if they shall appear, and obstinately refuse to make full and true Discovery of the Matters aforesaid, upon their several Oaths (which Oaths the said Receiver or Receivers, their Deputy or Deputies, are hereby impowered to administer) or shall neglect to pay the Monies which shall be due to the said Hospital, within six Kalendar Months after they shall have had due Notice from the said Receiver or Receivers, his or their Deputy or Deputies, to pay the same; that then and in every such Case, all and every such Offender or Offenders, for every such Refusal or Neglect, shall forfeit the Sum of fifty Pounds; one Moiety whereof shall be to the Use of the said Hospital, and the other Moiety to such Person or Persons as shall sue for the same, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record, wherein no Essoin, Wager of Law, or Protection shall be allowed; and if a Verdict shall pass for the Plaintiff in any such Action, Bill, Plaint or Information, then such Plaintiff shall have and be allowed double Costs; and if any such Master or Commander shall attempt to go to Sea with the said Ships or Vessels, before he hath duly accounted with, and paid the said Receiver or Receivers the said Duty for the Voyage preceding; then and in such Case, such Receiver or Receivers, or their Deputies, are hereby impowered to stop such Ship or Vessel from proceeding to Sea till the said Duty be paid; and upon the Death or Removal of any Master or Commander of any such Ship or Vessel, the Owner or Owners shall deliver to the succeeding Master, a true Account of the said Duty due to the said Hospital as aforesaid, and Money sufficient for Payment of the same to the Receivers thereof; and in Default thereof, such Receiver or Receivers, or their Deputies, shall and lawfully may stop such Ship or Vessel from proceeding to Sea, until the said Duties shall be fully paid and satisfied.

within 10 Miles,

and examine the Number and Times of Service of their Men;

to be answered, on Penalty of 50 l.

the Vessel not permitted to go to Sea, till the Duty of the preceding Voyage be paid.

27 Geo. 2. c. 34.

'V. And whereas by an Act made in the seventeenth Year of his present Majesty's Reign, intituled, '*An Act for the better Encouragement of Seamen in his Majesty's Service, and Privateers, to annoy the Enemy,*

it

'it is enacted, That after the Sale or Sales of ſuch Prize or Prizes as ſhall be taken from the Enemy by 'any of his Majeſty's Ships of War, publick Notification ſhall be given, by the Perſons or Agents ap- 'pointed, of the Day appointed for the Payment of the ſeveral Shares to the Captors; after which publick 'Notification, if any Mens Shares ſhall remain in the Hands of the Perſons or Agents appointed as 'aforeſaid, either belonging to ſuch Men as ſhall be run from his Majeſty's Service, or which ſhall not 'be legally demanded within three Years, then ſuch Share or Shares ſo remaining in the Perſon's or 'Agent's Hands, or belonging to ſuch Men as ſhall run from his Majeſty's Service, ſhall go and be paid 'to the Uſe of *Greenwich* Hoſpital; and alſo that the Shares of the Bounty granted by the ſaid Act to the 'Commanders, Officers, Seamen, Marines, Soldiers, and others of his Majeſty's Ships of War, for 'taking, ſinking, burning, or otherwiſe deſtroying, any Ship of War, or Privateer, belonging to any 'of his Majeſty's Enemies, if not legally demanded within three Years after publick Notification, and 'alſo of ſuch as ſhall run from his Majeſty's Service, ſhall be applied to the Uſe of *Greenwich* Hoſpital: 'And whereas the good Intention of the ſaid Act has been greatly fruſtrated, and little Benefit has aroſe 'to the ſaid Hoſpital therefrom, for want of certain Evidence of what Perſon or Perſons is or are, or has 'or have been appointed Agent or Agents for Prizes, of whom the ſaid Shares ſo granted to the ſaid Hoſ- 'pital may be legally demanded:' For Remedy thereof, Be it enacted by the Authority aforeſaid, That all and every Perſon or Perſons who, ſince the Commencement of the preſent War againſt *Spain*, has or have been, or now is or are, or hereafter ſhall be appointed Agent or Agents for any Prize or Prizes taken by any Ship or Ships of War belonging to his Majeſty, or for receiving the ſaid Bounty, and which Prize or Prizes have been or ſhall be condemned in the High Court of Admiralty of *England*, ſhall exhibit, and cauſe to be regiſtered in the ſaid High Court of Admiralty, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents for the Purpoſes aforeſaid, unleſs he or they have already done the ſame; and if any Perſon or Perſons, ſo as aforeſaid appointed Agent or Agents (who have not already done the ſame) ſhall refuſe or neglect ſo to do on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-five, or if any Perſon or Perſons hereafter to be appointed Agent or Agents for the Purpoſes aforeſaid, ſhall refuſe or neglect to exhibit, and cauſe to be regiſtered in the ſaid High Court of Admiralty, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents as aforeſaid, for the Space of ſix Kalendar Months after Sentence of Condemnation of any Prize ſhall be given in the ſaid High Court of Admiralty, for the Care and Diſtribution of which he or they ſhall be appointed Agent or Agents, ſuch Perſon or Perſons ſo refuſing or neglecting ſhall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will ſue for the ſame, by Action of Debt, Plaint or Information, in any Court of Record in *Great Britain*, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Agents for Prizes of his Majeſty's Ships, ſince the War with Spain, ſhall regiſter their Letters of Attorney in the Court of Admiralty; before 1 Auguſt 1745, or in ſix Months after Condemnation of the Prize; under Penalty of 500l.

VI. Provided always, That if any Agent or Agents ſhall be appointed, after the Time any Sentence of Condemnation in the ſaid Court of Admiralty ſhall be given, ſuch Agent or Agents ſhall, under the aforeſaid Penalty, regiſter, or cauſe to be regiſtered in Manner aforeſaid, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents as aforeſaid, within the Space of ſix Kalendar Months, after the Date of his or their ſaid Letter or Letters of Attorney.

Agents appointed after Condemnation of a Prize, may regiſter their Letters ſix Months after Date.

Concerning Seamen ſee farther 20 *Geo.* 2. *c.* 24 & 38. 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47. 31 *Geo.* 2. *c.* 10.

CAP. XXXII.

An Act for continuing, amending, and making more effectual an Act made in the twelfth Year of the Reign of King *George* the Firſt, for repairing the Roads leading from *Birmingham* to *Edghill*, in the County of *Warwick*. PR.

The Act 12 Geo. 1. c. 6. continued for 21 Years.

CAP. XXXIII.

An Act to repeal a Clauſe in an Act made in the third Year of the Reign of King WILLIAM and Queen MARY, relating to Carts uſed by Perſons inhabiting within the Limits of the weekly Bills of Mortality, and to allow ſuch Carts to be drawn with three Horſes; and to prevent the Misbehaviour of the Drivers of Carts in Streets within the ſaid Limits.

'WHEREAS in and by an Act made and paſſed in the third and fourth Years of the Reign of their late Majeſties King WILLIAM and MARY, intituled, *An Act for the better repairing and amending the Highways, and for ſettling the Rates of Carriage of Goods*; it was enacted, That all and every Law and Statute then in Force, for or touching the enlarging, repairing or amending Highways and common Roads, and every Article and Thing in them contained, and not therein, and thereby altered and repealed, ſhould be duly put in Execution, according to the Tenor of the ſaid Laws, and under the Penalties therein contained, to be raiſed, levied and diſpoſed of, as in and by the ſaid Laws is directed; and divers good and wholeſome Rules, Proviſions and Directions are thereby made, enacted, appointed and ordained, for the better repairing and amending the Highways within this Kingdom; in which ſaid Act there is contained and inſerted a Clauſe or Proviſo, in the Words following; that is to ſay, Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Inhabitant of any of the Pariſhes, within the weekly Bills of Mortality, who dwells off 3 & 4 W. & M. c. 12. 3 W. & M. c. 12. §. 16.

'from the Pavement, or uſes his Carts, as well off as upon the Pavement, and to and for any Brewer, 'and to and for any Scavenger, or other Perſon employed in carrying away the Dirt and Soil of the 'Streets, Lanes, and Alleys, to make uſe of any Cart, Car, or Dray, with Wheels ſhod with Iron, 'and narrower than ſix Inches in the Fellies, and drawn with more than two Horſes; any Act of Par-'liament, Law or Uſage to the contrary in any wiſe notwithſtanding: And whereas great Number of 'Carts, Drays, and other Carriages ſhod with Iron, and drawn with more than two Horſes, do daily 'under the Authority and Permiſſion of the ſaid Act, paſs and repaſs through the Streets, ſituate within 'the Bills of Mortality, to the great Spoil and Deſtruction of the Pavement of the ſaid Streets, and the 'great Annoyance and Prejudice of the Inhabitants within the ſame;' For preventing whereof for the future, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Autho-

A Clauſe therein repealed.

rity of the ſame, That the ſaid Clauſe or Proviſo herein before ſet forth and recited, ſhall from and after the twenty-ninth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-five, and the ſame is hereby enacted and declared to be from thenceforth repealed.

2 W. & M. ſt. 2. c. 8. §. 10.

'II. And whereas in and by an Act made in the ſecond Year of the Reign of their ſaid late Majeſties, 'it is (amongſt other Things) enacted, That from and after the fifteenth Day of *December*, the Wheels 'of every Cart, Car, or Dray, to be uſed for the Carriage of any Thing whatſoever, from any Place 'within the Cities and Pariſhes therein mentioned, to any Place ſituate in the ſaid Cities and Pariſhes 'where the Streets are paved, ſhall be made to contain the Breadth of ſix Inches in the Felly, and ſhall 'not be wrought about with any Iron Work whatſoever, nor be drawn with above the Number of two 'Horſes, after they are up the Hills from the Water Side, under the Penalties in the ſaid Act contained: 'And whereas the ſame, ſo far as it relates to the drawing ſuch Cart, Car, or Dray, with two Horſes

Carts, &c. drawn by three Horſes may be uſed.

'only, hath been found inconvenient;' Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and forty-five, it ſhall and may be lawful to and for any Perſon whatſoever to make uſe of any Cart, Car, or Dray, as aforeſaid, drawn by three Horſes; the ſaid recited Act, or any other Act, Law or Uſage to the contrary in any wiſe notwithſtanding.

Penalty of uſing Carts, &c. drawn by more than three Horſes.

III. Provided always, and it is hereby further enacted, That in caſe any Perſon or Perſons ſhall, after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and forty-five, make uſe of any ſuch Cart, Car, or Dray, drawn by more than three Horſes, as aforeſaid, every ſuch Perſon or Perſons ſhall be liable and ſubject to all and every the Penalties by the ſaid Act directed to be inflicted upon any Perſon or Perſons uſing any Car, Cart, or Dray, drawn with more than two Horſes; any Thing in the ſaid Act to the contrary thereof in any wiſe notwithſtanding.

'IV. And whereas great Inconveniencies have ariſen from the irregular Behaviour of Carmen, Dray-'men, and other Perſons driving Carts, Drays, and other Carriages, within the Cities of *London* and '*Weſtminſter*, and Suburbs thereof, the Borough of *Southwark*, and other Streets within the Bills of 'Mortality, by their miſuſing and hindering the Paſſage of his Majeſty's Subjects through the ſaid Streets 'and Highways, and committing other Diſorders of the like Kind:' For Remedy whereof, Be it enacted

Name of the Owner of every Cart, to be placed thereon, and numbered; *Explained and amended by* 30 *Geo.* 2. *c.* 22.

by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September*, no Perſon or Perſons whatſoever ſhall drive any Cart, Car, or Dray, of any Kind whatſoever within the Limits aforeſaid, unleſs the Maſter or Owner of ſuch Cart, Car, or Dray, ſhall place upon ſome conſpicuous Part of ſuch Cart, Car, or Dray, the Name of the Owner of ſuch Cart, Car, or Dray, and the Number of ſuch Cart, Car, or Dray ſo belonging to him, in order that the Driver of ſuch Cart, Car, or Dray, may be the more eaſily convicted for any Diſorder or Misbehaviour committed by him as aforeſaid.

and regiſtered with the Commiſſioners for Hackney Coaches.

V. And be it further enacted by the Authority aforeſaid, That every Owner of ſuch Cart, Car, or Dray, reſiding within the Limits aforeſaid, ſhall enter his Name and Place of Abode, with the Commiſſioners for licenſing Hackney Coaches, for which Entry he ſhall pay the Sum of one Shilling, and no more; and the ſaid Commiſſioners are hereby authorized and required to receive and regiſter ſuch Entry as aforeſaid.

Under Penalty of 40 s.

VI. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall drive any ſuch Cart, Car, or Dray, within the Limits aforeſaid, not marked, numbered and entered, as is herein before directed, every ſuch Perſon ſo offending ſhall forfeit and loſe the Sum of forty Shillings; and it ſhall and may be lawful for any Perſon or Perſons to ſeize and detain the Cart, Car, or Dray, or any of the Horſes drawing the ſame, and them to detain till ſuch Penalty ſhall be paid.

Cart Wheels may be bound with Iron, ſix Inches broad, without roſe-headed Nails. *See* 6 *Geo.* 1. *c.* 6. *and ſee concerning Highways* 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

VII. Provided always, and it is hereby enacted, That it ſhall and may be lawful to and for any Perſon or Perſons uſing any Cart, Car, or Dray as aforeſaid, having the Wheels of the full Breadth of ſix Inches, when worn, to have the ſame bound round with Streaks or Tire of Iron, provided ſuch Streaks or Tire of Iron be of the full Breadth of ſix Inches, and made flat, and not ſet on with roſe-headed Nails; any Law, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

CAP.

CAP. XXXIV.

An Act to explain, amend, and make more effectual the Laws in Being, to prevent exceſſive and deceitful Gaming; and to reſtrain and prevent the exceſſive Increaſe of Horſes Races.

For former Laws relating hereto refer to 33 *H.* 8. *c.* 9. 2 *&* 3 *P. & M. c.* 9. 16 *Car.* 2. *c.* 7. 9 *Ann. c.* 14. 2 *Geo.* 2. *c.* 28. 12 *Geo.* 2. *c.* 28.

'WHEREAS notwithſtanding the many good and wholeſome Laws now in Being, for preventing 'exceſſive and deceitful Gaming, many Perſons of ill Fame and Reputation, who have no viſible 'Means of Subſiſtence, do keep Houſes, Rooms, and other Places, for playing, and do permit Perſons 'therein to play at Cards, Dice, and other Devices, for large Sums of Money, by Means whereof di- 'vers young and unwary Perſons, and others, are drawn in to loſe the greateſt Part, and ſometimes all 'their Subſtance; and it frequently happens they are thereby reduced to the utmoſt Neceſſities, and be- 'take themſelves to the moſt wicked Courſes, which end in their utter Ruin: And whereas a certain 'pernicious Game called Roulet, or Roly-poly, is daily practiſed, and the Laws now in Being have, 'by Experience, been found ineffectual to put a Stop to ſuch pernicious Practices:' For Remedy whereof, May it pleaſe your Majeſty that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, no Perſon or Perſons, of what Condition ſoever, ſhall keep any Houſe, Room, or Place for playing, or permit or ſuffer any Perſon or Perſons whatſoever, within any ſuch Houſe, Room, or Place, to play at the ſaid Game of Roulet, otherwiſe Roly-poly, or at any other Game, with Cards or Dice, already prohibited by the Laws of this Realm; and in caſe any Perſon or Perſons whatſoever ſhall keep any ſuch Houſe, Room, or Place for playing, or permit or ſuffer any Perſon or Perſons as aforeſaid to play at the ſaid Game of Roulet, otherwiſe Roly-poly, or at any other Game, with Cards or Dice, already prohibited by Law, ſuch Perſon or Perſons ſo offending ſhall incur the Pains and Penalties, and be liable to ſuch Proſecution as is directed in and by an Act made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual preventing exceſſive and deceitful Gaming.*

No Perſon ſhall keep a Place for playing Roly-poly, or other Game with Cards or Dice; under Penalties of 12 Geo. 2. c. 28.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall, after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, play at the ſaid Game of Roulet, otherwiſe Roly-poly, or at any Game or Games with Cards or Dice, already prohibited by Law, every ſuch Perſon or Perſons ſo offending ſhall alſo incur the Pains and Penalties, and be liable to ſuch Proſecution, as is directed in and by an Act made in twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual preventing exceſſive and deceitful Gaming.*

Perſons playing ſhall incur the Penalties of 12 Geo. 2. c. 28.

'III. And whereas in and by a certain Statute, made in the ninth Year of the Reign of her late Majeſty 'Queen ANNE, intituled, *An Act for the better preventing exceſſive and deceitful Gaming*, it is (amongſt 'other Things) enacted, That from and after the firſt Day of *May* one thouſand ſeven hundred and 'eleven, any Perſon or Perſons whatſoever, who ſhould at any Time or Sitting, by playing at Cards, 'Dice, Tables, or other Game or Games whatſoever, or by betting on the Sides or Hands of ſuch who 'do play at any of the Games aforeſaid, loſe to any one or more Perſon or Perſons ſo playing or betting, 'in the Whole, the Sum of ten Pounds, and ſhould pay and deliver the ſame, or any Part thereof, the 'Perſon or Perſons ſo loſing, or paying or delivering the ſame, ſhould be at Liberty within three 'Months then next, to ſue for, and recover the Money or Goods ſo loſt and paid, or delivered, or any 'Part thereof, from the reſpective Winner or Winners thereof, with Coſts of Suit; to be ſued for, and 'recovered by Action of Debt, founded on the ſaid Act, to be proſecuted in any of her then ſaid Ma- 'jeſty's Courts of Record; in which Actions or Suits no Eſſoin, Protection, Wager of Law, Privilege 'of Parliament, or more than one Imparlance ſhould be allowed, with further Directions, as in the ſaid 'Act are particularly ſet forth: And whereas for the better Diſcovery of the Monies, or any Thing ſo 'won, and to be ſued for as aforeſaid, it is by the ſaid Statute enacted, That all and every Perſon or 'Perſons, who by virtue of the ſaid Statute ſhould or might be liable to be ſued for any ſuch Sum or 'Sums of Money, or valuable Thing, ſhould be obliged and compelled to anſwer, upon Oath, ſuch Bill 'or Bills, as ſhould be preferred againſt him or them, for the Diſcovery of the Sum or Sums of Money 'to be won at Play as aforeſaid; but no Proviſion is made, or Authority given to any Court of Equity 'to decree the ſame to be paid;' Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, in caſe any Bill or Bills ſhall be brought, exhibited and filed in any Court of Equity, againſt any Perſon or Perſons, for any Sum or Sums of Money won by any Perſon or Perſons after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, contrary to the true Intent and Meaning of the ſaid Act, it ſhall and may be lawful for ſuch Court, wherein ſuch Bill ſhall be brought, exhibited, and filed, to proceed and decree thereupon, and enforce ſuch Decree or Decrees, as ſhall be made in purſuance thereof, in the ſame Manner, as is practiſed and uſed in other Cauſes, upon Bills and Anſwers depending in the Courts where ſuch Bill ſhall be ſo brought and exhibited.

9 Ann. c. 14.

Court of Equity, where a Bill ſhall be filed for any Sum won, may enforce their Decree as in other Cauſes.

IV. And for the more eaſy Conviction of Perſons offending againſt this or any other former Act, for preventing exceſſive and deceitful Gaming; Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for ſuch Perſon or Perſons, who have Juriſdiction to hear and determine Informations, upon the Statutes againſt exceſſive and deceitful Gaming, upon any Information exhibited before them, for any Offence committed againſt this Act, or againſt the Statute made in the twelfth Year of his preſent Majeſty, intituled, *An Act for the more effectual preventing of exceſſive and deceitful Gaming*; or againſt one other Act made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, 'An 'Act to reſtrain and prevent the exceſſive Increaſe of Horſe Races, and for amending an Act made in the

On Information for any Offence againſt this Act, or 12 Geo. 2. c. 28. or 13 Geo. 2. c. 19.

Persons may be summoned to give Evidence;

'last Session of Parliament,' intituled, *An Act for the more effectual preventing excessive and deceitful Gaming*; to summon any Person or Persons, other than the Party accused, to appear before them, at a certain Day, Time and Place, to be inserted in such Summons, and to give Evidence for the Discovery of the Truth of the Matter in the said Information contained; and in case of neglect or refusal to appear, or if upon Appearance, such Person or Persons shall refuse to give Evidence, or shall give any false Evidence, every such Person or Persons so offending shall forfeit and lose the Sum of fifty Pounds; to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of such Persons issuing such Summons as aforesaid and in case such Person or Persons not appearing, or neglecting, or refusing to give such Evidence, or giving any false Evidence, shall not have sufficient Goods and Chattels, whereon to levy the said Sum of fifty Pounds, every such Person or Persons shall be, by such Person or Persons, having Jurisdiction as aforesaid, committed to the common Gaol for the County, City or Place, where such Offence shall be committed, there to remain for the Space of six Months, without Bail or Mainprize.

who on Neglect or Refusal to appear, or giving false Evidence; shall forfeit 50*l*.

or be committed for six Months.

No Person incapable of being a Witness, (except the Parties) for having played, betted, &c.

V. And be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-five, no Person or Persons, other than the Parties, Plaintiff and Defendant in the Cause, shall be incapacitated from being a Witness, touching any Offence committed against the Laws for preventing excessive and deceitful Gaming, by Reason of having played, betted or staked at any Game prohibited by this or any of the said Statutes.

Proviso for Royal Palaces, &c.

VI. Provided also, and it is hereby enacted and declared, That nothing in this Act contained shall extend to prevent or hinder any Person or Persons from playing at any Game whatsoever, within any of his Majesty's Royal Palaces, wherein his Majesty, his Heirs and Successors shall then actually reside.

No Privilege of Parliament to be allowed in Prosecutions, &c.

VII. And be it further enacted by the Authority aforesaid, That no Privilege of Parliament shall be allowed to any Person or Persons whatsoever against whom any Prosecution or Proceedings shall be commenced or had, for keeping of any publick or common Gaming-house, or any House, Room or Place for playing at any Game or Games prohibited by this, or any other Act now in Being, against excessive or deceitful Gaming; any Law, Usage or Custom to the contrary in any wise notwithstanding.

Persons losing 10*l*. at one Time, or 20*l*. in 24 Hours, may be indicted;

and fined five Times the Value.

VIII. And be it enacted by the Authority aforesaid, That if any Person, after the Commencement of this Act, shall win or lose at Play, or by Betting, at any one Time, the Sum or Value of ten Pounds, or within the Space of twenty-four Hours the Sum or Value of twenty Pounds, such Person shall be liable to be indicted for such Offence within six Months after it is committed, either before his Majesty's Justices of the King's Bench, Assize, Gaol Delivery or Grand Sessions; and being thereof legally convicted, shall be fined five Times the Value of the Sum so won or lost; which Fine (after such Charges as the Court shall judge reasonable allowed to the Prosecutors and Evidence out of the same) shall go to the Poor of the Parish or Place where such Offence shall be committed.

Offenders discovering others shall be discharged.

IX. Provided nevertheless, That if any Person so offending shall discover any other Person so offending, so that such Person be thereupon convicted, the Person so discovering shall be discharged and indemnified from all Penalties, by reason of any such Offence, if such Person so discovering hath not been before convicted thereof, and shall be admitted as an Evidence to prove the same.

Not to repeal 9 Annæ, c. 14. *See further* 30 *Geo.* 2. c. 24.

X. Provided always, and it is hereby declared, That nothing in this Act contained shall extend, or be construed to extend, to repeal or invalidate an Act made in the ninth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the better preventing excessive and deceitful Gaming*.

13 Geo. 2. c. 19. §. 3.

'XI. And whereas in an Act passed in the thirteenth Year of his Majesty's Reign, intituled, *An Act to restrain and prevent the excessive Increase of Horse Races, and for amending an Act made in the last Session of Parliament, intituled*, An Act for the more effectual preventing of excessive and deceitful Gaming; it is (among other Things) enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty, no Horse, Mare or Gelding, being of the Age of five Years, shall be entered, started or run, for any Plate, Prize, Sum of Money, or other Thing whatsoever, unless such Horse, Mare or Gelding, shall carry ten Stone Weight, computing fourteen Pounds to each Stone Weight; and that no Horse, Mare or Gelding, being of the Age of six Years, shall be entered, started or run for any Plate, Prize, Sum of Money, or other Thing whatsoever, unless such Horse, Mare or Gelding shall carry eleven Stone, computing fourteen Pounds to each Stone Weight; and that no Horse, Mare or Gelding, being of the Age of seven Years, shall be entered, started or run for any Plate, Prize, Sum of Money, or other Thing whatsoever, unless such Horse, Mare or Gelding shall carry twelve Stone Weight, computing fourteen Pounds to each Stone Weight; and in case any Person or Persons shall enter, start or run any Horse, Mare or Gelding, of either of the Ages aforesaid, for any Plate, Prize, Sum of Money or other Thing, carrying less than the Weights herein before directed to be carried, such Horse, Mare or Gelding, or the Value thereof, shall be forfeited; and the Person or Persons so entering, starting or running such Horse, Mare or Gelding, shall forfeit and lose the Sum of two hundred Pounds: And whereas the thirteen Royal Plates of one hundred Guineas each, annually run for, as also the high Prices that are constantly given for Horses of Strength and Size, are sufficient to encourage Breeders to raise their Cattle to the utmost Size and Strength possible;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-five, to run any Match, or to start and run for any Plate, Prize, Sum of Money, or other Thing, of the real and intrinsick Value of fifty Pounds or upwards, at any Weights whatsoever, and at any Place or Places whatsoever, without incurring or being liable to the Penalty or Penalties in the said Act of the thirteenth Year of his Majesty's Reign, relating to Weights as aforementioned, and in the same Manner, as might have been done if the said Act had never been made; any thing herein contained to the contrary notwithstanding.

Repealed.

CAP.

CAP. XXXV.

An Act for the further regulating and better Government of his Majesty's Navies, Ships of War, and Forces by Sea; and for regulating the Proceedings upon Courts Martial in the Sea Service. [Rep. 22 Geo. 2. c. 33.]

'WHEREAS in and by an Act of Parliament made and passed in the thirteenth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for establishing Articles and Orders for the regulating and better Government of his Majesty's Navies, Ships of War, and Forces by Sea*, divers Orders and Directions were made and established, for the Purposes in the said Act mentioned; and the several Crimes and Offences therein specified, are thereby directed to be enquired into, and tried by Courts Martial to be holden for that Purpose: And it was thereby further enacted, That the Lord High Admiral for the Time being should have full Power and Authority, by virtue of the said Act, to grant Commissions to inferior Vice Admirals or Commander in Chief of any Squadron of Ships, to call and assemble Courts Martial, consisting of Commanders and Captains; and that the Judge Advocate of any Fleet for the Time being should have full Power and Authority to administer an Oath, in order to the Examination or Trial of any of the Offences therein before mentioned; and that in the Absence of the Judge Advocate, the Court Martial should have full Power and Authority to appoint any Person to administer an Oath to the Purpose aforesaid: And whereas by reason of some Defects in the said Act of Parliament, and in the Constitution and Proceedings of such Courts Martial, great Inconvenience may happen to the publick Service, and several Crimes and Offences, and Misdemeanors, relating to the Government of his Majesty's Fleets, Navies and Ships of War, may escape Punishment, to the great Prejudice and Dishonour of these Kingdoms:' Therefore, for the remedying and supplying the said Defects, and for maintaining a proper and strict Government and Discipline of his Majesty's Navy, wherein at all Times, and more especially in Time of War, the Wealth, Strength and Safety of these Kingdoms are so much concerned; Be it enacted, *&c.* 13 Ca. 2. c. 9,

" Lord High Admiral or Commissioners, *&c.* may grant Commissions to Flag Officers, *&c.* or Captains, " to call Courts Martial; Judge Advocate to collect the Evidence, inform the Court, and prosecute; " and to summon Witnesses; Persons summoned not appearing, or not giving Evidence, shall forfeit " 100*l.* Admiral, *&c.* by whose Powers any Court Martial is held not to preside therein; but Proceed- " ings to be laid before him. Persons committing Perjury, or suborning thereto, in any Court Martial, " to be punished as by 5 Eliz. c. 9. and 2 Geo. 2. c. 25. Corrupt Practices, to persuade Perjury to be " used in any Court Martial, to be prosecuted in the *King's Bench*. The Offence sufficient to be set forth, " without the Commission for holding the Court, *&c.* Articles of War, *&c.* with respect to Crews of " Ships wrecked or lost, to be in Force; except taken by the Enemy, until discharged, removed or tried; " if on trial the Crew have done their Duty, their Pay to continue; or having acted contrary thereto, to " be punished."

CAP. XXXVI.

An Act for prohibiting the Wearing and Importation of Cambricks and *French* Lawns.

'WHEREAS it is evidently for the Advantage of this Kingdom, that the Wearing of Cambricks and *French* Lawns should be prohibited;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* which shall be in the Year of our Lord one thousand seven hundred and forty-eight, it shall not be lawful for any Person or Persons whatsoever to wear in *Great Britain*, in any Garment or Apparel whatsoever, any Cambrick or *French* Lawn, under the Penalty of forfeiting to the Informer the Sum of five Pounds, of lawful Money of *Great Britain*, for every such Offence, being lawfully convicted thereof by the Oath or Oaths of one or more credible Witness or Witnesses, before any one or more Justice or Justices of the Peace; which Justice or Justices is and are hereby respectively authorized, and strictly enjoined and required, upon any Complaint or Information upon Oath, exhibited or brought of any such Offence committed contrary to this Act, within six Days after Commitment thereof, to summon the Party accused, and upon his or her Appearance or Contempt, to proceed to Examination of the Matter of Fact; and upon due Proof thereof made, either by voluntary Confession of the Party, or by the Oath or Oaths of one or more credible Witness or Witnesses (which Oath or Oaths the said Justice or Justices is and are hereby respectively impowered and required to administer) to hear and determine the same; and upon such Conviction, to cause the said Penalty, by Warrant under his or their Hand and Seal, or Hands and Seals respectively, to be levied by Distress and Sale of the Offenders Goods and Chattels, rendering the Overplus (the Charges of such Distress and Sale being first deducted); nevertheless it shall be lawful for the Party agrieved, to appeal to the Justices of the Peace at the next General Quarter-Sessions to be holden for the County, City, Riding, or Place, where the said Offence or Offences shall have been committed, giving six Days Notice at least of such Appeal to the Prosecutor or Prosecutors; which Justices, at such General Quarter-Sessions, are hereby authorized and impowered to hear and determine the same, whose Determination shall be final. 18 *Geo.* 2. *c.* 24, 25, 27 & 36.

No Cambrick or French Lawn to worn, under Penalty of 5 l. See 21 Geo. 2. c. 26. *by which this Act is explained, amended and enforced.*

Justice to summon the Party accused.

Penalty to be levied by Distress and Sale.

Appeal to the Quarter Sessions; giving six Days Notice.

Sellers of Cambrick to forfeit 5 l.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-eight, vend, utter, ſell, or expoſe to Sale any Cambricks or *French* Lawns, made or not made up, ſuch Perſon or Perſons ſo vending, uttering, ſelling, or expoſing the ſame to Sale (except for Exportation only) and ſhall thereof be convicted, ſhall forfeit and pay the Sum of five Pounds, to be recovered and levied as aforeſaid.

The Perſon wearing Cambricks diſcovering the Seller, ſhall be diſcharged.

III. Provided always, and it is hereby declared, That if any Perſon or Perſons ſhall, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-eight, be proſecuted by this Act for wearing in or on any Garment or Apparel, any Cambricks or *French* Lawns, and ſuch Perſon or Perſons ſhall diſcover upon Oath, before any one or more Juſtice or Juſtices of the Peace, the Perſon or Perſons who ſold ſuch Cambricks or *French* Lawns, to ſuch Perſon or Perſons ſo wearing the ſame, ſuch Perſon or Perſons ſo diſcovering as aforeſaid ſhall be, and is and are hereby freed and diſcharged of and from all and every ſuch Penalties and Forfeitures as aforeſaid, for wearing ſuch Cambricks or *French* Lawns; and the Perſon and Perſons ſo ſelling ſuch Cambricks or *French* Lawns, to ſuch Perſon or Perſons as ſhall wear the ſame, ſhall be liable to the Penalties and Forfeitures herein before laid and inflicted; and the ſame ſhall be recovered and levied, and diſpoſed of in ſuch Manner as the Penalties and Forfeitures which are inflicted by this Act, for wearing of Cambricks or *French* Lawns.

No Cambricks, &c. to be imported till Proof made that they are the Property of his Majeſty's Subjects.

If any Alien hath Intereſt therein, Proof to be made that they were ſhipped for Importation before May 10, 1745.

IV. And it is further enacted by the Authority aforeſaid, That from and after the tenth Day of *May* one thouſand ſeven hundred and forty-five, no Cambricks or *French* Lawns ſhall be admitted to be imported or entered into any Port of *Great Britain*, until after Proof upon Oath ſhall have been made by the Importer, or if a *Quaker*, by Affirmation, at the Time of entering the ſame, before the proper Officer or Officers of the Cuſtoms at the Port of Importation (which Oath or Affirmation ſuch Officer or Officers are hereby impowered and required to adminiſter) either that the ſame are the ſole Property of the Importer, or of ſome other of his Majeſty's Subjects, and that no Alien or Foreigner hath any Property, Intereſt, or Concern whatſoever therein; or otherwiſe, if any Alien or Foreigner hath any Intereſt or Property therein, then, and in that Caſe, Proof ſhall be given by the Importer, to the Satisfaction of the aforeſaid Officers of his Majeſty's Cuſtoms, that the ſame were really and *bona fide* ſhipped in order for direct Importation into *Great Britain*, on or before the ſaid tenth Day of *May* one thouſand ſeven hundred and forty-five.

No Foreign Cambricks to be imported,

V. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-five, it ſhall not be lawful for any Perſon or Perſons whatſoever, to import or enter into any Port of *Great Britain* any foreign Cambricks or *French* Lawns, unleſs Bills of Loading be produced for the ſame, or ſuch other Proof or Evidence be given to the Commiſſioners of his Majeſty's Cuſtoms, or to the Chief Officer or Officers of the Cuſtoms at the Port of Importation, as they ſhall think ſufficient or require, that the ſaid Cambricks or *French* Lawns were really and *bona fide* ſhipped for direct Importation into *Great Britain*, on or before the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and forty-five.

Conditions on which Cambricks, &c. may be imported,

on Proof that they are Subjects Property;

and Security given that they ſhall be exported in three Years.

VI. Provided always, That it ſhall and may be lawful to import or enter into any Part of *Great Britain*, after the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-ſix, any Cambricks, *French* Lawns, or other Linen whatſoever, of the kind uſually entered under the Denomination of Cambricks, upon the Importer making Oath, or if a *Quaker* Affirmation, that they are intended for Exportation only, and that they are really and *bona fide* the Property of the ſaid Importer, or of ſome other of his Majeſty's Subjects, and that no Alien or Foreigner hath any Intereſt or Property therein; and alſo upon the ſaid Importer giving ſufficient Security by Bond, to the Satisfaction of the Commiſſioners of the Cuſtoms, or the Chief Officer or Officers thereof, at the Port of Importation, for the Uſe of his Majeſty, his Heirs and Succeſſors, in double the Value of the Goods ſo imported, ſuch Value to be aſcertained by the Oath or Affirmation of the Importer as aforeſaid; and which Bonds Oaths, and Affirmations reſpectively, the proper Officers are hereby authorized and required to receive and adminiſter, for Payment of the Sum of five Pounds for each and every Piece of ſuch Cambricks and *French* Lawns which ſhall not be exported out of this Kingdom, within the Term of three Years, after the Entry of the ſame; any thing to the contrary in this preſent Act in any wiſe notwithſtanding.

Pieces loſt by Fire, &c. not liable to the Penalty.

See farther 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

VII. Provided alſo, That in caſe any Piece or Pieces of Cambrick or Lawn ſo imported as aforeſaid, ſhall by Fire, or any other unavoidable Accident, be loſt or deſtroyed, then, and in that Caſe, and upon making Proof of ſuch Loſs, to the Satisfaction of his Majeſty's Commiſſioners of the Cuſtoms, or of the Chief Officer or Officers thereof, at the Port of Importation, the ſaid Commiſſioners or Chief Officer or Officers are hereby authorized and required to remit to the ſaid Importer the ſaid Penalty of five Pounds, payable for each and every Piece not ſo exported as aforeſaid; any thing to the contrary in this preſent Act in any wiſe notwithſtanding.

CAP. XXXVII.

CAP. XXXVII.

An Act for impowering the ſurviving Commiſſioners and Truſtees for forfeited Eſtates to execute proper Conveyances of the late Lord *Widdrington*'s Eſtate, in the County of *Northumberland* (contracted for by the *York Buildings* Company) to Truſtees for the Creditors of the ſaid Company, upon Payment of a Sum of Money therein mentioned into his Majeſty's Exchequer. PR.

'WHEREAS by an virtue of an Act made an paſſed in the firſt Year of the Reign of his late Ma- 1 Geo. 1. c. 50.
'jeſty King GEORGE the Firſt, intituled, *An Act for appointing Commiſſioners to enquire of the*
'*Eſtates of certain Traitors, and Popiſh Recuſants, and of Eſtates given to ſuperſtitious Uſes, in Order to raiſe*
'*Money out of them ſeverally for the Uſe of the Publick*; and of another Act made and paſſed in the fourth
'Year of the Reign of his ſaid late Majeſty, intituled, *An Act for veſting the forfeited Eſtates in* Great Bri- 4 Geo. 1. c. 8.
'tain *and* Ireland *in Truſtees, to be ſold for the Uſe of the Publick*; *and for giving Relief to lawful Creditors,*
'*by determining the Claims*; *and for the more effectual bringing into the reſpective Exchequers the Rents and Pro-*
'*fits of the ſaid Eſtates till ſold*; all and every the Caſtles, Honours, Lordſhips, Manors, Meſſuages, Lands,
'Tenements, Rents, Reverſions, Services, Remainders, Poſſeſſions, Royalties, Franchiſes, Juriſdictions,
'Privileges, and Hereditaments whatſoever, and of what Nature or Kind ſoever they be, in *Great Britain*,
'*Ireland*, or elſewhere, whereof any Perſon or Perſons who, ſince the twenty-fourth Day of *June* in the
'Year of our Lord one thouſand ſeven hundred and fifteen, had been attainted or before the twenty-fourth
'Day of *June* in the Year of our Lord one thouſand ſeven hundred and eighteen, ſhould be attainted for
'High Treaſon committed before the firſt Day of *June* one thouſand ſeven hundred and fifteen, within
'*Great Britain*, or elſewhere, was, were, or ſhould have been ſeized or poſſeſſed of, or intereſted in, or
'intitled unto, on the twenty-fourth Day of *June* one thouſand ſeven hundred and fifteen, or at any Time
'afterwards, in his, her or their own Right, or to his, her or their own Uſe, or whereof any other Per-
'ſon or Perſons was, were, or ſhould have been ſeized, or poſſeſſed of, or intereſted in, to the Uſe of,
'or in Truſt for them, or any of them, on the ſaid twenty-fourth Day of *June* one thouſand ſeven hun-
'dred and fifteen, or at any Time afterwards, were veſted in, and ſettled upon, *Richard Grantham* Eſquire,
'*George Treby* Eſquire, *Arthur Ingram* Eſquire, *George Gregory* Eſquire, Sir *Richard Steele* Knight, Sir
'*Henry Hoghton* Baronet, *Patrick Haldane* Eſquire, Sir *Thomas Hales* Baronet, *Robert Monro* Eſquire,
'*Henry Cunninghame* Eſquire, *Denis Bond* Eſquire, *John Birch* Serjeant at Law, and Sir *John Eyles* Baro-
'net, their Heirs, Executors, Adminiſtrators, and Aſſigns, from the twenty-fifth Day of *March* one
'thouſand ſeven hundred and eighteen, to the end the ſame might be bargained, ſold, diſpoſed of, and
'applied, by the ſaid Truſtees, and the Survivors of them, to and for the Uſes and Purpoſes in the
'ſaid Act of the fourth Year of the Reign of his preſent Majeſty mentioned, declared, and appointed;
'And it was thereby further enacted, That from and after the ſaid twenty-fifth Day of *March* one thouſand
'ſeven hundred and eighteen, the ſaid Commiſſioners and Truſtees, or any four or more of them, re-
'ſiding in *England*, *Scotland*, or *Ireland* reſpectively, ſhould, and they were thereby enabled and required
'to ſell all and ſingular the Eſtates and Intereſts veſted in them as aforeſaid, and every or any Part or
'Parcel thereof, to any Perſon or Perſons, being Proteſtants, Bodies Politick or Corporate, their Heirs,
'Succeſſors, Executors, Adminiſtrators, or Aſſigns (other than the ſaid Commiſſioners and Truſtees, or
'their Officers reſpectively, or any others in Truſt for them, or any of them) who ſhould become Pur-
'chaſer or Purchaſers thereof; and that the ſaid Commiſſioners and Truſtees, or any four or more of
'them, reſiding in *England*, *Scotland*, or *Ireland* reſpectively, after cauſing publick Notice to be given, as
'is therein mentioned, ſhould expoſe the ſame to Sale, in ſuch Parts or Proportions as they ſhould think
'convenient, by Cant or Auction, beginning or ſetting up the ſame at ſuch Price as the ſaid Commiſ-
'ſioners and Truſtees, or any four or more of them, reſiding in *England*, *Scotland*, or *Ireland* reſpectively,
'ſhould think fit; and that every Perſon or Perſons, who ſhould thereupon bid moſt for the ſame in Ster-
'ling Money, over and above the Price ſo to be ſet thereon as aforeſaid, ſhould be deemed and reputed to
'be the Purchaſer or Purchaſers thereof; and that the ſaid Commiſſioners and Truſtees, or any four or
'more of them reſiding in *England*, *Scotland*, and *Ireland* reſpectively, ſhould immediately, upon every ſuch
'Sale or Contract, cauſe an Entry to be made in their Books of all and every the particular Eſtates ſo ſold
'and contracted for, and what Eſtate and Intereſt they ſold therein, and of the Buyers Names and Places
'of Abode, and the Prices agreed upon; and for the further Satisfaction of ſuch Buyers or Contractors, if
'they ſhould inſiſt thereupon, the ſaid Commiſſioners and Truſtees, or any four or more of them, reſi-
'ding in *England*, *Scotland*, or *Ireland* reſpectively, ſhould give a Note in Writing, under their Hands and
'Seals, unto the ſeveral Buyers reſpectively, expreſſing the Particulars by them bought, and for what
'Eſtate or Intereſt therein, and the Price or Conſideration thereof, and the Time of ſuch Sale or Con-
'tract; and thereupon every ſuch Buyer or Buyers ſhould pay the Price agreed upon into the Receipt of
'his Majeſty's Exchequer in *England* and *Scotland* reſpectively, at ſuch Time as the ſaid Commiſſioners
'or Truſtees, or any four or more of them reſiding in *England*, *Scotland*, or *Ireland* reſpectively ſhould
'appoint; and the ſaid Commiſſioners and Truſtees, or any four or more of them reſiding in *England*,
'*Scotland*, or *Ireland*, reſpectively, being certified of the Payment thereof into the reſpective Exchequers,
'ſhould execute an Indenture or Contract of Bargain and Sale of the Parcels ſo bought and paid for, as
'aforeſaid, to ſuch Buyer or Buyers thereof, for ſuch Eſtate or Intereſt therein, as the ſaid Commiſſioners

'and Truſtees, or any four or more of them, reſiding in *England*, *Scotland*, or *Ireland* reſpectively, ſhould 'have contracted to ſell the ſame; every which ſaid Indenture or Contract ſhould particularly expreſs 'or recite the Conſideration paid or given for the ſame, and ſhould thereof acquit and diſcharge every 'ſuch Purchaſer or Purchaſers, his and their Heirs, Succeſſors, Executors, Adminiſtrators, and Aſſigns: 'And it was thereby further enacted, That the Powers thereby given to the ſaid Commiſſioners and 'Truſtees, ſhould not determine by the Deaths of any one or more of them; and in caſe of the Death 'or Deaths of any one or more of the ſaid Commiſſioners and Truſtees, the Survivors of them (being 'four or more to reſide in *England*, and as many in *Scotland*) ſhould, and they were thereby required and 'authorized to execute and perform all the Truſts, Powers, Matters, and Things in the ſaid Acts con-'tained, as fully and effectually, as the whole Number of Commiſſioners and Truſtees thereby appointed, 'or any Quorum of them, might execute or perform, if they were all living, as by the ſaid ſeveral Acts 'of Parliament may more fully and at large appear: And whereas *William* late Lord *Widdrington* was, af-'ter the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and fifteen, 'and before the twenty-fourth Day of *June* one thouſand ſeven hundred and eighteen, attainted for High 'Treaſon, committed before the firſt Day of *June* one thouſand ſeven hundred and ſixteen; and was, at 'the Time of ſuch his Attainder, ſeized, poſſeſſed of, intereſted in, and intitled unto, in his own Right, 'or to his own proper Uſe, of divers Manors, Meſſuages, Lands, Tenements and Hereditaments, 'ſituate, lying and being in the County of *Northumberland*, of the yearly Value of one thouſand five 'hundred fifty-eight Pounds fourteen Shillings and two Pence; and by Force and Virtue of the ſaid At-'tainder, and the ſeveral Acts of Parliament herein before mentioned, the ſaid ſeveral Manors, Meſ-'ſuages, Lands, Tenements and Hereditaments became veſted in the ſaid *Richard Grantham*, *George* 'Treby, *Arthur Ingram*, *George Gregory*, Sir *Richard Steele* Knight, Sir *Henry Hoghton* Baronet, *Patrick* 'Haldane, Sir *Thomas Hales*, *Robert Monro*, *Henry Cuninghame*, *Denis Bond*, *John Birch*, and Sir *John* 'Eyles, for the ſeveral Intents and Purpoſes in the ſaid Acts of Parliament mentioned: And whereas in 'purſuance of the ſaid Act of the fourth Year of his ſaid late Majeſty, the ſaid Commiſſioners and Truſ-'tees, or four of them reſiding in *England* did, on the thirtieth Day of *March* in the Year of our 'Lord one thouſand ſeven hundred and twenty, at their Houſe in *Eſſex Street*, in the Pariſh of *Saint Cle-'ment Danes* in the County of *Middleſex*, put up to Sale by way of Cant or Auction, ſeveral Manors, Meſ-'ſuages, Lands, Tenements and Hereditaments, being the Eſtate of the ſaid late Lord *Widdrington*, lying 'in the Pariſh of *Woodhorne* in the County of *Northumberland*, ſpecified and deſcribed in a Particular or 'Rental thereof, printed and publiſhed by Order and Directions of the ſaid Commiſſioners, or of four or 'more of them, and therein mentioned to be of the Rent or Value of one thouſand eight hundred and 'eight Pounds fourteen Shillings and two Pence *per Annum*, excluſive of the Incumbrances charged 'upon, and affecting the ſame; and therein mentioned to amount together to the yearly Sum of one hun-'dred twenty-five Pounds ſeventeen Shillings and eight Pence; and it was, at the Time of putting up 'the ſaid Eſtate to Sale, ſtipulated and preſcribed, that the Purchaſer of the ſaid Eſtate ſhould pay one 'fifth Part of the Purchaſe Money into the Exchequer, on or before the twenty-fourth Day of *June* 'then next; and the remaining four Fifths into the ſaid Exchequer, on or before the twenty-ninth Day 'of *September* then next enſuing, together with lawful Intereſt for the ſame, after the Rate of five Pounds 'per Centum per Annum, from the thirtieth Day of the ſaid Month of *March* to the Day of Payment 'into the Exchequer; and that the Purchaſer ſhould be intitled to the Rents ariſing from *Martinmas* then 'laſt: And whereas *Chriſtian Cole* of *London*, Eſquire, for and on the Behalf of the Governor and Com-'pany of Undertakers for raiſing the *Thames* Water in *York Buildings*, did on the ſaid thirtieth Day of 'March one thouſand ſeven hundred and twenty bid the Sum of fifty-ſeven thouſand one hundred 'Pounds for the ſaid Eſtate; which Sum being the utmoſt that was bid for the ſame, the ſaid *Chriſtian* 'Cole was, by the ſaid *George Gregory*, *Henry Cunninghame*, *Denis Bond*, Sir *Thomas Hales*, Sir *John Eyles*, 'and *John Birch*, being ſix of the Commiſſioners and Truſtees reſiding in *England*, on the ſaid thirtieth 'Day of *March*, deemed and declared to be the beſt Purchaſer thereof; and the ſaid Commiſſioners and 'Truſtees did certify, that they the ſaid Commiſſioners and Truſtees laſt named had, on the ſaid thir-'tieth Day of *March*, contracted to ſell the ſaid Eſtate to the ſaid *Chriſtian Cole* for the ſaid Sum of fifty-'ſeven thouſand one hundred Pounds, to hold the ſaid Eſtate to the ſaid *Chriſtian Cole*, his Heirs and Aſ-'ſigns for ever; and the ſaid *Chriſtian Cole* did thereupon agree to pay the Purchaſe Money for the ſaid 'Eſtate, according to the ſaid Conditions of the Sale thereof; and the ſaid Governor and Company, or 'ſome of their Officers or Agents, was or were ſoon after put into the Poſſeſſion of, and in the Receipt 'of the Rents and Profits of the ſaid Eſtates; and the ſaid *Chriſtian Cole* ſigned a Declaration of Truſt 'on the Back of the ſaid Contract, declaring that the Purchaſe therein mentioned to be made by him, 'was ſo made by him for and upon the Account of, and as Agent for the ſaid Governor and Company; 'and that the Money paid on Account of the ſaid Purchaſe, was the proper Money of the ſaid Governor 'and Company, and thereby deſired and authorized the Truſtees appointed for that Purpoſe, to convey 'to the ſaid Governor and Company, and their Succeſſors, the Lands and Hereditaments ſo by him pur-'chaſed: And whereas the ſaid Governor and Company, in purſuance of the ſaid Conditions of Sale, 'paid on Account of the ſaid Sale, into the Receipt of his ſaid late Majeſty's Exchequer at *Weſtminſter*, 'on the twenty-fifth of *June* one thouſand ſeven hundred and twenty, the Sum of eleven thouſand five 'hundred and fifty-ſix Pounds one Shilling and eleven Pence, being one fifth Part of the ſaid Purchaſe 'Money and Intereſt then accrued due for the ſame: And whereas the ſaid whole Sum of fifty-ſeven 'thouſand one hundred Pounds ſo contracted, and agreed to be paid for the Purchaſe of the Premiſſes, 'was not paid on the twenty-ninth Day of *September* one thouſand ſeven hundred and twenty, purſuant 'and according to the Terms of the ſaid Contract, but ſeveral conſiderable Sums of Money have ſince

'been

'been paid on Account of the ſaid Sale, into the Receipt of his Majeſty's Exchequer, which including 'the Sum ſo paid on the twenty-fifth Day of *June* one thouſand ſeven hundred and twenty, as one fifth 'Part of the ſaid Purchaſe Money, amount together to the Sum of fifty-one thouſand nine hundred ſe-'venty-two Pounds five Shillings and ten Pence, and the Reſidue or Surplus of the Purchaſe Money, 'being five thouſand one hundred and twenty-ſeven Pounds fourteen Shillings and two Pence, was re-'tained by the ſaid Governor and Company, on Account of an Abatement and Allowance craved by 'them thereout, in reſpect of ſeveral Over-valuations, which were made in the printed Rental or Par-'ticular, by which the ſaid Eſtate was purchaſed: And whereas the ſaid Governor and Company being 'indebted conſiderably on their Bonds, did by Indentures of Leaſe and Releaſe, dated the ſeventeenth and 'eighteenth Days of *January* one thouſand ſeven hundred and thirty-one, convey the ſaid Eſtate ſo pur-'chaſed or contracted for by them as aforeſaid, unto certain Truſtees therein named, in Truſt to be ſold 'for the Payment of ſuch of the Bond Creditors as had accepted the ſaid Eſtate as a Security; and the 'ſaid Truſtees were ſoon after put into Poſſeſſion of the ſaid Eſtates: And whereas by a Decree of the 'Hight Court of *Chancery*, made on the twenty-fourth Day of *October* one thouſand ſeven hundred and 'forty, in a Cauſe wherein ſeveral of the Bond Creditors of the ſaid Company, claiming under the ſaid 'Truſt, were Plaintiffs, and the ſaid Governor and Company, and the ſaid Truſtees under the laſt Con-'veyance were Defendants, it was ordered and decreed, that the ſaid Creditors were intitled to the Be-'nefit of the ſaid Truſts, and that an Account ſhould be taken of their Debts, and that the ſaid Eſtate 'ſhould be ſold for ſatisfying the ſame, ſubject to the Demand of the Crown for what remained due of 'the Purchaſe Money, and that the Money ariſing by ſuch Sale (after ſetting apart thirty thouſand 'Pounds to anſwer the Demands of the Annuitants for Lives charged on the ſaid Company's Eſtates in '*Scotland*) ſhould be applied in Satisfaction of what ſhould appear to be really and *bona fide* due to ſuch 'Bond Creditors of the ſaid Company, as were within the Terms and Conditions of the ſaid Truſt, and 'the ſaid Truſtees deſiring to be diſcharged of their Truſt, it was ordered, that they ſhould be diſcharged 'accordingly, and that new Truſtees ſhould be appointed in their Stead: And whereas Sir *Andrew Chad-'wick* Knight, *Samuel Grove* Clerk, and another Perſon ſince deceaſed, were in purſuance of the ſaid 'Order appointed Truſtees, in the Room and Stead of the former Truſtees ſo diſcharged by the ſaid 'Order, and the ſaid Sir *Andrew Chadwick*, and *Samuel Grove*, are now in the Poſſeſſion of, and Receipt 'of the Rents and Profits of the ſaid Eſtates, and there is now due to the ſeveral Creditors of the ſaid 'Company, claiming under the ſaid Truſt the Sum of one hundred and twenty-one thouſand Pounds, 'and upwards: And whereas all the Truſtees of the forfeited Eſtates appointed by the ſaid Act of Par-'liament of the fourth Year of his ſaid Majeſty King GEORGE the Firſt, except the ſaid Sir *Thomas Hales* 'Baronet, *George Gregory*, and *Denis Bond*, are dead: And whereas a conſiderable Sum of Money hath 'accrued and become due for Intereſt, as well of ſuch Part of the ſaid Principal Sum of fifty-ſeven 'thouſand one hundred Pounds, ſo contracted to be paid for the Purchaſe of the Premiſſes, as was not 'paid into the Exchequer within the Time ſtipulated and appointed by the ſaid Contract, as of the ſaid 'Sum of five thouſand one hundred twenty-ſeven Pounds fourteen Shillings and two Pence, ſo remain-'ing unpaid, and retained by the Purchaſers as aforeſaid: And whereas the Creditors of the *York Build-'ings* Company have propoſed, and are willing to pay into the Receipt of his Majeſty's Exchequer, the 'ſaid Sum of five thouſand one hundred twenty-ſeven Pounds fourteen Shillings and two Pence, being 'the Remainder of the principal Money ſo contracted to be paid for the Purchaſe of the Eſtate of the 'ſaid *William*, late Lord *Widdrington*, in the County of *Northumberland*, as aforeſaid, and they having 'made their humble Petition and Application to Parliament, for an Allowance and Abatement in reſpect 'of the ſeveral Over-charges and Over-valuations, which were made in the printed Rental or Particular, 'by which the ſaid Eſtate was purchaſed; and for Relief in the Premiſſes, the Commons of *Great Bri-'tain*, in this preſent Parliament aſſembled, have taken their Caſe into Conſideration, and have thought 'it juſt and reaſonable, that the ſaid Sum of five thouſand one hundred twenty-ſeven Pounds fourteen 'Shillings and two Pence, being the principal Money remaining due for the Purchaſe of the late Lord '*Widdrington*'s Eſtate, in the County of *Northumberland*, contracted for by the *York Buildings* Com-'pany, ſhould be accepted in full Diſcharge of the Purchaſe Money for that Eſtate, and that the ſur-'viving Commiſſioners and Truſtees for the forfeited Eſtates ſhould be authorized and impowered to 'execute proper Conveyances of the ſaid Eſtate to the Truſtees for the Creditors of the ſaid Company, 'upon Payment of the ſaid Sum into his Majeſty's Exchequer:' Wherefore we your Majeſty's moſt du-tiful and loyal Subjects, the Commons in Parliament aſſembled, moſt humbly beſeech your Majeſty, That it may be enacted, *&c.*

"On Payment of 5,127 *l.* 14 *s.* 2 *d.* into the Exchequer before *June* 24, 1745, and producing a Voucher "thereof, to the ſurviving Commiſſioners of 4 *Geo.* 1. or their Heirs, they may convey the Eſtate of the "late Lord *Widdrington* to Truſtees for the Purpoſes mentioned by Indenture, and Decree of *Chancery*."

CAP. XXXVIII.

An Act for rendering more effectual the ſeveral Acts paſſed for the erecting of Hoſpitals and Workhouſes within the City of *Briſtol*, for the better employing and maintaining of the Poor thereof. P R.

Anno decimo nono GEORGII II. Regis.

'AT the Parliament begun and holden at *Weſtminſter* the firſt Day of *December*, *Anno Domini* one thouſand ſeven hundred and forty-one, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the ſeventeenth Day of *October* one thouſand ſeven hundred and forty-five; being the fifth Seſſion of this preſent Parliament.

CAP. I.

An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government. EXP.

'WHEREAS a wicked and unnatural Rebellion is begun, and now carrying on, in that Part of this Kingdom called *Scotland*, by divers of his Majeſty's Subjects, encouraged by his Enemies Abroad, in order to ſet a Popiſh Pretender upon the Throne, to the utter Deſtruction of the Proteſtant Religion, and the Laws and Liberties of this free Conſtitution:' For the better Preſervation of his Majeſty's Sacred Perſon, and the ſecuring the Peace of this Kingdom in a Time of ſo much Danger, againſt all traiterous Attempts and Conſpiracies whatſoever; Be it enacted, *&c.*

"Perſons impriſoned for Suſpicion of High Treaſon may be detained without Bail, until the 19th Day of "*April* 1746. The *Scotch* Act for preventing wrongous Impriſonment ſuſpended. This Act to be in "Force until the 19th Day of *April* 1746, and no longer. Members of either Houſe of Parliament du-"ring Seſſion, exempted, unleſs the Conſent of the Houſe be obtained. The Horſes of ſuſpected Per-"ſons may be ſeized; the Owners to pay for their Keeping. Mares in Fole, *&c.* excepted.

See 19 *Geo.* 2. *c.* 17. *and* 20 *Geo.* 2. *c.* 1.

CAP. II.

An Act to raiſe the Militia of that Part of *Great Britain* called *England*, although the Month's Pay formerly advanced hath not yet been repaid; and to raiſe ſuch Part of the ſaid Militia as ſhall be judged moſt proper, ready, and convenient. EXP.

"His Majeſty may order the Militia to be drawn out into actual Service, at any Time before 30 *No-*"*vember* 1746. Each Soldier to be provided with one Month's Pay in Hand. The Militia of any "City, Town, *&c.* to march within that Time, as ordered by the King, and the Pay, *&c.* advanced "to be repaid in ſix Months by Aſſeſſment."

CAP. III.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-ſix. EXP. At 4s. in the Pound.

CAP. IV.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thouſand ſeven hundred and forty-ſix. EXP.

CAP. V.

An Act to enable his Majeſty to make Rules, Orders and Regulations, more effectually to prevent the ſpreading of the Diſtemper which now rages amongſt the horned Cattle in this Kingdom.

His Majeſty, with the Advice of his Privy Council, to make ſuch Rules from Time to Time, as he ſhall judge moſt expedient, in *Great Britain*, *Ireland*, *&c.* for prohibiting the removing or Sale, *&c.* of diſtempered Cattle; and alſo for the Burial of the Beaſts that die, or are killed whilſt infected. The Regulations to be notified as his Majeſty ſhall think proper; and read the firſt *Sunday* after the Receipt and every Month while in Force, in all Churches, *&c.* after Prayers. The Orders, *&c.* to be kept by the Miniſter, *&c.* for Inſpection of the Pariſhioners, *&c.* His Majeſty by Proclamation, may prohibit the Importation or Exportation of Cattle, Hides, *&c.* Perſons convicted of offending before a Juſtice of Peace, to forfeit 10*l.* or be committed for three Months. Perſons offending in other Parts of the King's Dominions, to be puniſhed as guilty of a great Miſdemeanor. Perſons convicted before a Juſtice, may appeal to the next Seſſions, giving Notice to the Juſtice, *&c.* and Security for Coſts. This Act and all Rules made thereon, to be in Force for eight Months, and to the End of the then next Seſſion. [Continued and amended 20 Geo. 2. c. 4. 21 Geo. 2. c. 33. 22 Geo. 2. c. 46. 23 Geo. 2. c. 23. 24 Geo. 2. c. 54. 25 Geo. 2. c. 31. 26 Geo. 2. c. 34. 27 Geo. 2. c. 14. Continued to 1 Sept. 1754, *&c.*] *See farther* 30 *Geo.* 2. *c.* 20.

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CAP.

CAP. VI.

An Act for eſtabliſhing an Agreement with the Governor and Company of the Bank of *England* for cancelling certain Exchequer Bills upon the Terms therein mentioned; and for obliging them to advance the Sum of one million upon the Credit of the Land-Tax and Malt Duties granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and forty-ſix.

'WHEREAS by Act of Parliament made and paſſed in the ſixteenth Year of his preſent Majeſty's Reign, intituled, *An Act for repealing the ſeveral Rates and Duties upon Victuallers and Retailers of Beer and Ale within the Cities of* London *and* Weſtminſter, *and the weekly Bills of Mortality; and for transferring the Exchequer Bills unſatisfied thereupon to the Duties for Licences to ſell Spirituous Liquors and Strong Waters by Retail; and alſo for enabling his Majeſty to raiſe a certain Sum of Money for the Service of the Year one thouſand ſeven hundred and forty-three, to be further charged on the ſaid Duties for Licences*; it was (amongſt other Things) enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, the ſeveral Rates and Duties impoſed by an Act of twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, upon all Victuallers and Retailers of Beer and Ale within the Cities of *London* and *Weſtminſter*, and the weekly Bills of Mortality, ſhould from thenceforth ceaſe, determine, and be no longer paid or payable; and it was thereby alſo enacted, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, the principal Sum of four hundred eighty-one thouſand four hundred Pounds in Exchequer Bills (Part of the Sum of five hundred thouſand Pounds advanced and lent into the Receipt of his Majeſty's Exchequer, by the Governor and Company of the Bank of *England*, upon the Credit of the ſaid Rates and Duties, at an Intereſt after the Rate of three Pounds *per Centum per Annum*) made forth in purſuance of the ſaid Act of twelfth Year of his ſaid late Majeſty's Reign, which then remained unſatisfied and undiſcharged, together with the Intereſt thereupon, and the Charges of circulating the ſame, ſhould be transferred from the ſaid Rates and Duties then charged with the ſame, and be charged (together with the Sum of five hundred and eighteen thouſand ſix hundred Pounds, directed to be raiſed by the before recited Act of the ſixteenth Year of his preſent Majeſty's Reign, towards the Supply for the ſaid Year one thouſand ſeven hundred and forty-three) upon the Duties granted and made payable to his Majeſty, by virtue of another Act of Parliament paſſed in the ſaid ſixteenth Year of his Majeſty's Reign, intituled, *An Act for repealing certain Duties upon Spirituous Liquors, and on Licences for retailing the ſame; and for laying other Duties on Spirituous Liquors, and on Licences to Retail the ſaid Liquors*; as in and by the ſaid Act, Relation being thereunto had, may more fully appear: And whereas, in purſuance of the ſaid firſt herein recited Act of the ſaid ſixteenth Year of his Majeſty's Reign, the ſaid Sum of four hundred eighty-one thouſand four hundred Pounds in Exchequer Bills; as alſo the ſaid further Sum of five hundred and eighteen thouſand ſix hundred Pounds, amounting together to the principal Sum of one million, were charged upon the ſaid Duties ariſing by Licences as aforeſaid, at an Intereſt after the Rate of three Pounds *per Centum per Annum*; which ſaid Exchequer Bills, by paying off Part of the ſaid principal Sum, do now amount to no more than the principal Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds: And whereas the ſaid Governor and Company of the Bank of *England* are willing and contented, that the ſaid Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds in Exchequer Bills, remaining unſatisfied on the ſaid Duties payable for Licences to ſell Spirituous Liquors by Retail, may be cancelled and diſcharged, and in lieu thereof to accept of an Annuity of thirty-nine thouſand four hundred and ſeventy-two Pounds, being the Intereſt on the ſaid Sum at the Rate of four Pounds *per Centum per Annum*, to be charged upon the ſame Securities; and the ſaid Governor and Company are alſo willing to advance and pay into the Receipt of his Majeſty's Exchequer, towards the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and forty-ſix, the Sum of one million, upon the Credit of the Rates, Duties and Aſſeſſments ariſing by the Malt and Land Tax granted for the Service of the Year one thouſand ſeven hundred and forty-ſix, at four Pounds *per Centum per Annum*, for Exchequer Bills to be iſſued for that Purpoſe; provided that they may have a Power to create and diſpoſe of the ſaid Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds of Bank Stock (to be joined and incorporated with their preſent Capital) in ſuch Manner, and at ſuch Times, as they ſhall think proper, with ſuch further Powers, Privileges and Advantages, as have been uſually granted by former Acts of Parliament on the like Occaſions:' Now we, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, thinking it will be of Advantage to the Publick, to accept the Propoſal of the ſaid Governor and Company of the Bank of *England*, and in lieu of the ſaid Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds in Exchequer Bills, to be cancelled as aforeſaid, to give and grant unto the ſaid Governor and Company a certain Annuity or yearly Sum herein after mentioned, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Governor and Company of the Bank of *England*, or their Succeſſors, ſhall, and they are hereby required, on or before the twenty-fifth Day of *March* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſix, to deliver up unto ſuch Perſon or Perſons as the Commiſſioners of the Treaſury, or any three or more of them now being, or the High

16 Geo. 2. c. 12.

16 Geo. 2. c. 8.

The Bank to deliver up to the Treaſury, all the Exchequer Bills for 986,800l. charged on the Duties ariſing by Licences, to their being cancelled.

High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being ſhall nominate, all the ſaid Exchequer Bills charged upon the ſaid Duties ariſing by Licences as aforeſaid, amounting in the whole to the Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds, to be diſcharged, cancelled and made void, in ſuch Manner as the ſaid Commiſſioners of the Treaſury, or the ſaid High Treaſurer, for the Time being, ſhall appoint, without iſſuing again the ſame, or any of them.

The Intereſt due on Bills, to be paid off.

II. And be it further enacted by the Authority aforeſaid, That all the Intereſt or Premium which ſhall be due upon the ſaid Exchequer Bills, to be delivered up to be cancelled, and made void as aforeſaid, together with the Charges of circulating the ſame, ſhall be fully cleared and paid off; any thing in this or any former Act to the contrary thereof in any wiſe notwithſtanding.

In lieu of the 986,500 l. in Exchequer Bills, the Bank from March 25, 1746, to receive an Annuity of 39,472 l.

III. And be it further enacted by the Authority aforeſaid, That for and in lieu of the ſaid principal Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds in Exchequer Bills, herein before directed to be delivered up to be cancelled and made void; the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix be intitled to have, receive and enjoy, at the ſaid Receipt of his Majeſty's Exchequer, one Annuity or yearly Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, being after the Rate of four Pounds *per Centum per Annum*, for and upon the ſaid principal Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds, to be paid and payable in the Manner and Form herein after mentioned, until Redemption thereof by Parliament, according to the Proviſoes herein after contained for that Purpoſe.

until Redemption by Parliament.

The Annuity to be paid with Preference,

IV. And it is hereby further enacted by the Authority aforeſaid, That the ſaid yearly Fund, or Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, is, and ſhall by virtue of this Act, be charged and chargeable upon, and ſhall be paid and payable from Time to Time, in the firſt Place, and with Preference to all other Payments whatſoever, out of the Monies which ſhall ariſe into the ſaid Receipt of Exchequer, of or for the Duties payable to his Majeſty, for Licences to ſell Spirituous Liquors, and Strong Waters by Retail, in purſuance of the before recited Act of the ſixteenth Year of his Majeſty's Reign; any thing in this or any former Act to the contrary thereof notwithſtanding.

at four quarterly Payments,

V. And be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall have, receive and enjoy at the Receipt of his Majeſty's Exchequer as aforeſaid, by and out of the ſaid yearly Fund, eſtabliſhed as aforeſaid, one Annuity or yearly Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, of lawful Money of *Great Britain*, to commence from the ſaid twenty-fifth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſix, and to be paid and payable to them and their Succeſſors for ever, at the four moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, The Feaſts of the Nativity of Saint *John* the Baptiſt, Saint *Michael* the Archangel, the Birth of our Lord Chriſt, and the Annunciation of the Bleſſed Virgin *Mary*, by even and equal Portions; the firſt quarterly Payment thereof to be made at the Feaſt of the Nativity of Staint *John* the Baptiſt, which ſhall be in the ſaid Year of our Lord one thouſand ſeven hundred and forty-ſix, ſubject nevertheleſs to the Proviſoes of Redemption herein after contained for that Purpoſe; and that the ſaid Annuity or yearly Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, and every Part thereof, ſhall be free from all Manner of Taxes, Impoſitions or Charges whatſoever.

free from Taxes.

Orders to be ſigned by the Treaſury for the Payment of the Annuity.

VI. And for the better and more regular Payment of the ſaid Annuity of thirty-nine thouſand four hundred and ſeventy-two Pounds to the ſaid Governor and Company of the Bank of *England*, and their Succeſſors for ever, ſubject to the Redemption aforeſaid, an Order or Orders ſhall be ſigned by the Commiſſioners of the Treaſury now, or for the Time being, or any three or more of them, or the Lord High Treaſurer for the Time being, for the Payment thereof; and after ſigning thereof, the ſame ſhall be good, valid and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act, and ſhall not be determinable by or upon the Death or Removal of any of the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer, or by or upon the Determination of the Power, Office or Offices of them, or any of them; nor ſhall any Commiſſioners of the Treaſury, or Lord High Treaſurer now or for the Time being, have Power to revoke, countermand, or make void ſuch Order or Orders ſo ſigned as aforeſaid.

The Money to be paid weekly, as it ſhall ariſe.

VII. And for the more ſpeedy Payment of the ſaid Annuity, or yearly Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, to the ſaid Governor and Company as aforeſaid; it is hereby declared and enacted, That weekly or otherwiſe, as the Money of the ſaid Duties ſhall from Time to Time be brought into the ſaid Receipt of Exchequer, the ſame ſhall and may be iſſued upon the ſaid Order or Orders, for or towards diſcharging the ſaid Annuity, to grow due for and at the End of the Quarter in which ſuch Payment ſhall be made, ſo as ſuch weekly or other Payments, do not exceed the Sum of the quarterly Payment, which ſhould grow due for or at the End of every ſuch Quarter reſpectively.

The Annuity to be perſonal Eſtate.

VIII. And it is hereby enacted, That the ſaid Annuity of thirty-nine thouſand four hundred and ſeventy-two Pounds, and every Part thereof, ſhall be adjudged to be a perſonal and not a real Eſtate, and ſhall not be liable to any foreign Attachment; any Law or Cuſtom to the contrary notwithſtanding.

If the Monies ariſing by the Licences, be inſufficient for the quarterly Payments,

IX. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times, after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, the Produce of the ſaid Duties ariſing by Licences as aforeſaid, ſhall be ſo low or deficient, as that the Monies ariſen therefrom into the Exchequer at the End of any of the ſaid quarterly Feaſts, ſhall not be ſufficient to pay and diſcharge the Quarter's Annuity, then due and payable according to the Tenor and true Meaning of this Act; then,

and ſo often, and in every ſuch Caſe, the Deficiency of any ſuch Quarter ſhall and may be ſupplied out of the Overplus Monies of the ſaid Duties ariſing in any ſubſequent Quarter; and in caſe at any Time or Times after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, ſuch Produce ſhall be ſo low or deficient at the End of any one Year (computing the ſame to end at *Lady-day* yearly) as that the ſame ſhall not be ſufficient to pay and diſcharge the whole Years Annuity then grown due, then every ſuch yearly Deficiency ſhall, from time to time, be anſwered and made good by and out of the firſt Supplies, which ſhall be granted in Parliament next after ſuch Deficiency ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiency ſhall happen, then the ſame ſhall be made good out of any the Monies which at any Time or Times ſhall be and remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſaid *Sinking Fund*, as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid *Sinking Fund* ſhall and may be from time to time iſſued and applied accordingly.

the Deficiency to be made good out of the Overplus of any ſubſequent Quarter, and all Arrears at the End of the Year out of the firſt Supplies, or Sinking Fund.

X. Provided always, and be it enacted by the Authority aforeſaid, That whatever Money ſhall be iſſued out of the ſaid *Sinking Fund*, ſhall from time to time be replaced by and out of the firſt Supplies to be then after granted in Parliament.

Proviſo.

XI. Provided always, and be it enacted by the Authority aforeſaid, That upon Repayment by Parliament to the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, of the ſaid principal Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds, without any Deduction, Diſcount, or Abatement whatſoever to be made out of the ſame, or any Part thereof, and of all Arrears of the ſaid Annuity, or yearly Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, then, and not till then, the ſaid Annuity, or yearly Sum, ſhall from thenceforth ceaſe, and be underſtood to be redeemed; and from and after ſuch Redemption, the Monies ariſing by the ſaid Duties for Licences by this Act, directed to be ſet apart for the Payment of the ſaid Annuity, or yearly Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, ſhall not be iſſued or applied to any Uſe or Purpoſe, but as ſhall be directed by future Act or Acts of Parliament; any thing in this, or in any former Act or Acts of Parliament to the contrary notwithſtanding.

Upon Repayment of the Principal and all Arrears of Intereſt, the Annuity to ceaſe.

'XII. And in regard it is intended that the ſaid Annuity or yearly Sum of thirty-nine thouſand 'four hundred and ſeventy-two Pounds, may be redeemed by ſuch Payments as are herein after 'mentioned, and that as the ſaid principal Money ſhall be paid off, the ſaid Annuity ſhall proportionably ſink and be abated;' Be it therefore provided and enacted by the Authority aforeſaid, That if at any Time or Times after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, Payment be made to the ſaid Governor and Company of the Bank of *England* of any Sum or Sums of Money, not leſs than one Moiety of the ſaid Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds at one Time; and alſo, if Payment be then likewiſe made of all Arrears of the ſaid Annuity, then from and after ſuch Payment ſo made, ſo much of the ſaid Annuity, as ſhall bear Proportion to the Monies ſo paid in Part of the ſaid whole principal Sum, ſhall ceaſe, determine, and be underſtood to be redeemed; any Thing in this Act, or any former Act or Acts of Parliament to the contrary notwithſtanding.

Upon Payment of any Sums not leſs than one Moiety of the Principal, &c. the Annuity to ſink in Proportion.

'XIII. And whereas it is neceſſary that the ſaid Governor and Company ſhould be enabled to ſerve 'the Publick in ſuch Way and Manner as ſhall be moſt ſafe and convenient for them;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, in caſe they ſhall think fit, and not otherwiſe, to admit and take in by Sale, Call, or Subſcription (or by ſuch other Ways or Means as they ſhall judge proper) from ſuch Perſon or Perſons, and upon ſuch Terms and Conditions, and at ſuch Times as they ſhall think proper, for enlarging their preſent Capital to any Sum, not exceeding the further Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds additional Stock (over and above what they are impowered to create by any former Act or Acts of Parliament in that Behalf) and from time to time, in a General Court, to declare, order, and make the ſame or any Part thereof (and from ſuch Time or Times as ſuch General Court ſhall order and direct) to be added to the preſent Capital Stock of the ſaid Governor and Company; and that then, and from thenceforth, ſuch Monies ſhall be deemed and taken, to all Intents and Purpoſes, as and for Part of the Capital Stock of the ſaid Governor and Company; and the Capital Stock of the ſaid Governor and Company ſhall be proportionably enlarged thereby; and that all and every the Perſon and Perſons, Natives or Foreigners, who ſhall ſubſcribe, anſwer, or pay in any Sum or Sums of Money, or for whom any Sum or Sums of Money ſhall have been ſubſcribed, anſwered, or paid in as aforeſaid, towards the making up the ſaid further Sum of nine hundred and eighty-ſix thouſand eight hundred Pounds Stock, or ſuch Part thereof for which the ſaid Governor and Company ſhall take in Subſcriptions or make ſuch Sale, Call, or other Demand as aforeſaid, and who ſhall have paid to the ſaid Governor and Company the Sum ſo ſubſcribed, or outherwiſe demanded as aforeſaid; and the Executors, Adminiſtrators and Aſſigns of ſuch Perſon and Perſons reſpectively, ſhall be, and be deemed, and reputed to be Members of, and united to, and incorporated with the ſaid Governor and Company of the Bank of *England*, and ſhall at all Times, together with the other Members of the ſaid Corporation and Body Politick, and their Succeſſors reſpectively, be, and be adjudged, conſtrued, reputed, accepted, and taken to be one Body Politick and Corporate, by the Name of *The Governor and Company of the Bank of* England, ſubject to the ſame Rules, Orders, and Regulations, and intitled to the ſame Privileges, Advantages, and Immunities, with the preſent Members of the ſaid Corporation; and that all Executors, Adminiſtrators, Guardians, and Truſtees, ſhall be indemnified in making any ſuch

The Bank may further enlarge their Capital to a Sum equal to the Loan.

Subſcribers, &c. to the Loan, to be deemed as Members, &c. of the Company.

Payments

Payments upon ſuch Calls, Sales, Subſcriptions, or otherwiſe, as aforeſaid; any Law, Statute, or Proviſion to the contrary thereof in any wiſe notwithſtanding.

The increaſed Capital to be transferrable; free from Taxes and higher Stamp Duties.

XIV. And it is hereby enacted by the Authority aforeſaid, That the Capital Stock of the ſaid Governor and Company of the Bank of *England*, ſo increaſed as aforeſaid, ſhall be aſſignable and transferrable in the ſame Manner as the original capital Stock of the ſaid Governor and Company was aſſignable and transferrable before the making of this Act; and, together with the Produce thereof, ſhall be free from all Taxes, Charges, and Impoſitions whatſoever; and the Transfers and Aſſignments of Stock, or additional Stock in the Books of the ſaid Company, ſhall not hereafter be or be made liable to any higher or greater Stamp or other Duties, than are now payable for the Transfers or Aſſignments of their preſent Stock, or any Part thereof; any thing in this Act contained, or in any other Act or Acts of Parliament, to the contrary in any wiſe notwithſtanding.

The Bank to continue a Corporation, &c. till the Loan is redeemed.

XV. And be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors ſhall continue and be a Corporation, and ſhall enjoy all the Capacities, Powers, Privileges, Immunities, and Advantages to them as a Corporation belonging, until the complete Redemption of the ſaid Annuity or yearly Sum of thirty-nine thouſand four hundred and ſeventy-two Pounds, according to the before mentioned Proviſoes in that Behalf, in as full and ample Manner, to all Intents and Purpoſes whatſoever, as the ſame are contained, ſpecified, and expreſſed in an

15 Geo. 2. c. 13. Act of Parliament paſſed in the fifteenth Year of his preſent Majeſty's Reign, (intituled, *An Act for eſtabliſhing an Agreement with the Governor and Company of the Bank of* England, *for advancing the Sum of one million ſix hundred thouſand Pounds, towards the Supply for the Service of the Year one thouſand ſeven hundred and forty-two)* or in any other Act or Acts of Parliament now in Force relating to the ſaid Corporation; any former or other Statute to the contrary notwithſtanding.

The Bank to lend a Sum not exceeding 1 million, on the Land Tax and Malt Act;

XVI. And be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors ſhall, and they are by this Act enjoined and required to advance and pay into the Receipt of his Majeſty's Exchequer, towards the Supply for the Service of the ſaid Year one thouſand ſeven hundred and forty-ſix, any Sum or Sums of Money not exceeding in the whole the Sum of one million, upon the Credit of the ſeveral and reſpective Rates, Duties, and Aſſeſſments, granted to his Majeſty by two ſeveral Acts of Parliament made and paſſed in this preſent Seſſion of Parliament,

19 Geo. 2. c. 3. 19 Geo. 2. c. 4. intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred und forty-ſix*; and alſo, *An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of* Great Britain *called* England; *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland *for the Service of the Year one thouſand ſeven hundred and forty-ſix*; which ſaid Sum of one million, ſo to be advanced by the ſaid Governor and Company of the Bank of *England*, ſhall be paid into the ſaid Receipt of Exchequer, at ſuch Times, and in ſuch Proportions, as the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall think fit to direct and appoint in that Behalf, ſo as the ſaid Governor and Company be not obliged to pay more than two hundred and fifty thouſand Pounds at any one Time or Times, nor without having fourteen Days Notice before each reſpective Time of Payment.

to be paid as the Treaſury ſhall direct; ſo that no more than 250,000 l. at one Time be demanded, nor without 14 Days Notice.

The Treaſury to make out Exchequer Bills,

XVII. And be it further enacted by the Authority aforeſaid, That upon Payment of the ſaid Sum of one million, or any Part thereof, into the ſaid Receipt of Exchequer, by the ſaid Governor and Company of the Bank of *England*, or their Succeſſors, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the ſaid High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, and they are hereby authorized and required forthwith to cauſe Exchequer Bills to be made forth at the ſaid Receipt, in ſuch Manner as they or he ſhall think moſt ſafe and convenient, for the ſaid Sum of one million, to be advanced or lent as aforeſaid, or any Part thereof, to be charged upon and payable out of the ſaid ſeveral and reſpective Rates, Duties, and Aſſeſſments, granted by the ſaid two Acts of Parliament herein before recited, together with an Intereſt, after the Rate of four Pounds *per Centum per Annum*, until Repayment of the ſaid principal Sum of one million, in ſuch Courſe, Manner, and Form, as are mentioned in the ſaid Acts; and the ſaid Exchequer Bills to be made forth as aforeſaid, ſhall be ſubject to all ſuch Orders, Rules, Methods Directions, Powers, Penalties, and Forfeitures, as are preſcribed, enacted, and declared in the ſaid two laſt recited Acts, or either of them, in relation to Exchequer Bills thereby authorized to be made forth; any thing herein contained to the contrary thereof notwithſtanding.

ſubject to the Rules preſcribed in the recited Acts.

The Bank may be ſued for Nonpayment,

XVIII. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall make Failure in any of the ſaid Payments, ſo ſo by this Act appointed to be made into his Majeſty's Exchequer as aforeſaid, at or before the reſpective Days or Times to be limited in that Behalf, the Money whereof ſuch Failure in Payment ſhall be made, ſhall and may be recovered to his Majeſty's Uſe by Action of Debt, or upon the Caſe, Bill, Suit, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law ſhall be allowed, or more than one Imparlance, in which Action, Bill, Suit, or Information, it ſhall be lawful to declare, that the ſaid Governor and Company of the Bank of *England* are indebted to his Majeſty the Monies of which they ſhall have made Default in Payment, according to the Form of the Statute, and have not paid the ſame, which ſhall be ſufficient; and in or upon ſuch Action, Bill Suit or Information, there ſhall be further recovered to his Majeſty's Uſe againſt the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, Damages after the Rate of ten Pounds *per Centum*, for the Monies ſo unpaid contrary to this Act, beſides full Coſts of Suit; and the ſaid Go-

and 10 l. per Cent. Damages recoverable,

vernor

vernor and Company of the Bank of *England*, and their Succeſſors, and their ſaid Stock and Funds, ſhall be, and are hereby made ſubject and liable thereunto. *Concerning Bank ſee farther 24 Geo. 2. c. 4.*

CAP. VII.

An Act for adjourning the Court of Seſſion in *Scotland*; and for remedying the Inconveniencies ariſing from the Surceaſe of Juſtice in that Part of the Kingdom.

'WHEREAS a moſt audacious and execrable Rebellion has broke out in *Scotland*, and a Number 'of rebellious Traitors did, on or about the ſixteenth of *September* one thouſand ſeven hundred 'and forty-five, obtain Poſſeſſion of the City of *Edinburgh*, where his Majeſty's Signet is kept, and which 'is the ordinary Place of the Meeting of the Court of Seſſion of *Scotland* for the Adminiſtration of Juſtice: 'And whereas the ſaid Rebellion does ſtill continue, whereby the Senators or Judges of the ſaid Court 'of Seſſion, and the other Members thereof, have been prevented from meeting and ſitting, and his 'Majeſty's loyal Subjects have been prevented from commencing and proſecuting their Actions and 'Suits in the ſaid Court of Seſſion, and in the other Courts of Law, and cannot conveniently attend the 'ſaid Court while the ſaid Rebellion continues:' May it therefore pleaſe your Majeſty that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Meeting and Sitting of the ſaid Court of Seſſion in *Scotland*, for the Adminiſtration of Juſtice, be, and the ſame is hereby adjourned, from the firſt Day of *November* one thouſand ſeven hundred and forty-five unto the firſt Day of *June* next. The Sitting of the Court of Seſſion adjourned from Nov. 1, 1746, unto 1 June.

II. And be it further enacted by the Authority aforeſaid, That the Time and Space betwixt the ſaid ſixteenth Day of *September* one thouſand ſeven hundred and forty-five, and the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-ſix, ſhall not be reckoned in any ſhort Preſcription, but ſhall be deduced from the ſame. The intermediate Time between 16 Sept. 1745. and 1 June, 1746, to be deduced.

III. And be it further enacted by the Authority aforeſaid, That in all Adjudications, Confirmations of Teſtaments, Regiſtrations, Redemptions, and others, which by Law, or by the Agreement of Parties, might and ought to have been deduced, expede, or performed within a limited Time, that the aforeſaid Time and Space between the ſaid ſixteenth Day of *September* one thouſand ſeven hundred and forty-five, and the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-ſix, ſhall not be reckoned or counted; and that all Actions and Cauſes commenced, intended, or depending before the ſaid Court of Seſſion, upon the firſt Day of *November* one thouſand ſeven hundred and forty-five, ſhall be continued, and be in the ſame State and Condition upon the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-ſix, in which they reſpectively were upon the ſaid firſt Day of *November* one thouſand ſeven hundred and forty-five, or at any Time from the ſaid firſt Day of *November* one thouſand ſeven hundred and forty-five to the firſt Day of *March* one thouſand ſeven hundred and forty-ſix; any Law, Statute, Cuſtom, Practice, or Uſage to the contrary in any wiſe notwithſtanding. Cauſes depending upon 1 Nov. 1745, to be continued in the ſame State upon 1 June 1746, in which they were upon 1 Nov.

CAP. VIII.

An Act for repealing ſo much of an Act paſſed in the eleventh Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for regulating Elections within the City of* London; *and for preſerving the Peace, good Order, and Government of the ſaid City*; as relates to the making or paſſing of Acts, Orders, or Ordinances in Common Council.

'WHEREAS by a Clauſe in an Act paſſed in the eleventh Year of the Reign of his late Majeſty 'King GEORGE the Firſt, intituled, *An Act for regulating Elections within the City of* London; 'and for preſerving the Peace, good Order, and Government of the ſaid City; it is enacted, That no Act, 'Order, or Ordinance whatſoever, at any Time, from and after the firſt Day of *June* one thouſand 'ſeven hundred and twenty-five, ſhall be made or paſſed in the Common Council of the ſaid City, with-'out the Aſſent of the Mayor and Aldermen preſent at ſuch Common Council, or the major Part of 'them; nor without the Aſſent of the Commons preſent at ſuch Common Council, or the major Part of 'them: And whereas the ſaid recited Clauſe has by no Means anſwered the good Ends and Purpoſes 'thereby intended;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Clauſe ſhall be, and is hereby repealed, from and after the twenty-fifth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſix. 11 Geo. 2. c. 18. The clauſe repealed.

CAP.

CAP. IX.

An Act for the more eaſy and ſpeedy Trial of ſuch Perſons as have levied, or ſhall levy War againſt his Majeſty; and for the better aſcertaining the Qualifications of Jurors in Trials for High Treaſon, or Miſpriſion of Treaſon, in that Part of *Great Britain* called *Scotland*.

'WHEREAS a horrid and unnatural Rebellion and War has been openly and traiterouſly raiſed and levied againſt his Majeſty within this Realm, and is ſtill continued, with Deſign to depoſe and murther his moſt Sacred Majeſty, and to ſet a Popiſh Pretender, bred up and inſtructed in *Romiſh* Superſtition, and arbitrary Principles, on the Throne of theſe Realms: And whereas great Numbers of ſuch as have joined in the ſaid Rebellion, have been, by his Majeſty's Vigilance and Care, lately ſeized, and for ſafer Cuſtody, neceſſarily diſtributed into ſeveral Priſons, in different Counties or Shires of this Realm: And whereas others of the ſaid Rebels have been, and may be, in order to lay open and diſcover the Foundations and Cauſes of the ſaid Rebellion and Treaſons, brought up to *London*, and Parts adjacent, in order to be examined: And foraſmuch as Bills of Indictment, as the Law now ſtands, are to be found in the Counties or Shires where the ſaid Treaſons are committed; but as it will be very inconvenient to the publick Juſtice of the Nation, that the Judges ſhould remain ſo long in the ſaid Counties or Shires, as will be neceſſary for the trying of the ſaid Offenders, ſo it will be very burthenſome and grievous to the Freeholders of the ſame Counties or Shires to attend ſo many Trials as may be neceſſary to be had for the Safety of the Publick:' To the End therefore that the ſaid Offenders may not conceive any Hope of Impunity, from the Diſtance of the ſeveral Counties or Shires where the ſaid Treaſons are committed, and that Juſtice may more ſpeedily and ſecurely be adminiſtered againſt the ſaid Offenders, and proper Examples made in ſuch ſeaſonable Time, as may be a Means to ſuppreſs the Remains of the ſaid Rebellion, and preſerve the Peace and Tranquillity of theſe Kingdoms; Be it enacted, *&c.*

"The ſaid Offenders now in Cuſtody may be proceeded againſt, and tried in ſuch County, *&c.* as his "Majeſty ſhall appoint. No Challenge for the County to be allowed. Peers to be tried by their "Peers. The Place of Trial not to be altered, unleſs the Perſon be proved to have been in Arms, "*&c.*" EXP.

Qualification of Jurors in Scotland.

'IV. And whereas Difficulties may occur in Trials for High Treaſon, and Miſpriſion of Treaſon, in that Part of *Great Britain* called *Scotland*, with reſpect to the Qualifications of Jurors to be ſummoned and returned on ſuch Trials;' For Remedy thereof, Be it enacted by the Authority aforeſaid, That in all Times hereafter, every Perſon may be ſummoned and returned to be a Juryman in Trials for High Treaſon, or Miſpriſion of Treaſon, in that Part of *Great Britain* called *Scotland*, who ſhall at the Time of ſuch Trial, be poſſeſſed in his own Right, or in the Right of his Wife, of Lands or Tenements, as Proprietor or Life-renter within the Shire, Stewartry, or Place where any ſuch Trials ſhall be, or from whence the Jury is to come, of the yearly Value of forty Shillings Sterling at leaſt, or valued at thirty Shillings Sterling *per Annum* in the Tax Roll of the ſame Shire or Stewartry; and for want thereof, or for any other lawful Cauſe, ſhall be ſubject to be challenged and ſet aſide.

CAP. X.

An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, *for repairing the Road from* Market-Harborough *to* Loughborough *in the County of* Leiceſter; and for making the ſaid Act more effectual. PR.

The Act 12 Geo. 1. c. 5. continued for 21 Years.

CAP. XI.

An An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. XII.

CAP. XII.

An Act for granting to his Majesty several Rates and Duties upon Glass, and upon Spirituous Liquors; and for raising a certain Sum of Money by Annuities, and a Lottery, to be charged on the said Rates and Duties; and for obviating some Doubts about making out Orders at the Exchequer for the Monies advanced upon the Credit of the Salt Duties, granted and continued to his Majesty by an Act of the last Session of Parliament.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have granted to your Majesty in this Session of Parliament, in the most safe, easy, and expeditious Manner we are able, have unanimously resolved to give and grant unto your Majesty the several and respective new and additional Rates and Duties herein after expressed, and to that End and Purpose do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-six, there shall be raised, levied, collected, and paid unto and for the Use of his Majesty, his Heirs and Successors, for and upon all Crown, Plate, Flint, and other Glass, and all Bottles and Flasks, as shall at any Time or Times hereafter be imported or brought into the Kingdom of *Great Britain* (over and above all other Customs, Subsidies, and Duties, by any Act or Acts of Parliament, or Law whatsoever imposed upon or payable for the same) the several and respective additional Rates or new Duties herein after expressed; that is to say,

Duty upon Crown, Plate, and Flint Glass; upon Green and other Glass; and Bottles, &c. imported.

For and upon all Crown, Plate, and Flint Glass, which shall be imported and brought into *Great Britain* as aforesaid, the Sum of eight Pence for every Pound Weight, and after that Rate for a greater or lesser Quantity; and for and upon all Green Glass or other Glass which shall be imported and brought into *Great Britain* as aforesaid, the Sum of two Pence for every Pound Weight, and after that Rate for a greater or lesser Quantity; and for and upon all Bottles and Flasks, containing the Quantity of a Quart respectively, which shall be imported and brought into *Great Britain* as aforesaid, the Sum of two Shillings, *per* Dozen; and for and upon all Bottles and Flasks, containing more or less than a Quart, which shall be imported and brought in as aforesaid, the Sum of two Shillings for every Dozen Quarts, be the Quantity of Bottles, containing the same, greater or lesser.

The said several and respective Rates and Duties, for and upon all such Glass or Bottles, or Flasks, to be imported or brought in as aforesaid, to be paid by the Importer or Importers thereof respectively.

Additional Duty on Materials.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-six, there shall be raised, levied, collected, and paid, unto and for the Use of his Majesty, his Heirs and Successors, for and upon all the Materials or Metal, or other Preparations whatsoever, by what Name soever they now are, or hereafter may be called or known, which shall hereafter be made Use of in the making of all Crown, Plate, and Flint Glass, and all White Glass, by what Name soever it now is, or hereafter may be called or known; and of Common Bottles, and all other Green Glass in *Great Britain* (over and above all other Rates and Duties by any Act or Acts of Parliament, or Law whatsoever, imposed upon or payable for the same) the several and respective additional Rates or new Duties herein after expressed; that is to say,

Duty on Materials, &c. of Crown, Plate, Flint, and White Glass,

For and upon all the Materials or Metal, or other Preparations whatsoever, by what Name soever they now are, or hereafter may be called or known, that shall hereafter be made use of in the making of all Crown, Plate, and Flint Glass, and all White Glass, by what Name soever it now is, or hereafter may be called or known, the Sum of nine Shillings and four Pence for every hundred Weight, and after that Rate for a greater or lesser Quantity.

and on Bottles, and Green Glass,

And for and upon all the Materials or Metal, or other Preparations whatsoever, by what Name soever they now are, or hereafter may be called or known, that shall hereafter be made Use of in the making of Common Bottles, and all other Green Glass, the Sum of two Shillings and four Pence for every hundred Weight, and after that Rate for a greater or lesser Quantity.

Duty to be paid by the Maker.

The said respective Duties for and upon all such Materials or Metal, or other Preparations whatsoever, so to be made use of in the making of such Glass respectively, to be paid by the Maker or Makers thereof respectively.

Glass imported, and landed before Entry, &c.

III. And be it enacted by the Authority aforesaid, That in case any such Crown, Plate, Flint, or other Glass, or such Bottles or Flasks so imported as aforesaid, shall be landed, or put on Shore out of any Ship or Vessel, before due Entry be made thereof at the Custom-house, in the Port or Place where the same shall be imported, and the Duties hereby imposed shall be paid or secured, or without a Warrant

for the landing or delivering of the ſame, firſt ſigned by the Commiſſioners, Collectors, or other proper Officer or Officers of the Cuſtoms reſpectively, that all ſuch imported Goods as ſhall be ſo landed, or put on Shore, or taken out of any Ship or Veſſel, contrary to the true Meaning hereof, or the Value thereof, ſhall be forfeited, and ſhall or may be ſeized or recovered of the Importer or Proprietor thereof (*to wit*) One Moiety of the ſame to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon or Perſons as will ſeize, inform, or ſue for the ſaid Goods ſo imported and forfeited, or the Value thereof in any of his Majeſty's Courts of Record at *Weſtminſter*, or in his Majeſty's Court of *Exchequer* in *Scotland*, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed.

forfeited.

Duties how recoverable.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Duties upon imported Glaſs, by this Act granted, ſhall be raiſed, levied, collected, and paid in the ſame Manner and Form, and by ſuch Ways, Rules and Means, and under ſuch Penalties and Forfeitures, as the preſent Duties upon imported Manufactures of Glaſs are in and by an Act paſſed in the ſecond Year of the Reign of their late Majeſties King WILLIAM and Queen MARY, to be raiſed, levied, collected, and paid; and that ſuch of the ſaid Duties impoſed by this Act upon imported Glaſs, as ſhall ariſe in *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, ſhall be under the Management of the Commiſſioners and Officers of the Cuſtoms in *England* for the Time being; and ſuch of the Duties impoſed by this Act upon imported Glaſs, as ſhall ariſe in *Scotland*, ſhall be under the Management of the Commiſſioners and Officers of the Cuſtoms in *Scotland* for the Time being; and all Monies ariſing by the ſaid Duties (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall from Time to Time be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the publick Revenues, for the Purpoſes herein after mentioned.

2 W. & M. ſt. 2. c. 4.

Officers in England to manage the Duties of Glaſs imported there; and in Scotland, Officers there;

V. And for the better aſcertaining, charging, levying, or ſecuring the ſeveral Duties by this Act impoſed upon all the Metal, Materials, and other Preparations whatſoever, by what Name ſoever they now are, or hereafter may be called or known, which ſhall hereafter be made uſe of in the making of all Crown, Plate, and Flint Glaſs, and all White Glaſs, by what Name ſoever it now is, or hereafter may be called or known, and of all common Bottles, and all other Green Glaſs according to the true Meaning of this Act; and for preventing of all Frauds concerning the ſame; Be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Duties by this Act granted, as are or ſhall be chargeable upon ſuch Metals, Materials, and other Preparations ſo uſed in the making of Glaſs as aforeſaid, in *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, ſhall be under the Management of the Commiſſioners and Officers of Exciſe in *England* for the Time being; and ſuch of the Duties as are impoſed by this Act upon ſuch Metals, Materials, and other Preparations ſo uſed in the making of Glaſs as aforeſaid in *Scotland*, ſhall be under the Management of the Commiſſioners and Officers of Exciſe in *Scotland* for the Time being, who are hereby reſpectively impowered to appoint proper Officers for charging, collecting, and receiving the ſame; and all Monies ariſing by the ſaid Duties (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall from time to time be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the publick Revenues, for the Purpoſes herein after mentioned.

Duties on Glaſs made in England, to be under the Officers there; and in Scotland, under the Officers there.

Makers of Glaſs to enter their Names, &c. at the Exciſe Office;

VI. And it is hereby enacted by the Authority aforeſaid, That every Maker of Glaſs ſhall, on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, make an Entry in Writing at the Office of Exciſe, next to the Place where ſuch Glaſs ſhall be made, of the reſpective Name of ſuch Maker, and of all his or her Furnaces, Pots, Pot-chambers, Ware-houſes, Rooms and other Places for making or keeping of Glaſs, or of Materials mixed and prepared for making of Glaſs, and ſhall not uſe any Pot or Pots for the preparing or making of Glaſs, without firſt giving Notice thereof to the proper Officer for the ſaid Duties, ſo that he may weigh, gauge, and take an Account of the ſame; and if any Maker of Glaſs ſhall make uſe of any Furnace, Pot, Pot-chamber, Ware-houſe, Room, or other Place for making or keeping of Glaſs, or of Materials mixed and prepared for making of Glaſs, without making ſuch Entry thereof as aforeſaid, or ſhall uſe any Pot or Pots for the preparing or making of Glaſs, without firſt giving Notice thereof to the proper Officer for the ſaid Duties, ſo that he may weigh, gauge, and take an Account of the ſame as aforeſaid, then, and in every ſuch Caſe, the Offender therein,

Penalty of not making a true Entry.

for every ſuch Offence, ſhall forfeit and loſe the Sum of fifty Pounds; the one Moiety to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame.

Notice to be given to the Officer in Writing;

VII. And it is hereby further enacted, That every Maker of Glaſs, before he, ſhe or they do, or ſhall begin to fill or charge any Pot or Pots for making of Glaſs, ſhall by the Space of twelve Hours next before the Beginning of every ſuch Filling or Charging, give to the Officer or Officers of the Diviſion or Place where ſuch Glaſs is intended to be made, Notice in Writing of the particular Time and Hour when, and at which ſuch Filling or Charging is intended to be begun, with an Account of the true Weight of the Metal or Preparation to be made uſe of, and the Species of Glaſs ſo to be made; on Pain of forfeiting and loſing the Sum of fifty Pounds, at every Time or Times when any ſuch Filling or Charging ſhall be begun, without firſt giving ſuch Notice as aforeſaid.

Penalty.

Proviſo.

VIII. Provided always, That if ſuch intended Filling or Charging of ſuch Pot or Pots, whereof ſuch Notice ſhall have been given, ſhall not be begun purſuant to ſuch Notice, then, and in every ſuch Caſe and Caſes, ſuch Notice or Notices reſpectively, ſhall be null, void, and of no Effect; and every Maker of Glaſs whatſoever, who after the Expiration of ſuch Times mentioned in ſuch Notice, ſhall begin to fill or Charge ſuch Pot or Pots, without having firſt given a New or other like Notice as aforeſaid, of his, her

New Notice to be given.

her or their Intention to fill or charge such Pot or Pots, with an Account of the true weight of the Metal, or Preparation to be made use of, and the Species of Glass so to be made, shall in every such Case, incur, and be subject to the like Penalty and Forfeiture, as if he, she, or they had not thereof given any Notice at all.

Officers to have Entrance at all Times;

IX. And be it further enacted by the Authority aforesaid, That all and every the Officers of the said Duties, shall, at all Times by Day or by Night, be permitted upon his, or their Request, to enter into the Work-house, Ware-house, or other Place or Places for making or preparing of Glass belonging to or used by any Person, who on and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-six, shall be a Maker or Makers of any Glass whatsoever, and to weigh, or otherwise take an Account of the just Quantity of the Metal and Materials mixed and prepared for the making of Glass, before the same be put into such Pot or Pots, and to examine, gauge, or otherwise take an Account of the just Quantity of the Metal and Materials mixed and prepared for the making of Glass, after the same shall have been put into such Pot or Pots, and shall thereof respectively make Return or Report in Writing, to the respective Commissioners of Excise in *Great Britain*, or such as they shall respectively appoint to receive the same, leaving a true Copy (if demanded) in Writing, under his or their Hand, with or for such Maker or Makers of Glass respectively; and such Return or Report of the said Officer or Officers, whether made from the Weight of the Metal and Materials so mixed and prepared before the same shall be put into the Pot or Pots, or from the Account so taken in the Pots, shall be a Charge upon such Maker or Makers of Glass respectively; and if the said Officer or Officers shall refuse or neglect to give or leave a true Copy of his Receipt in Writing, with or for such Maker or Makers of Glass, at the Time of taking such Account upon Demand as aforesaid, every such Officer or Officers for every such Offence shall forfeit and pay the Sum of forty Shillings to every such Maker or Makers of Glass respectively.

and to make Return to the Commissioners, &c.

Penalty on Officer's refusing to leave a Copy of his Report.

Officers to be sworn.

X. Provided always, That every Officer who shall be impowered to make such Charge as aforesaid, shall in the first Place be sworn for the due and faithful Execution of his Office, and the Oath in that Behalf shall and may be administered by all or any of the Commissioners of Excise in *Great Britain*, or by any of his Majesty's Justices of the Peace, who shall give to such Officer a Certificate thereof; and all and every such Maker and Makers of Glass respectively, are hereby required to keep sufficient and just Scales and Weights, at the Place or Places where he, she or they do make such Glass, and permit and assist the Officer to make use thereof for the Purposes of this Act, under the Penalty of fifty Pounds, to be forfeited and lost for not keeping such Scales and Weights, or for not permitting and assisting the Officer to use the same as aforesaid.

Makers of Glass to keep Weights and Scales, and to assist the Officer.

Penalty.

Pots breaking, &c. when charged;

'XI. And whereas Pots used for the preparing and mixing of Metal and other Materials for making 'of Glass, after the same are so filled or charged, sometimes happen to crack or break whilst the Mate-'rials are in such Pot or Pots, with an Intention to be made into Glass, whereby the whole or some Part 'of the said Materials are lost, or become unfit for the making of such Glass;' It is therefore hereby provided and enacted by the Authority aforesaid, That in every such Case where the whole or any Part of such Materials shall be lost, or become unfit for the Purpose aforesaid, by such cracking or breaking of the Pots, upon due Proofs thereof made to the Satisfaction of the respective Commissioners of Excise in *Great Britain*, where such Glass-houses or Work-houses shall be situated, such Allowance shall be made to the said Makers of Glass in respect of such Loss as aforesaid, as by the said Commissioners of Excise respectively shall be judged proper and reasonable.

the Commissioners to make Allowance for the Loss.

Penalty on obstructing Officers.

XII. And it is hereby enacted, That if any Maker of Glass, or any other Person or Persons, shall obstruct or hinder any of the said Officers in the Execution of any of the Powers given to him or them by this Act, for ascertaining and securing the said Duties upon Glass, the Person or Persons so offending therein shall, for every such Offence, forfeit the Sum of fifty Pounds.

Makers of Glass in London.

XIII. And it is hereby further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-six, during the Continuance of the said Duties on Glass, all and every Person or Persons whatsoever, who shall make or cause to be made any Glass in *London*, or in any Parts within the Limits of the weekly Bills of Mortality, shall monthly and every Month, and all and every Person or Persons who shall make or cause to be made any Glass in any other Part of *Great Britain*, shall once in every six Weeks make a true Entry in Writing at the next Office of Excise for the said Duties, of the true Quantities of the Metals and Materials mixed and used in each respective Making of Glass within such Month or six Weeks respectively; on Pain of forfeiting for every Neglect of Entry twenty Pounds; which Entries shall be made upon Oath by the Makers of such Glass, or by their Clerk, Workman or Servant employed in making the same, according to the best of their Knowledge and Belief, unless such Maker, Clerk, Workmen or Servant be a known *Quaker*, and the solemn Affirmation of such Maker, Clerk, Workman or Servant, to the same Effect, in case he or she be a known *Quaker*, shall and may be taken instead of such Oath, and the said Entries, Oaths and Affirmations to verify the same, shall for such Entries, Oaths and Affirmations, as shall be made within the Limits of the weekly Bills of Mortality, be made with and administred by such Officer or Officers as shall be appointed by the Commissioners of Excise in *England*, or the major Part of them for the Time being, who shall attend at the General Excise Office in *London* for that Purpose; and for all such Entries, Oaths and Affirmations as shall be made in all other Parts of *Great Britain* with or by the respective Collectors or Supervisors of the District or Division within which the respective Makers of Glass shall inhabit, without any Fee or Charge whatsoever to be demanded or taken for the same,

and in other Parts of Great Britain, when to make their Entries.

Penalty.

Oaths by whom to be administered.

Makers of Glaſs, where to make their Entries.

XIV. Provided always, That no Maker of Glaſs ſhall be obliged to go or ſend further than the Market Town where his or her Glaſs is made, or the next Market Town to the Place where his or her Glaſs is made, for the making of ſuch Entries as aforeſaid.

Glaſs Maker when to pay the Duties.

XV. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, who ſhall make or cauſe to be made any Glaſs in *London*, or within the Limits of the weekly Bills of Mortality, ſhall within four Weeks, and all and every Perſon and Perſons whatſoever, who ſhall make or cauſe to be made any Glaſs in any other Part of *Great Britain*, ſhall within ſix Weeks after he, ſhe or they ſhall make, or ought to have made ſuch Entry as aforeſaid, pay and clear off all the ſaid Duties for Glaſs, which ſhall be due from him, her or them reſpectively; and that all and every ſuch Maker of Glaſs, who ſhall refuſe or neglect to make ſuch Payment as aforeſaid, ſhall forfeit and loſe for every ſuch Offence double the Sum of the ſaid Duty, whereof the Payment ſhall be ſo refuſed or neglected.

Penalty.

Exportation of Glaſs.

XVI. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons who ſhall have actually paid his Majeſty's Duties by this Act payable for any Quantity of Glaſs whatſoever, made from any of the Materials charged as aforeſaid, and to and for any other Perſon or Perſons who ſhall buy, or be lawfully intitled to any ſuch Quantity of Glaſs, from the ſaid Perſon or Perſons who actually paid his Majeſty's Duties for the ſame, to export ſuch Glaſs for any foreign Parts by way of Merchandize, giving ſufficient Security before the ſhipping thereof for Exportation, that the particular Quantity of Glaſs, which ſhall be intended to be exported as aforeſaid, and every Part thereof, ſhall be ſhipped and exported, and that the ſame, or any Part thereof, ſhall not be relanded, or brought again into any Part or Parts of *Great Britain*; which Security the Cuſtomer or Collector of the reſpective Port for ſuch Exportation, is hereby directed and authorized to take in his Majeſty Name and to his Uſe.

Glaſs ſhipped for Exportation, and relanded;

Penalty.

XVII. Provided always, That if after the ſhipping of any ſuch Glaſs to be exported as aforeſaid, and the giving or tendring ſuch Security as aforeſaid, in order to obtain the Allowances or Drawbacks herein after mentioned, the Glaſs ſo ſhipped to be exported, or any of it, ſhall be relanded in any Part of *Great Britain*; that then, and in every ſuch Caſe, over and above the Penalty of the Bond, which ſhall be levied and recovered to his Majeſty's Uſe, all the Glaſs which ſhall be landed, or the Value thereof, ſhall be forfeited.

Debenture and Drawback on Glaſs exported.

Exporter to make Oath.

Debenture.

Allowance.

XVIII. And it is alſo hereby enacted, That any Perſon or Perſons, who ſhall export any Glaſs to any foreign Parts, ſhall or may make Proof upon Oath, or by ſuch Affirmation as aforeſaid, that the Duty of ſuch Glaſs hath been paid according to this Act (which Oath or Affirmation the Collector who received the ſaid Duty is hereby required and impowered to adminiſter) and thereupon the ſaid Collector for the ſaid Duty upon Glaſs, ſhall give to ſuch Perſon or Perſons *gratis* a Certificate or Certificates, expreſſing the Kinds and Weight of ſuch Glaſs, and the Duties paid for the ſame, purſuant to this Act; which Certificate being produced to the Cuſtomer or Collector of the Port where the ſaid Glaſs ſhall be exported, and Oath or Affirmation as aforeſaid, being alſo made by the Exporter, before the ſaid Cuſtomer or Collector of the Port (who is hereby alſo authorized and required to adminiſter the ſame without Fee or Charge) that the ſaid Glaſs ſo exported is the ſame mentioned in the ſaid Certificate, then the ſaid Cuſtomer or Collector of the Port where ſuch Glaſs ſhall be exported, ſhall give to the Exporter thereof a Debenture, expreſſing the true Weight of the Glaſs ſo exported; which Debenture being produced to the Collector, appointed to receive the ſaid Duties upon Glaſs, in ſuch County or Place where the ſaid Glaſs was exported, he ſhall forthwith pay to the Perſons or Agents ſo exporting the ſame, a Drawback or Allowance of nine Shillings and four Pence *per* Hundred Weight for all Crown, Plate, Flint or White Glaſs; and two Shillings and four Pence *per* Hundred Weight for all Green Glaſs made in *Great Britain*; and if ſuch Collector ſhall not have Money in his Hands to pay the ſame, then the ſaid reſpective Commiſſioners of the Exciſe in *Great Britain* are required to pay the ſaid Debenture out of the Duties upon Glaſs ariſing by this Act; any thing in this Act to the contrary notwithſtanding.

No foreign Glaſs to be imported into Ireland.

Penalty.

'XIX. And whereas the Importation of Glaſs into *Ireland* from foreign Parts, and the Exportation of 'Glaſs from *Ireland*, may be of great Prejudice to the Manufacture of Glaſs in *Great Britain*;' Be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſeven hundred and forty-ſix, no Perſon or Perſons whatſoever ſhall import, or cauſe to be imported into the Kingdom of *Ireland*, any Crown, Plate or Flint Glaſs, or White Glaſs, by what Name ſoever it is, or hereafter may be called or known, or any common Bottles, or other Green Glaſs, or any Glaſs of any Kind or Denomination whatſoever, other than the Manufacture of *Great Britain*. And if any Crown, Plate or Flint Glaſs, or White Glaſs, or any common Bottles, or other Green Glaſs, or any Glaſs of any Kind or Denomination whatſoever, other than the Manufacture of *Great Britain*, ſhall be landed or put on Shore out of any Ship or Veſſel in *Ireland*, all ſuch Glaſs, of what kind ſoever, as ſhall be ſo landed, or put on Shore, or taken out of any Ship or Veſſel in *Ireland*, ſhall be forfeited and deſtroyed within ten Days after the ſame ſhall be lawfully condemned; and alſo the Ship or Veſſel in which the ſame was imported, be forfeited, with her Tackle, Apparel and Furniture; and the Maſter of ſuch Ship or Veſſel, and every other Perſon or Perſons concerned in importing of the ſame, or that ſhall have been aiding or aſſiſting in the landing or putting the ſame on Shore, ſhall forfeit and pay the Sum of ten Shillings for every Pound Weight thereof; and ſo in Proportion for any greater or leſs Quantity.

Maſters of Ships carrying Glaſs, to take a Duplicate of Contents.

XX. And for the more effectually preventing of ſuch Importation of foreign Glaſs into *Ireland*, it is hereby further enacted, That the Maſter of every Ship or Veſſel which ſhall carry any Crown, Plate or Flint Glaſs, or White Glaſs, or any common Bottles, or other Green Glaſs, or any Glaſs of any Kind

or

or Denomination whatſoever, to *Ireland*, ſhall take from the Collector or Comptroller of the Port of *Great Britain*, where he ſhall lade any ſuch Glaſs, a Duplicate of his Contents in Writing of all the Glaſs taken or laden on board his Ship or Veſſel, before he be permitted to ſail out of the Port, under the Hand and Seal of ſuch Collector or Comptroller of the ſaid Port of *Great Britain*; which ſaid Duplicate ſhall be delivered to the Maſter of every ſuch Ship or Veſſel without Fee or Reward; and that every ſuch Maſter of every ſuch Ship or Veſſel ſhall deliver upon Oath ſuch Duplicate to the Collector, Comptroller or other Officer of the Cuſtoms in ſuch Port in *Ireland*, where ſuch Ship or Veſſel ſhall arrive, and intends to unlade, before he be permitted to land any ſuch Glaſs. And that in caſe any Glaſs of any Kind or Denomination whatſoever, ſhall be unladen or landed in any Part of *Ireland*, before ſuch Duplicate is produced to the Collector, Comptroller or Officer as aforeſaid, all ſuch Glaſs ſhall be forfeited and deſtroyed within ten Days after the ſame ſhall be lawfully condemned; and alſo the Ship or Veſſel in which the ſame was imported, be forfeited, with her Tackle, Apparel and Furniture; and the Maſter of ſuch Ship or Veſſel, and every other Perſon or Perſons concerned in importing of ſuch Glaſs, or that ſhall have been aiding or aſſiſting in the landing or putting the ſame on Shore, ſhall forfeit and pay the Sum of ten Shillings for every Pound Weight thereof; and ſo in Proportion for every greater or leſs Quantity.

To deliver on Oath the Duplicate to the Officer of the Port where he arrives.

Penalty.

XXI. And be it further enacted by the Authority aforeſaid, That if after the firſt Day of *May* one thouſand ſeven hundred and forty-ſix, any Perſon or Perſons whatſoever ſhall directly or indirectly export, tranſport, ſhip off, carry or convey, or cauſe or procure to be exported, tranſported, ſhipped off, carried or conveyed, or ſhall be any Ways aiding or aſſiſting in the exporting, tranſporting, ſhipping off, carrying, or conveying out of the Kingdom of *Ireland*, any Crown, Plate, or Flint Glaſs, or White Glaſs, by what Name ſoever it is, or hereafter may be called or known, or any Common Bottles, or other Green Glaſs, or any Glaſs of any Kind or Denomination whatſoever, or ſhall directly or indirectly load, or cauſe to be laden upon any Horſe, Cart, or other Carriage, or load or lay on Board, or cauſe to be laden or laid on Board, in any Ship or Veſſel, in any Place or Port, within or belonging to the Kingdom of *Ireland*, any ſuch Glaſs as aforeſaid, with Intent or Purpoſe to export, tranſport, ſhip off, carry or convey the ſame, or cauſe the ſame to be exported, tranſported, ſhipped off, carried or conveyed out of the Kingdom of *Ireland*, or out of any Port or Place belonging to the ſame, or with Intent or Purpoſe that any Perſon or Perſons whatſoever ſhould ſo export, tranſport, ſhip off, carry or convey the ſame out of the Kingdom of *Ireland*; every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Shillings for every Pound Weight of Glaſs, of any Kind or Denomination whatſoever, ſo exported, tranſported, ſhipped off, or carried, conveyed, or laden as aforeſaid, contrary to the true Intent and Meaning of this Act; and all the Glaſs of any Kind or Denomination whatſoever, ſo exported, tranſported, ſhipped off, or carried, conveyed or laden, contrary to the true Intent and Meaning of this Act, ſhall be forfeited and deſtroyed within ten Days after the ſame ſhall be lawfully condemned; and all and every Ship or Veſſel, Barge, Boat, or other Bottom whatſoever, wherein any ſuch Glaſs ſhall be ſhipped or laid on Board, contrary to the true Intent and Meaning of this Act, ſhall likewiſe be forfeited, with her Tackle, Apparel, and Furniture.

Perſons concerned in exporting Glaſs from Ireland.

Penalty.

XXII. And it is hereby further enacted by the Authority aforeſaid, That the Commiſſioners and Sub-commiſſioners of Exciſe reſpectively, in their reſpective Limits and Diſtricts in *Ireland*, or the major Part of them, are hereby authorized and required to hear and determine all Offences againſt this Act, relating to the Exportation or Importation of Glaſs; which Commiſſioners or Sub-commiſſioners ſhall and may proceed in a ſummary Way, and give Judgment or Sentence, and levy the Penalties and Forfeitures by this Act inflicted on ſuch Offenders, in ſuch or the like Manner as they are enabled to proceed, give Judgment, and levy the Penalties and Forfeitures in Caſes of Exciſe in *Ireland*, by any Act or Acts of Parliament now in Force in that Kingdom; one Moiety of which Penalties and Forfeitures ſhall be to his Majeſty, his Heirs and Succeſſors; the other Moiety to the Officer or Officers, or any other Perſon or Perſons, who ſhall ſeize, diſcover, inform or ſue for the ſame.

Commiſſioners, &c. in Ireland, to determine Offences againſt this Act there.

Forfeitures diſpoſed.

' XXIII. And whereas there may have been Contracts or Bargains made for the Purchaſe and Sale of ' Home made Glaſs and Glaſs Bottles, to be delivered and received at future Times after the ſaid ' twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, which Contracts or Bargains, ' by reaſon of the Duties on Glaſs and Glaſs Bottles hereby impoſed, cannot be complied with by the ' Sellers without great Loſs and Damage;' Be it therefore further enacted by the Authority aforeſaid, That all Contracts or Bargains, made or to be made before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, for the Purchaſe and Sale of Home made Glaſs or Glaſs Bottles, to be delivered and received at any future Time or Times, which ſhall not be performed and complied with on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, ſhall be and are hereby declared to be null and void, and of no Effect: And in caſe any Sum or Sums of Money ſhall have been advanced and paid by any Purchaſer or Purchaſers, for or on Account of any Home made Glaſs or Glaſs Bottles, which ſhall not be delivered on or before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, all ſuch Sums of Money ſhall be forthwith repaid to the Perſon or Perſons who ſhall have advanced and paid the ſame, together with legal Intereſt for the ſame, from the Time and Times that ſuch Sum or Sums of Money ſhall have been reſpectively advanced and paid.

Contracts made for Glaſs before March 25, 1746, not performed before that Time, null.

Monies advanced for Glaſs not delivered before March 25, 1746, to be returned, with Intereſt.

XXIV. And it is hereby further enacted by the Authority aforeſaid, That there ſhall, from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, be raiſed, levied, collected, and paid unto his Majeſty, his Heirs and Succeſſors, for the ſeveral Spirituous Liquors made, extracted,

Additional Duties on Spirituous Liquors.

For former Laws concerning Spirituous Liquors refer to 12 *Car.* 2. *c.* 23 *&* 24. 22 *Car.* 2. *c.* 4. 2 *W. & M. St.* 2. *c.* 9. 3 *& 4 W. & M. c.* 15. 7 *& 8 W.* 3. *c.* 30. 8 *& 9 W.* 3. *c.* 19. 10 *& 11 W.* 3. *c.* 4 *& 21.* 12 *W.* 3. *c.* 11. 1 *Ann. St.* 2. *c.* 13. 4 *Ann. c.* 12. 12 *Ann. ſt.* 2. *c.* 3. 3 *Geo.* 1. *c.* 4. 6 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 18. 11 *Geo.* 1. *c.* 30. 2 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 17. 7 *Geo.* 2. *c.* 14. 9 *Geo.* 2. *c.* 23. 10 *Geo.* 2. *c.* 17. 11 *Geo.* 2. *c.* 26. 15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17.

extracted, and manufactured in *Great Britain*, and herein after mentioned, ſpecified, and enumerated (over and above all Duties, Charges, and Impoſitions by any former Acts of Parliament thereupon reſpectively ſet, rated, and impoſed) the ſeveral Rates and Duties of Exciſe herein after mentioned and expreſſed; that is to ſay,

For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn from any foreign or imported Materials or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, three Pence.

For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn only from any Sort of Drink or Waſh, brewed or made from any Sort of Malt or Corn, other than except Brewers Waſh or Tilts, to be paid by the Diſtillers or Makers thereof, one Halfpenny.

For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn from Brewers Waſh or Tilts, or Mixture therewith, to be paid by the Diſtillers or Makers thereof, one Halfpenny.

For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn from any other Sort or Kind of *Engliſh* Materials, or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, three Farthings.

For every Gallon of Spirits made in *Great Britain*, of any Kind of Wine or Cyder imported, to be paid by the Diſtillers or Makers thereof, three Pence.

For every Gallon of Strong Waters, or *Aqua Vitæ*, made for Sale of any other Materials, to be paid by the Diſtillers or Makers thereof, three Halfpence.

Duties on Spirituous Liquors made in England, payable there. Duties in Scotland, payable there. Commiſſioners may appoint Officers.

XXV. And for the better aſcertaining, charging, collecting, raiſing, levying, and ſecuring the Rates and Duties by this Act impoſed on the ſaid Spirituous Liquors, and preventing Frauds therein; Be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Rates and Duties by this Act granted, as are charged upon Spirituous Liquors made, extracted, and manufactured in *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of his Majeſty's Revenues of Exciſe in *England* for the Time being; and ſuch of the ſaid Rates and Duties as are impoſed by this Act upon Spirituous Liquors made, extracted, and manufactured in *Scotland*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of Exciſe in *Scotland* for the Time being; and the ſaid reſpective Commiſſioners of Exciſe, or the major Part of them, have hereby Power, by Commiſſion under their reſpective Hands and Seals, to conſtitute and appoint under them ſuch Officers as ſhall be neceſſary in that Behalf; and all Monies ariſing by the ſaid Duties in *Great Britain*, or any Part thereof (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall, from time to time, be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the Publick Revenues, ſubject and liable to ſuch Uſes, Applications and Purpoſes, as are herein after mentioned.

Drawback on Exportation.

XXVI. And for the Encouragement of the Exportation of Spirits drawn or made from the Materials aforeſaid, Be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, there ſhall be a Drawback or Allowance of the ſeveral and reſpective Duties, charged by this Act on Spirits that ſhall be exported to Parts beyond the Seas, and upon Oath being made before any two or more of the Commiſſioners of Exciſe, or Juſtices of the Peace for the County or Place from whence any ſuch Spirits are intended to be exported, that the Duties of the ſame are duly entered and paid, and that the ſame are exported for Merchandize to be ſpent beyond the Seas; and upon producing a Certificate under the Hands of the Officers of Exciſe for the Port or Place where ſuch Spirits were ſhipped off, the Quantities ſo ſhipped, and that the ſame were ſhipped in the Preſence of ſuch Officers, the Diſtiller or Diſtillers, or other Perſon or Perſons exporting the ſame, ſhall be allowed or paid back by the Commiſſioners of Exciſe, or their Collector for the Port or Place where ſuch Spirits ſhall be ſhipped off, the ſeveral Duties charged thereupon by this Act accordingly.

Limitation of the additional Duties. Duties on Melaſſes Spirits.

XXVII. Provided alſo, and it is hereby declared, That nothing in this Act contained ſhall extend to charge with any of the additional Duties, directed to be paid, levied or received as aforeſaid, any Low Wines or Spirits of the firſt Extraction made or drawn from Melaſſes only; but that the ſame ſhall remain liable only to and chargeable with the Duty of twelve Pence, for every Gallon of Low Wines or Spirits of the firſt Extraction, ſo made or drawn from Melaſſes only; and that all Spirits from ſuch Low Wines or Spirits of the firſt Extraction, made or drawn from Melaſſes only, ſhall remain liable only to and chargeable with the Duty of ſix Pence *per* Gallon.

See farther 20 *Geo.* 2 *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 *&* 28.

Powers, &c. of this Act.

XXVIII. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauſes, Matters and Things, which in 12 *Car.* 2. *c.* 24. and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*, or by any other Law now in Force, relating

lating to his Majeſty's Revenue of Exciſe upon Beer, Ale, or other Liquors, are provided, ſettled or eſtabliſhed, for managing, raiſing, levying, collecting, mitigating, or recovering, adjudging, or aſcertaining the Duties thereby granted, or any of them (other than in ſuch Caſes for which other Penalties or Proviſions are made and preſcribed by this Act) ſhall be exerciſed, practiſed, applied, uſed, and put in Execution, in and for the managing, raiſing, levying, collecting, mitigating, recovering, and paying the ſaid Duties upon Glaſs, and upon Spirituous Liquors hereby granted, during the Continuance of this Act, as fully and effectually to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauſes, Matters and Things were particularly repeated, and again enacted in the Body of this preſent Act.

Fines, &c. how to be levied, &c.

XXIX. And be it further enacted and declared by the Authority aforeſaid, That all Fines, Penalties and Forfeitures by this Act impoſed, ſhall be ſued for, levied, recovered or mitigated by ſuch Ways, Means and Methods, as any Fine, Penalty or Forfeiture, is or may be recovered or mitigated by any Law or Laws of Exciſe, or by this Act, or by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*; and that one Moiety of every ſuch Fine, Penalty or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

Books to be kept for entering the Monies received ſeparate.

XXX. And be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept in the Office of the Auditor of the ſaid Receipt of Exchequer at *Weſtminſter*, a Book or Books, in which all the Monies hereby appointed to be paid into the Receipt as aforeſaid, ſhall be entered ſeparate and apart from all other Monies paid or payable to his Majeſty, his Heirs or Succeſſors, upon any Account whatſoever; and the ſaid Money ſo appointed to be paid into the ſaid Receipt of Exchequer as aforeſaid, ſhall be the yearly Fund for the ſeveral and reſpective Purpoſes herein after mentioned.

The Annuities granted by this Act to be paid out of the additional Duties.

XXXI. And be it further enacted by the Authority aforeſaid, That all and every the Annuities which by this Act ſhall be granted and made payable, in reſpect of the principal Sum of three millions, to be raiſed in ſuch Manner and Form as is herein after directed, until Redemption thereof by Parliament, as alſo the ſeveral and reſpective other Annuities by this Act made payable at the ſaid Receipt of his Majeſty's Exchequer, during the Lives of the ſeveral Contributors to the Lottery herein after mentioned, or the Lives of their reſpective Nominees, ſhall be charged or chargeable upon, and payable out of the ſaid ſeveral new and additional Rates and Duties by this Act granted to his Majeſty; and the ſaid new and additional Rates and Duties ſhall be, and are hereby appropriated for thoſe Purpoſes accordingly.

Towards raiſing 3,000,000 l. any Perſons, &c. may advance to the Caſhier of the Bank, 2,500,000 l. for the Purchaſe of Annuity, to commence 25 March 1746.

XXXII. And for or towards raiſing the ſaid Sum or Sums of Money, not exceeding in the whole the ſaid Sum of three millions, for the Purpoſes aforeſaid, it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance, and pay unto the firſt or chief Caſhier or Caſhiers of the Governor and Company of the Bank of *England* for the Time being, at or before the reſpective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money, not exceeding two millions five hundred thouſand Pounds, in Part of the ſaid whole Sum of three millons, for the abſolute Purchaſe of any certain Annuity or Annuities, to commence from the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, in Manner herein after mentioned; ſo as ſuch Caſhier or Caſhiers do firſt give Security, to the good Liking of any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer, for the publick Uſe, the Monies ſo to be advanced and contributed, and to account duly for the ſame; which Annuities before mentioned ſhall be computed at the Rate of four Pounds *per Centum per Annum* for every one hundred Pounds, and proportionably for any greater or leſſer Sum ſo to be advanced and paid; and the Purchaſe Money for every ſuch Annuity, at the Rate aforeſaid, is hereby appointed to be paid unto the ſaid Caſhier or Caſhiers as aforeſaid, at or before the reſpective Days or Times herein after limited; that is to ſay, One fifth Part thereof on or before ſuch Day or Time as ſhall be appointed by the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being; one tenth Part thereof on or before the twentieth Day of *May* one thouſand ſeven hundred and forty-ſix; one other tenth Part thereof on or before the twentieth Day of *June* then next enſuing; one other fifth Part thereof on or before the twenty-ſecond Day of *Auguſt* then next enſuing; one other tenth Part thereof on or before the twenty-ſecond Day of *September* then next enſuing; one other tenth Part thereof on or before the twenty-firſt Day of *October* then next enſuing; and the remaining fifth Part thereof on or before the twentieth Day of *December* then next following: All which Annuities, ſo to be purchaſed, ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, The Feaſt of the Nativity of Saint *John* the Baptiſt, and of the Birth of our Lord Chriſt, by even and equal Portions, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be computed and paid at the Rate of four Pounds *per Centum per Annum* on the whole Sum to be paid by ſuch Contributors, for the Purchaſe of any Part of the ſaid Annuities, from the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix unto the Feaſt of the Birth of our Lord Chriſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſix, or within ſix Days after the ſaid Feaſt Day: Nevertheleſs, the ſaid Annuities ſhall be redeemable according to the Purport and true Meaning of a Proviſo or Condition herein after contained in that Behalf, and not otherwiſe; and the ſaid Caſhier or Caſhiers of the ſaid Governor and Company

The Caſhier to give Security, and account.

The Annuities to be at 4 per Cent. Purchaſe Money when payable.

Annuities payable Half-yearly;

redeemable,

of

of the Bank of *England* for the Time being is and are hereby authorized and required, upon advancing and paying to him or them any ſuch Sum or Sums of Money as aforeſaid, forthwith to give a Receipt in Writing, ſigned by himſelf or themſelves, for each Payment, to the Contributor or Payer thereof (which Receipts ſhall be aſſignable by Endorſements thereupon made) at any Time before the twentieth Day of *December* one thouſand ſeven hundred and forty-ſix, and no longer; and from time to time to pay into the Receipt of his Majeſty's Exchequer all the Monies which he or they ſhall receive of or for the ſaid Sum, not exceeding two millions five hundred thouſand Pounds, as faſt as he or they ſhall receive the ſame, or any Part thereof, or within five Days afterwards at the fartheſt, and to account for all the Monies ſo to be advanced and paid to him or them, in his Majeſty's Court of Exchequer, according to the due Courſe thereof.

Names of Contributors to be entered in a Book in the Office of the Accomptant General of the Bank; to be inſpected gratis.

XXXIII. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entered the Names of all who ſhall be Contributors for ſuch Annuities, after the Rate of four Pounds *per Centum per Annum* as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sums ſo paid; to which Book or Books it ſhall be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, from time to time, at all ſeaſonable Times to have Reſort, and to inſpect the ſame, without any Fee or Charge; and the ſaid Accomptant General for the Time Being ſhall, on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſeven, tranſmit an atteſted Duplicate fairly written upon Paper, of the ſaid Book or Books into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever.

Accomptant General to tranſmit a Duplicate into the Office of the Auditor of the Exchequer.

Contributors paying the Purchaſe Money, &c.

XXXIV. And it is hereby enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act duly paying the whole Conſideration or Purchaſe Money at the Rate aforeſaid, at or before the reſpective Days and Times in this Act before limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or the ſhall appoint, his, her or their reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall have, receive, and enjoy, and be intitled by virtue of this Act, to have, receive, and enjoy, the reſpective Annuity and Annuities ſo to be purchaſed out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid; and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption, in this Act afterwards contained concerning the ſame; and that all the ſeveral and reſpective Annuities, payable in purſuance of this Act, after the Rate of four Pounds *per Centum per Annum*, on all and every the principal Sums for which the ſame are to be payable, ſhall be free from all Taxes, Charges, and Impoſitions whatſoever.

to receive their Annuities,

free from Taxes.

Annuities to be transferrable.

XXXV. And it is hereby provided and enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall become intereſted in, or intitled to any Annuity or Annuities, Part of the ſaid Sum of two millions five hundred thouſand Pounds, to be ſubſcribed for in purſuance of this Act, ſhall upon compleating the Payments of the whole Purchaſe Money, payable in reſpect thereof, have ſuch reſpective Sums, as they ſhall become intereſted in, or intitled unto, forthwith placed to the Credit of the ſaid Contributors, and made transferrable in the Books of the Bank of *England*, by this Act appointed to be kept for that Purpoſe.

The Contributors on Failure of Payment of the whole Purchaſe Money,

XXXVI. Provided alſo, That in Caſe any ſuch Contributor as aforeſaid, who ſhall on or before ſuch Day or Time, as ſhall be appointed by the ſaid Commiſſioners of the Treaſury, or the ſaid High Treaſurer for the Time being, as aforeſaid, have advanced to the ſaid Caſhier or Caſhiers, one fifth Part of his, her or their Purchaſe Money, and his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, do not advance and pay to the Caſhier or Caſhiers, one tenth Part of his, her, or their Conſideration Money ſo to be paid for ſuch reſpective Annuity or Annuities as aforeſaid, on or before the twentieth Day of *May* one thouſand ſeven hundred and forty-ſix; one other tenth Part thereof, on or before the twentieth Day of *June* then next enſuing; one other fifth Part thereof, on or before the twenty-ſecond Day of *Auguſt* then next enſuing; one other tenth Part thereof on or before the twenty-ſecond Day of *September* then next enſuing; one other tenth Part thereof on or before the twenty-firſt Day of *October* then next enſuing; and the remaining fifth Part thereof on or before the twentieth Day of *December* then next following; then, and in every ſuch Caſe reſpectively, ſo much of the Conſideration Money, as ſhall have been actually paid in Part thereof only to the ſaid Caſhier or Caſhiers for ſuch reſpective Annuity, ſhall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary notwithſtanding.

to forfeit what has been paid in Part.

The remaining 500,000 l. to be raiſed by a Lottery, for purchaſe of Annuities at 4 l. per Cent.

'XXXVII. And whereas it is intended, That the Sum of five hundred thouſand Pounds, being the 'Reſidue of the ſaid Sum of three millions already charged by this Act, upon the ſaid new and addi-'tional Rates and Duties, appropriated for Payment thereof, in Manner before directed and appointed, 'ſhall be raiſed by way of a Lottery, for the Purchaſe of Annuities, after the Rate of four Pounds *per* '*Centum per Annum*, in Manner hereafter mentioned;' Be it therefore enacted by the Authority aforeſaid, That the Annuities becoming due and payable to the Contributors to the Lottery herein after mentioned, their Executors, Adminiſtrators, and Aſſigns, at the ſaid Rate of four Pounds *per Centum per Annum*, in reſpect of the ſaid principal Sum of five hundred thouſand Pounds, in Manner hereafter in this Act expreſſed, until Redemption thereof by Parliament, according to the Proviſo herein after contained in that Behalf, ſhall be charged upon the ſaid new and additional Rates and Duties, from the Feaſt Day of the Birth our Lord Chriſt one thouſand ſeven hundred and forty-ſix, and ſhall from time

to time be paid half-yearly at the Feaſts of the Nativity of Saint *John* the Baptiſt, and the Birth of our Lord Chriſt, by even and equal Portions; the firſt Payment thereof to be due and payable for the Half-year ending at the Feaſt of the Nativity of Saint *John* the Baptiſt one thouſand ſeven hundred and forty-ſeven. Annuities to commence from 25 December 1746, payable half-yearly.

XXXVIII. And be it further enacted by the Authority aforeſaid, That for or towards raiſing the ſaid Sum of five hundred thouſand Pounds, it ſhall and may be lawful for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute by paying at or before the reſpective Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpoſe, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds upon this Act; and that every ſuch Contributor or Adventurer for every ſuch Sum of ten Pounds, which he, ſhe or they ſhall ſo advance, ſhall be intereſted in ſuch Lot or Share of and in the Joint Stock of Annuities, eſtabliſhed by this Act, as is herein after mentioned and appointed in that Behalf; and the ſame entire Sums of ten Pounds each, are hereby appointed to be paid unto ſuch Receiver or Receivers, at ſuch Time or Times, and in ſuch Proportions at a Time, as are herein after mentioned in that Behalf; that is to ſay, One fourth Part thereof on or before the twentieth Day of *May* one thouſand ſeven hundred and forty-ſix; one other fourth Part thereof on or before the twenty-firſt Day of *July* then next enſuing; one other fourth Part thereof on or before the twenty-ſecond Day of *September* then next enſuing; and the remaining fourth Part thereof on or before the twenty-firſt Day of *October* then next followi g. The Price of a Ticket 10 *l.* Purchaſe Money when payable.

" Treaſury to appoint Managers of the Lottery. Books to be prepared by the Managers, containing the " Numbers of the Tickets. Treaſury to appoint Receivers, who ſhall give Security. Receivers to iſſue " Tickets at 10*l.* each. Tickets undiſpoſed of to be returned into the Exchequer. There ſhall be printed " 50,000 Tickets; 7150 ſhall be fortunate; two 10,000*l.* three 5000*l.* five 2000*l.* fifteen 1000*l.* thirty- " one 500*l.* one hundred and fifty-one 100*l.* three hundred and ninety-eight 50*l.* ſix thouſand five hun- " dred and forty-five 20*l.* which Sums, together with 500*l.* to the firſt drawn Ticket, and 1000*l.* to the " laſt drawn, will amount to 242,900*l.* which being added to 257,100*l.* the Principal payable to the " remaining 42,850 Blank Tickets, at 6*l.* each, amount to 500,000*l.* the Sum total to be converted into " Annuities in reſpect of the Lottery Tickets. Lottery to begin drawing 24 *Nov.* 1746. The Prizes to " be entered. The Prize Tickets to be filed. Managers to determine Diſputes of Property. Felony to " forge or alter the Number of a Ticket. Guardians may adventure Infants Money in the Lottery; ſo " as ſuch Infants Names be in the Receipts and Tickets. Tickets to be exchanged for Certificates " after the Lottery is drawn. Names of Perſons exchanging Tickets, to be entered in a Book. EXP.

LIV. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall, upon receiving and taking in the ſaid Certificates, or any of them, give Credit to the Perſons named therein, in the ſame Book or Books with the Contributors for the Purchaſe of the Annuities, not exceeding two millions five hundred thouſand Pounds, herein before directed to be inſerted in a Book or Books, or in any other Book or Books, to be by him provided and kept for that Purpoſe, for the principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit ſuch Principal Sums ſhall be entered in the ſaid Book or Books, his, her or their Executors and Adminiſtrators ſhall and may have Power to aſſign and transfer the ſame, or any Part, Share, or Proportion thereof, to any other Perſon or Perſons, Bodies Politick or Corporate whatſoever, in other Books, to be prepared and kept by the ſaid Accomptant General for that Purpoſe; and the Principal Sums ſo aſſigned or transferred, ſhall carry the ſaid Annuity of four Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authority herein after mentioned, until the Redemption thereof as aforeſaid; and the ſaid Accomptant General of the Bank of *England* for the Time being, is hereby authorized and directed to cancel and file the Certificates, as they ſhall from time to time be received and taken in by him, and to give the Perſons bringing in the ſame a Note under his Hand, teſtifying the principal Money for which they ſhall have Credit in the ſaid Book or Books, by Reaſon or Means of the Certificates ſo received, taken in, and cancelled as aforeſaid, and of the Annuities attending the ſame. Accomptant General of the Bank to give Credit to the Perſons named in the Certificates; Annuities made transferrable; Certificates to be cancelled and filed, and Notes given in their ſtead.

LV. And for the more eaſy and ſure Payment of the ſeveral and reſpective Annuities, amounting in the whole to three millions, by this Act authorized to be purchaſed as aforeſaid; It is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall from time to time, until the ſaid ſeveral and reſpective Annuities, after the Rate of four Pounds *per Centum per Annum*, ſhall be redeemed according to this Act, appoint and employ one ſufficient Perſon, within their Office in the City of *London*, to be their chief or firſt Caſhier or Caſhiers, and one other ſufficient Perſon, within the ſame Office, to be their Accomptant General; and that ſo much of the Monies, from time to time ariſing into the Receipt of the Exchequer, for the ſaid ſeveral Rates and Duties by this Act appropriated for this Purpoſe (after ſatisfying or reſerving Money ſufficient to ſatisfy the ſeveral Annuities herein after charged upon the ſaid ſeveral Rates and Duties, and made payable at the Receipt of his Majeſty's Exchequer, for and during the Life or Lives of the ſeveral Contributors to the Lottery aforeſaid, or the Life or Lives of the reſpective Nominees, in Manner herein after mentioned) as ſhall be ſufficient from time to time to anſwer the ſaid ſeveral and reſpective Annuities, and other Payments directed to be paid or diſcharged out of the ſame, ſhall by Order of the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or Bank of England to pay the Annuities; Money to be paid out of the Exchequer to the Bank for that Purpoſe.

the Commiſſioners of the Treaſury of his Majeſty, his Heirs or Succeſſors, for the Time being, without any further or other Warrant to be ſued for, had, or obtained in that Behalf, from time to time, at the reſpective half-yearly Feaſt Days, or Days of Payment, in this Act before appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid firſt or chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors for the Time being, by way of Impreſt, and upon Account for the Payment of the ſaid ſeveral and reſpective Annuities to be purchaſed upon this Act, at ſuch Times, and in ſuch Manner and Form, as are by this Act preſcribed in that Behalf; and that all and every ſuch Caſhier or Caſhiers, to whom the ſaid Monies ſhall from time to time be iſſued, ſhall from time to time, without Delay, apply and pay the ſame accordingly, and render his Account thereof according to the due Courſe of the Exchequer; any thing herein contained to the contrary notwithſtanding.

Caſhiers to pay the ſame and account in the Exchequer.

Accomptant General to inſpect the Caſhiers Accounts.

LVI. And it is hereby alſo enacted, That the ſaid Accomptant General for the Time being, ſhall from Time to Time inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and every Perſon and Perſons whatſoever, who ſhall be intitled to any of the ſaid ſeveral and reſpective Annuities, after the Rate of four Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a Perſonal Eſtate, and the ſame ſhall not be deſcendable to the Heir, and ſhall not be liable to any foreign Attachment by the Cuſtom of *London* or otherwiſe; any Law, Statute or Cuſtom to the contrary notwithſtanding.

Annuities a Perſonal Eſtate; and exempt from foreign Attachment.

3,000,000 l. one Capital Stock, attended with Annuities at 4 l. per Cent.

LVII. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed, or to which any Perſon or Perſons ſhall become intitled upon this Act, for or towards the ſaid Sum not exceeding three millions, ſhall be deemed, reputed and taken to be one Capital or Joint Stock, on which the ſaid ſeveral and reſpective Annuities, after the Rate of four Pounds *per Centum per Annum*, ſhall be attending; and that all and every Perſon and Perſons, and Corporations whatſoever, in Proportion to the Money by him, her or them advanced, or to which they ſhall become intitled as aforeſaid, upon this Act, ſhall have, and be deemed to have a proportional Intereſt and Share in ſaid Stock, and in the Annuity attending the ſame, at the Rate aforeſaid; and that the whole Capital or Joint Stock, or any Share or Intereſt therein, and the proportional Annuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs and not otherwiſe; and that there ſhall conſtantly be kept at all ſeaſonable Times, in the Office of the ſaid Accomptant General for the Time being, within the City of *London*, a Book or Books, wherein all Aſſignments or Transfers of the ſaid whole Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the ſame, at the Rate aforeſaid, ſhall be entered and regiſtered; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers; or if ſuch Parties be abſent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes; and that the Perſon or Perſons, to whom ſuch Transfer ſhall be made, do underwrite his, her or their Acceptance thereof; and that no other Method of aſſigning or transferring the ſaid Stock, and the Annuites attending the ſame, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law.

The Stock transferrable.

Method of transferring.

Stock with Annuities may be deviſed; the Will being entered in the Office.

LVIII. Provided always, That any Perſon or Perſons poſſeſſed of ſuch Stock, with the Annuity or Annuities attending the ſame, or any Eſtate or Intereſt therein, may deviſe the ſame by Will, in Writing, atteſted by two or more credible Witneſſes; but that ſuch Deviſee ſhall receive no Payment thereupon, till ſo much of the ſaid Will, as relates to the ſaid Stock or Annuity, be entered in the ſaid Office; and in Default of ſuch Transfer or Deviſe, the ſaid Stock and Annuities attending the ſame, ſhall go to the Executors or Adminiſtrators; and that no Stamp Duties whatſoever ſhall be charged on the ſaid Transfers, or any of them; any other Law or Statute to the contrary notwithſtanding.

No Stamp Duties on Transfers.

Bank to continue a Corporation till the Annuities be redeemed.

LIX. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors (notwithſtanding the Redemption of all or any their own Funds, in purſuance of the Acts for eſtabliſhing the ſame, or any of them) ſhall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging, for the Purpoſes in this Act expreſſed, till all the Annuities to be purchaſed on this Act ſhall be redeemed by Parliament, according to the Proviſo herein after contained in that Behalf; and the ſaid Governor and Company, or any Members thereof, ſhall not incur any Diſability for or by Reaſon of their doing any Matter or Thing in purſuance of this Act.

Treaſury to reward the Officers, Clerks, &c.

LX. Provided always, and be it enacted by the Authority aforeſaid, That the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall have Power, and they are hereby authorized out of the ſaid ſeveral Rates and Duties by this Act granted and appropriated as aforeſaid, to reward the Officers and Clerks of the ſaid Exchequer, that ſhall be any Ways employed in the Execution of this Act, in relation to the Annuities, to be payable at the ſaid Receipt, as herein after mentioned, for their Labour, Pains and Service therein reſpectively, and to diſcharge all ſuch incident Charges, as ſhall neceſſarily attend the Execution of this Act, in ſuch Manner, as to them ſhall ſeem juſt and reaſonable; and alſo to ſettle and appoint ſuch Allowances, out of the Contributions to the Lottery aforeſaid, as they ſhall think juſt and reaſonable, for the Service, Pains and Labour of the Receiver or Receivers of the Contributions to the ſaid Lottery, for receiving and accounting for the ſame; as alſo for the Service, Pains and Labour of the Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, for receiving and accounting for the Contributions to the Annuities granted by this Act; and alſo ſuch further Allowances,

out

out of the ſeveral Rates and Duties by this Act appropriated, as they ſhall think juſt and reaſonable, for receiving, paying and accounting for the ſeveral and reſpective Annuities, payable in reſpect thereof; and alſo for the Service, Pains and Trouble of the Accomptant General of the ſaid Governor and Company, for performing the Duty and Truſt incumbent on him by this Act; all which Allowances hereby impowered to be made as aforeſaid, in reſpect to the Service, Pains and Labour of any Officer or Officers of the ſaid Governor and Company, ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only; any thing herein contained to the contrary notwithſtanding.

Officers and Allowances at the Diſpoſal of the Bank.

LXI. Provided alſo, and it is hereby enacted by the Authority aforeſaid That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the half-yearly Feaſt Days, for Payment of the ſaid reſpective Annuities, or either of them, and upon Repayment by Parliament, of the reſpective principal Sums, for which the ſaid reſpective Annuities, or either of them, ſhall be payable to ſuch reſpective Perſons or Corporations, as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities; then, and not till then, the ſaid reſpective Annuities ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch Redemption, the Monies ariſing from the ſaid ſeveral Rates and Duties, ſhall not be iſſued or applied to any Uſe or Purpoſe, but as ſhall be directed by future Act or Acts of Parliament, except ſo much Monies of the ſaid ſeveral Rates and Duties, as ſhall be ſufficient from Time to Time to ſatisfy and pay the ſeveral and reſpective Annuities by this Act herein after made payable at the Receipt of Exchequer, to the ſeveral Contributors to the Lottery before mentioned, or their Aſſigns, during their Lives, or the Lives of their reſpective Nominees, in Manner herein after directed; any thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding; and that any Vote or Reſolution of the Houſe of Commons ſignified by the Speaker in Writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice, within the Words and Meaning of this Act.

Manner of redeeming the Annuities.

What ſufficient Notice.

"Limitation of Sales of Chances, *&c.* Office-keepers publiſhing Schemes relating to Tickets not in "their own Poſſeſſion, to forfeit 500*l.* and be impriſoned three Months." EXP.

LXIV. And for the greater Encouragement of Perſons to become Contributors to the Lottery herein before mentioned; Be it further enacted by the Authority aforeſaid, That all and every the Perſon and Perſons who ſhall advance and pay unto ſuch Receiver or Receivers, to be appointed as aforeſaid, at or before the reſpective Days and Times, and in the reſpective Proportions herein before directed, the principal Sum of one hundred Pounds for the Purchaſe of ten Tickets in the ſaid Littery, ſhall, for or in reſpect of the ſaid Principal Sum of one hundred Pounds ſo to be advanced and paid, be intitled to have and receive, at the Receipt of his Majeſty's Exchequer, during his, her or their own Life, or the Life of ſome other Perſon to be nominated by him, her or them, or by his, her, or their Aſſigns, an Annuity of nine Pounds, being computed after the Rate of eighteen Shillings *per Annum* for each Ticket, and ſo in Proportion for any greater Number of Tickets to be contributed for by any ſuch Perſon or Perſons (over and above the Annuity of four Pounds *per Centum per Annum*, before by this Act made payable at the Bank of *England* to ſuch Contributor) which ſaid reſpective Annuity or Annuities to be paid at the Exchequer as aforeſaid, ſhall commence from the Feaſt of the Nativity of Saint *John* the Baptiſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſix, and be paid and payable to ſuch Contributor or Contributors, or his, her, or their Aſſign or Aſſigns, at the Times, and in the Manner herein after mentioned; and the ſaid Receiver or Receivers is and are hereby directed and required, as ſoon as he or they ſhall have received from any ſuch Contributor or Contributors, one Moiety of the ſeveral Sums by them reſpectively intended to be advanced, for the Purchaſe of ten Tickets or more, in the ſaid Lottery as aforeſaid, forthwith to give ſuch Contributor or Contributors, or his, her or their Aſſigns, a Certificate or Certificates, ſigned by him or them (directed to the Auditor of the Receipt of his Majeſty's Exchequer) to be printed or written upon cheque Paper, and cut out indentwiſe through ſome Flouriſh or Device, to be contrived by the ſaid Receiver or Receivers, containing the Names, Surnames, Places of Abode, and other Additions of ſuch Contributor or Contributors, or his, her, or their Aſſigns, together with the Annuity payable to them in reſpect of the principal Sums advanced by them for the Purchaſe of ſuch Tickets, computed after the Rate of eighteen Shillings *per Annum* for each Ticket, in Manner herein before mentioned (which ſaid Certificate or Certificates ſhall be aſſignable, by Indorſement thereupon to be made, and witneſſed by two Perſons, at any Time or Times before the twentieth Day of *December* one thouſand ſeven hundred and forty-ſix) and in order to prevent the Auditor of the ſaid Receipt from being impoſed upon by any counterfeit or forged Certificate or Certificates, the ſaid Receiver or Receivers ſhall, and they are hereby directed and required to tranſmit to the Auditor of the Receipt in the ſaid Exchequer (as ſoon as the ſaid whole Sum of five hundred thouſand Pounds, by this Act intended to be raiſed by way of a Lottery, ſhall be advanced and paid to him or them) the Counterpart of the Cheques of all the Certificates given by him or them to ſuch Contributors as aforeſaid; upon which ſaid Counterparts of the ſaid Cheques ſhall be expreſſed the Number of each Certificate, the Contributor's Name, and the Annuity contained therein.

Encouragement for Contributors to the Lottery of 100*l.*

Annuity for Life of 9*l.*

beſides 4*l.* per Cent. per Ann.

A Certificate to be given to Contributors;

aſſignable before Dec. 20, 1746.

Counterpart of Cheques of all Certificates to be returned to the Exchequer.

LXV. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Receiver or Receivers ſhall alſo, within fourteen Days after the ſaid twenty-firſt Day of *October* one thouſand ſeven hundred and forty-ſix, tranſmit to the Auditor of the ſaid Receipt of Exchequer, a Book fairly written on Paper, ſigned by him or them, containing the Names of the ſeveral Contributors, towards raiſing the ſaid Sum of five

A Book of the Names of Contributors, &c. to be ſent to the Exchequer.

five hundred thouſand Pounds by way of Lottery as aforeſaid, the Number of Tickets ſubſcribed for by each ſuch Contributor, the principal Sums by them reſpectively paid for the Purchaſe of ſuch Tickets, and the Annuity payable in reſpect thereof, at the Rate aforeſaid; to the end the ſaid Auditor may be thereby ſatisfied, that the ſaid full and entire Sum of five hundred thouſand Pounds, to be advanced as aforeſaid, hath been paid to ſuch Receiver or Receivers; which Book ſhall remain in the Office of the Auditor of ſaid Receipt of Exchequer for ever.

Certificates to be changed for Exchequer Orders before Dec. 25, 1746.

LXVI. And it is hereby further enacted by the Authority aforeſaid, That all and every the Contributor or Contributors aforeſaid, or ſuch other Perſon or Perſons as ſhall be poſſeſſed of any ſuch Certificate or Certificates, by this Act directed to be given by ſuch Receiver or Receivers as aforeſaid, ſhall before the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-ſix deliver or cauſe to be delivered, to the Auditor of the ſaid Receipt of Exchequer, all and every the ſaid Certificate and Certificates aforeſaid, to be exchanged for Orders to be made out in the Manner hereafter mentioned; and ſhall alſo, at the ſame Time, name to the ſaid Auditor his, her or their own, or ſome other Life, during which he, ſhe or they, or his, her or their Aſſigns, ſhall be intitled to receive a Dividend or Share of the yearly Fund hereafter directed to be ſet apart out of the ſaid ſeveral Rates and Duties by this Act granted to his Majeſty as aforeſaid; on Pain of forfeitting, not only the half-year's Annuity, which ſhall become due and payable to ſuch Contributors, or their Aſſigns, on the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and forty-ſix (in reſpect of the Principal Sums by them reſpectively advanced as aforeſaid) but alſo all ſuch ſubſequent half-yearly Payments, as ſhall become payable to ſuch Contributors or their Aſſigns, until he, ſhe or they ſhall have produced to the Auditor of the ſaid Receipt their reſpective Certificates to be exchanged for Orders as aforeſaid; any thing herein contained to the contrary notwithſtanding.

A Life to be named.

Penalty.

Exchequer Orders, in what Manner to be made out.

LXVII. And it is hereby further enacted by the Authority aforeſaid, That the Auditor of the ſaid Receipt of Exchequer ſhall, as ſoon as conveniently may be, after ſuch Certificate or Certificates ſhall be delivered to him, cauſe ſuch and ſo many Order or Orders for Payment of ſuch Annuities to be made out in Exchange for ſuch Certificate or Certificates, as ſhall be deſired by the ſaid ſeveral and reſpective Contributors, or their Aſſigns, taking Care that the Annuity or Annuities made payable by ſuch reſpective Order or Orders, do not exceed in the whole the Annuity or Annuities ſpecified and expreſſed in ſuch Certificate or Certificates, in Exchange for which ſuch Order or Orders ſhall be ſo made out as aforeſaid; which ſaid Order or Orders ſhall be made out upon Vellum or Parchment, and ſhall contain the Names, Surnames, and Places of Abode, and other Additions of the reſpective Contributors, or their Aſſigns, and of their Nominees, and alſo the Annuity payable during the Life of ſuch Nominees to be appointed as aforeſaid, out of the yearly Fund herein after directed to be ſet apart for that Purpoſe; and all ſuch Orders ſhall be ſigned by the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being; and after Signing thereof, the ſame ſhall be firm, good, valid, and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and ſhall not be determinable by or upon the Deaths or Removals of any Commiſſioner or Commiſſioners of the Treaſury, or High Treaſurer; nor ſhall they, or any of them, have Power to revoke, countermand, or make void ſuch Orders ſo ſigned as aforeſaid.

Books to be kept in the Office of the Auditor, and Clerk of the Pells, to be inſpected by Contributors.

LXVIII. And it is hereby enacted, That in the Offices of the Auditor of the ſaid Receipt of Exchequer, and Clerk of the Pells ſeverally, there ſhall be provided and kept one or more Book or Books, in which ſhall be fairly entered the Names of all ſuch Contributors, and their Nominees, during whoſe Lives reſpectively, the ſeveral Dividends of the ſaid yearly Fund hereafter directed to be ſet apart, ſhall be payable at the Times when the ſame ſhall be nominated as aforeſaid; to which Books it ſhall be lawful for the reſpective Contributors, their Executors, Adminiſtrators or Aſſigns, from time to time, to have Reſort, and to inſpect the ſame without Fee or Reward.

Yearly Fund of 45,000 *l.* for paying Annuities.

LXIX. And it is hereby further enacted by the Authority aforeſaid, That out of the Monies ariſing by virtue of this Act, there ſhall yearly and every Year be ſeparated and kept apart, at the ſaid Receipt of Exchequer, the Sum of forty-five thouſand Pounds; which ſaid Sum of forty-five thouſand Pounds ſhall be, and is hereby declared to be, a yearly Fund for anſwering and paying the Annuities aforeſaid; and ſhall yearly and every Year, be equally divided amongſt the ſaid Contributors, their Executors, Adminiſtrators or Aſſigns, during the Lives of their reſpective Nominees, in Proportion to the Principal Sums by them advanced, by two equal half-yearly Payments; that is to ſay, At the Feaſts of the Birth of our Lord Chriſt, and the Nativity of Saint *John* the Baptiſt; the firſt Payment thereupon to be made at the Feaſt of the Birth of our Lord Chriſt one thouſand ſeven hundred and forty-ſix; and upon the Death of every ſuch Nominee, the Share of the ſaid Fund, which was payable during his or her Life, ſhall ceaſe and determine.

Times of Payment.

Shares of Annuities to ceaſe on Death of Nominees.

Orders transferrable.

LXX. And be it further enacted, That it ſhall and may be lawful for any Contributor, or his, her or their Executors, Adminiſtrators or Aſſigns, at any Time during the Life of his, her or their reſpective Nominees, by proper Words of Aſſignment to be indorſed on his, her or their Order, to be witneſſed by two Perſons, to aſſign or transfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order or Orders, to any other Perſon or Perſons; which being notified in the Office of the Auditor of the ſaid Receipt of Exchequer, the Officers there ſhall cauſe an Entry or Memorial thereof to be made in the Book of Regiſtry for ſuch Orders, without Fee or Charge; and after ſuch Entry made, ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her or their Executors, Adminiſtrators and Aſſigns to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and

To be regiſtered without Fee.

Aſſignees may aſſign again toties quoties.

afterwards it shall not be in the Power of such Person or Persons, who shall make such Assignment, to make void, release or discharge the same, or any Monies thereby due, or any Part thereof.

Infants, being Purchasers of ten Tickets and Nominees intitled to the Benefit.

LXXI. And be it further enacted by the Authority aforesaid, That in case any Guardian or Trustee, having the Disposal of the Money of any Infant, shall, in pursuance of the Power herein before given to him or them in that Behalf, have advanced and paid to such Receiver or Receivers as aforesaid, any Sum or Sums of Money of such Infant for the Purchase of ten Tickets, or more, in the said Lottery, in Manner therein directed, and shall thereupon, within the Time herein before appointed for naming of Lives, name the said Infant to be a Nominee, such Infant, upon Payment of such Sum or Sums of Money, shall become a Contributor within the Meaning of this Act, in such Manner and Proportion as any other Contributor; and the said Guardians and Trustees, as to the Sum so advanced by them, are hereby discharged.

Absent Nominees to be certified living;

LXXII. And for preventing all Frauds in receiving any Share of the yearly Fund hereby appointed to be set apart as aforesaid; Be it further enacted by the Authority aforesaid, That every Contributor, his, her or their Executors, Administrators, Assigns, or Agents, upon their demanding any half-yearly Payment of his, her or their respective Shares of the said yearly Fund (unless the Nominee appear in Person at the said Receipt) shall produce a Certificate of the Life of his, her or their respective Nominee, signed by the Minister and Churchwardens of the Parish where such Nominee shall be then living upon the Day when the said half-yearly Payment shall become due (if such Nominee shall be then residing in that Part of *Great Britain* called *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*) or otherwise it shall and may be lawful to and for every such Contributor, his, her or their Executors, Administrators, or Assigns, at his, her or their Election, to make Oath of the Truth of his, her or their respective Nominees Life, upon the Day when the said half-yearly Payment shall become due, before one or more Justices of the Peace of the respective County, Riding, City, Town, or Place, wherein such Person, at the Time of making such Oath, shall reside; and in like Manner, every such Contributor, his, her or their Executors, Administrators, Assigns, or Agents, whose Nominee shall reside in any Town or Place, being extraparochial, upon the Day when any of the said half-yearly Payments shall become due, shall make a like Oath before any such Justice or Justices aforesaid, of the Life of such Nominee on that Day (which Oath the said Justice or Justices are hereby impowered to administer) and such Justice or Justices shall make a Certificate thereof, for which Oath and Certificate no Fee or Reward shall be demanded or paid; and the said Certificates shall be filed in the Office of the Auditor of the said Receipt of Exchequer; and if any Person shall be guilty of a false Oath, or shall forge any Certificates, touching the Premisses, and be thereof lawfully convicted, such Person shall incur the Pains and Penalties to be inflicted upon Persons who shall commit wilful Perjury and Forgery; and in case any Nominee shall, at the Time of such Demand, be resident in that Part of *Great Britain* called *Scotland*, or in the Kingdom of *Ireland*, and any one or more of the Barons of the Exchequer there, for the Time being, shall certify that, upon Proof to him or them made (which Proof he and they is and are hereby authorized and required to take in a summary Way) it doth seem probable to him or them, that the said Nominee is living (which Certificate is to be given on Examination made, without Fee or Charge) the said Certificate being filed as aforesaid, shall be a sufficient Warrant for making the said half-yearly Payment to the respective Contributors, their Executors, Administrators, or Assigns; and in case any such Nominee shall, at the Time of such Demand, be resident in any Parts beyond the Seas, the Proprietors of all such Orders, or their Agents, shall produce Certificates of the Life of his, her or their respective Nominees, under the Hand of the *British* Minister residing at the Place where any such Nominee shall be living, upon the Day when the said half-yearly Payment shall become due; and in case no *British* Minister shall reside at the Place where any such Nominee shall live, then the said Proprietors of such Orders, or their Agents, shall produce a Certificate of the Life of his, her or their respective Nominees, under the Hand and Seal of the chief Magistrate of any City, Town, or Place, where any such Nominee shall be then living, upon the Day when the said half-yearly Payment shall become due as aforesaid; and every such Agent or Agents shall also annex to every such Certificate, an Affidavit to be made by him or them, before one or more of the Barons of the *Exchequer*, that he or they do believe that such Certificate is true; which Certificate being filed as aforesaid, shall be a sufficient Warrant for making the said half-yearly Payment to the respective Contributors, their Executors, Administrators, or Assigns; and if any Person or Persons shall receive one or more half-yearly Payments upon his, her or their Annuity or Annuities, for any Time beyond the Death of his, her or their Nominee or Nominees, when the same ought to cease, such Person or Persons shall forfeit treble the Value of the Monies so by him, her or them received, and also the Sum of five hundred Pounds; the Moiety whereof shall go to his Majesty, his Heirs and Successors, and the other Moiety to him or them that will sue for the same, by Action of Debt, Bill, Suit, or Information; in which no Essoin, Protection, Privilege, Wager of Law, Injunction, or more than one Imparlance shall be allowed.

or Oath made, &c.

Penalty on a false Oath, or forged Certificate.

Nominees beyond Seas to be certified living.

Penalty on receiving an Annuity after the Death of a Nominee.

Notice to be given on the Death of a Nominee.

LXXIII. And be it further enacted by the Authority aforesaid, That every Contributor, his, her or their Executors, Administrators, or Assigns, within one Month next after Notice of the Death of his, her or their respective Nominee or Nominees, shall certify such Death to the Auditor of the said Receipt, of Exchequer for the Time being; and shall also within three Months after such Notice, deliver or cause to be delivered up to the said Auditor, his, her or their Order or Orders, by which he, she or they was and were intitled during the Life of such Nominee, to any Share of the said yearly Fund, in case such Order and Orders be in his, her or their Hands or Power; and in Default thereof, such Contributor, his Executors, Administrators, and Assigns, shall forfeit the Sum of ten Pounds; to be recovered by

Penalty on Default.

by Action of Debt as aforeſaid, and to be had and received for the Uſe of any Perſon who ſhall ſue for the ſame.

Annuities free from Taxes.

LXXIV. And be it further enacted by the Authority aforeſaid, That all the Annuities payable to ſuch Contributors out of the ſaid yearly Fund, ſhall be free from all Taxes, Charges, and Impoſitions whatſoever.

New Orders in what Caſes to be made out;

'LXXV. And whereas it may ſo happen, that in Proceſs of Time, ſeveral of the ſaid ſtanding Orders 'be loſt, burnt or deſtroyed, or may become defaced, obliterated or incumbered with many Aſſign-'ments endorſed thereon, and it may be neceſſary that new Orders ſhould be made forth in lieu thereof;' Be it therefore enacted by the Authority aforeſaid, That in all or any the ſaid Caſes, any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall, and they are hereby impowered from Time to Time (upon Certificate under the Hand of the Lord Chief Baron, or any other the Barons of the Coif of his Majeſty's Court of *Exchequer*, that he or they are ſatisfied by Proof upon Oath before him or them made, that any ſuch Order or Orders have been loſt, burnt or otherwiſe deſtroyed) to cauſe new Orders to be made forth at the Exchequer, to be ſigned by him or them, in lieu of ſuch Orders ſo certified to be loſt, burnt or deſtroyed; and the reſpective Officers in the ſaid Exchequer are hereby directed to pay the Intereſt, which ſhall from Time to Time become due upon ſuch new Orders, as if the original Order or Orders had been produced; and all ſuch Payments ſhall be allowed in their reſpective Accounts, provided that the Perſon or Perſons intitled to receive the Intereſt due upon any ſuch Order or Orders, do give Security to the King, to the good liking of the Perſon appointed to pay the ſame, to pay into the Exchequer for the Uſe of the Publick, ſo much Money as ſhall be paid thereupon, if the Order or Orders ſo certified to be loſt, burnt or otherwiſe deſtroyed, be hereafter produced; and the ſaid Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall and are hereby alſo impowered to cauſe new ſtanding Orders to be made forth, for and in lieu of ſuch Orders as ſhall become defaced, obliterated or otherwiſe incumbered as aforeſaid; which ſaid Orders ſhall be at the ſame Time delivered up, and cancelled, and the new Order or Orders to be made out in lieu thereof, ſhall be made payable, and delivered to the Perſon or Perſons who ſhall appear to be the Proprietor or Proprietors of the ſaid Order or Orders ſo to be delivered up, and cancelled at the Time of ſuch Delivery up as aforeſaid; and the Auditor of the Receipt aforeſaid ſhall always take care that ſuch Entries or Memorandums be made upon the ſaid new Orders, as may denote their being made in lieu of ſuch defaced, obliterated, incumbered or otherwiſe defective Orders cancelled, and as may ſecure the Publick againſt any double Payments, for or by Reaſon of the making out, or iſſuing ſuch new Orders in Manner aforeſaid.

Entries to be made upon new Orders.

Counterfeiting of Orders, Aſſignments, &c.

LXXVI. And for preventing all Frauds and Abuſes in or about the ſaid ſtanding Orders, or any Aſſignments thereof, or the receiving the Annuities due or to grow due thereon; Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act and aſſiſt in the forging or counterfeiting any Certificate or Certificates to be given by ſuch Receiver or Receivers, or any Order or Orders, to be made forth in lieu thereof, in purſuance of this preſent Act, or any Aſſignment or Aſſignments of ſuch Order or Orders, or of the Annuities payable thereon, or of any Receipt or Diſcharge to the Exchequer, for the Annuities due or to grow due on any ſuch Order or Orders, or of any Letter of Attorney, or other Authority or Inſtrument, to transfer, aſſign, alien or convey any ſuch Order or Orders, or to receive the Annuities due or to grow due thereon, or any Part thereof, or ſhall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act or aſſiſt in the forging or counterfeiting any the Name or Names of any of the Proprietors of any ſuch Order or Orders, in or to any ſuch pretended Aſſignment or Aſſignments, Receipt, Letter of Attorney, Inſtrument or Authority, or ſhall knowingly or fraudulently demand, or endeavour to have or receive any ſuch Annuity or Annuities, or any Part thereof, by virtue of any ſuch forged or counterfeited Receipt, Letter of Attorney, Certificate, Inſtrument or Authority, or ſhall falſly and deceitfully perſonate any true and real Proprietor or Proprietors of any of the ſaid Order or Orders, and thereby aſſign or endeavour to aſſign any of the ſaid Order or Orders, or receive or endeavour to receive the Money of ſuch true and lawful Proprietor, as if ſuch Offender were the true and lawful Owner thereof; then, and in every ſuch Caſe, all and every Perſon and Perſons being thereof lawfully convicted in due Form of Law, ſhall be adjudged guilty of Felony, and ſhall ſuffer as in Caſes of Felony, without Benefit of Clergy.

Felony.

No Fee for receiving Contributions, paying Annuities, &c.

LXXVII. And be it further enacted, That no Fee, Reward or Gratuity whatſoever, ſhall be demanded or taken of any of his Majeſty's Subjects, for receiving or paying the ſaid Contribution Monies, or any of them, or for paying the ſaid ſeveral Annuities, or any of them, or for any Transfer of any Sum, great or ſmall, to be made in purſuance of this Act, upon Pain that any Officer or Perſon offending, by taking or demanding any ſuch Fee, Reward or Gratuity, ſhall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Coſts of Suit; and that all Receipts and Iſſues, and all other Things directed by this Act to be performed in the Exchequer, ſhall be done and performed by the Officers there, without demanding or receiving, directly or indirectly, any Fee, Reward or Gratuity for the ſame; and in caſe the Officers of Exchequer ſhall take or demand any ſuch Fee or Reward, or ſhall miſapply or divert any of the Monies to be paid into the Exchequer upon this Act, or ſhall pay or iſſue out of the ſame, otherwiſe than according to the Intent of this Act, or ſhall not keep ſuch Books or Regiſters, or make Entries, and do and perform all other Things which by this Act they are directed and required to do and perform; every ſuch Officer ſhall forfeit his Place, and be for ever after incapable of any Office or Place of Truſt whatſoever, and ſhall anſwer and pay Treble Coſts of Suit to any Contributor, or Perſon claiming

Penalty on Miſapplication of Monies, &c.

ing under him, that will ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law, Injunction, or Order of Reſtraint, or any more than one Imparlance, ſhall be granted or allowed; and in the ſaid Action the Plaintiff, upon Recovery, ſhall have full Coſts of Suit; one third of which Sum ſhall be paid into the ſaid Receipt of Exchequer, for the Benefit of his Majeſty, his Heirs and Succeſſors, and the other two thirds ſhall be to and for the Uſe of the Proſecutor.

Caſes exempt from Penalty.

LXXVIII. Provided always, and be it enacted, That in caſe any Officer of the Exchequer ſhall make Payment of any Share or Shares of the ſaid yearly Fund of forty-five thouſand Pounds, by this Act directed to be ſet apart for the Purpoſes aforeſaid, upon any ſuch Certificate or Certificates as aforeſaid, ſuch Officer ſhall not incur any Penalty, Forfeiture or Diſability, or be liable to any Action, of the Contributors for doing thereof, though the ſaid Certificate be forged or falſe, or the ſaid Nominee be dead, unleſs the ſaid Officer did know at the Time of ſuch Payment, that the ſaid Nominee was dead, or that the ſaid Certificate was forged or falſe.

Deficiencies to be made up;

LXXIX. And it is hereby enacted by the Authority, That if at any Time or Times the Produce of the ſaid ſeveral Rates and Duties ſhall happen to be ſo low or deficient as that the Monies ariſing therefrom into the Exchequer, ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities, and other Charges directed to be paid thereout, at the End of any or either of the reſpective half-yearly Days of Payment, at which the ſame are hereby directed to be paid; then, and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of the Overplus Monies, that ſhall or may happen to ariſe and be paid into the Exchequer in any of the ſubſequent half Years, as the ſaid reſpective Annuities ſhall, from Time to Time, become due and payable; and in caſe ſuch Overplus Monies ſhall not be ſufficient to ſatisfy the Deficiencies hereby intended from Time to Time to be paid thereout, that then, and in every ſuch Caſe, the Deficiencies ſo from Time to Time happening, ſhall from Time to Time be anſwered and made good by and out of the firſt Supplies which ſhall be granted in Parliament next after ſuch Deficiencies ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiencies ſhall happen, then the ſame ſhall be made good out of any of the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be from Time to Time iſſued and applied accordingly; and if at any Time or Times before any Monies of the ſeveral Rates and Duties hereby granted ſhall be brought into the Exchequer as aforeſaid, there ſhall happen to be a Want of Money for paying the ſeveral Annuities aforeſaid, which be actually incurred and grown due at any of the ſaid half-yearly Days of Payment before mentioned, that then, and in every ſuch Caſe, the Money ſo wanted ſhall and may be ſupplied out of the Monies of the ſaid Sinking Fund (except as before excepted) and be iſſued accordingly.

out of Overplus Monies,

or, next Supplies,

or, Sinking Fund.

To be replaced out of the next Supplies.

LXXX. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the Sinking Fund, ſhall from Time to Time be replaced by and out of the firſt Supplies, to be then after granted in Parliament.

Surplus Monies to be diſpoſed of by Parliament.

LXXXI. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid ſeveral Rates and Duties, after the ſaid ſeveral and reſpective Annuities, and all Arrears thereof are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe, ſuch Surplus or Remainder ſhall, from Time to Time, be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by the Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament; any thing in any former or other Act of Acts of Parliament to the contrary notwithſtanding.

General Iſſue.

Treble Coſts.

LXXXII. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued or proſecuted for any thing by him or them done, or executed in purſuance of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence; and if, upon the Trial, a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

18 Geo. 2. c. 5.

'LXXXIII. And whereas by an Act of Parliament paſſed in the eighteenth Year of his Majeſty's Reign, (intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of ſix Years; and for declaring that the Duties on Salt which ariſe and are payable in that Part of* Great Britain *called* Scotland, *ſhall be ſubject to the ſame Charges thereon, as the ſame Duties were liable to by the Act of the fifth Year of the Reign of his late Majeſty King* GEORGE *the Firſt,*) the Sum of one million was advanced and lent on Credit of the ſaid Duties, for which Orders were directed by the ſaid Act to be made out at the Receipt of the Exchequer (upon producing the proper Receipts of the Receivers of the ſaid Sum of one million) in the Names of the Contributors thereof, or their Aſſigns, payable in ſuch Courſe and Manner, as is therein directed; which ſaid Receipts were to be divided into ten Claſſes, and the Courſe of Payment of each particular Claſſis was to be determined by drawing Lots before the Commiſſioners of his Majeſty's Treaſury, or the High Treaſurer for the Time being: And whereas ſome Doubts have ariſen as to the Method of making out ſuch Orders, by reaſon of the Delay of ſome of the Contributors on the ſaid Act, or their Aſſigns, in bringing in their Receipts to the Auditor of the ſaid Receipt of Exchequer to be exchanged for Orders as aforeſaid;' Be it therefore

Officers of the Exchequer to make out Orders on the Salt Duty in the Proprietors Names, who ſhall firſt bring their Receipts.

fore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Officers of the ſaid Receipt of his Majeſty's Exchequer, to make out Orders in the Names of the reſpective Proprietor or Proprietors, who ſhall firſt bring their reſpective Receipt or Receipts to be exchanged for Orders, to be payable firſt in Courſe, within their reſpective Claſſis, in which ſuch Receipt or Receipts is or are contained; and the Orders to be made out for the Receipts contained in the Claſſis firſt in Courſe of Payment, ſhall be numbered in an arithmetical Progreſſion, beginning with N° I, and ſo on, aſcending until all the Orders are made out for the Receipts contained in the ſaid Claſſis; and the like Method ſhall be obſerved in making out and numbering the Orders for Receipts in each particular Claſſis, which ſhall alſo begin with N° I, reſpectively, and ſo to be numbered in an arithmetical Progreſſion; and the ſaid Orders ſo to be made out and numbered as aforeſaid, ſhall be regiſtered and payable in Courſe.

Proviſo.

LXXXIV. Provided always, That the Officers of the ſaid Receipt of Exchequer ſhall not incur any Penalty or Diſability for or on account of their making out, numbering, regiſtering or paying the ſaid Orders in the Courſe and Manner herein before directed; any thing in the before recited Act to the contrary thereof in any wiſe notwithſtanding.

CAP. XIII.

An Act to enlarge the Time for Juſtices of the Peace to take and ſubſcribe the Oath directed by an Act made in the laſt Seſſion of Parliament, intituled, *An Act to amend and render more effectual an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled*, An Act for the further Qualification of Juſtices of the Peace.

5 Geo. 2. c. 18. 18 Geo. 2. c. 20.

'WHEREAS by an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act to amend and render more effectual an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled*, An Act for the further Qualification of Juſtices of the Peace; it is, amongſt other Things, enacted, That no Perſon (except ſuch as are therein excepted) ſhall, from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, be capable of being a Juſtice of the Peace, or of acting as ſuch, for any County, Riding or Diviſion, within that Part of *Great Britain* called *England*, or the Principality of *Wales*, who ſhall not, before the ſaid twenty-fifth Day of *March*, or before he takes upon himſelf to act as a Juſtice of the Peace, after the ſaid twenty-fifth Day of *March*, at ſome General or Quarter Seſſions for the County, Riding or Diviſion, for which he does or ſhall intend to act, firſt take and ſubſcribe the Oath in the ſaid Act ſet forth, under the Forfeiture in the ſaid Act mentioned: And whereas ſeveral Juſtices of the Peace may, by reaſon of various Accidents, neglect or omit to take and ſubſcribe the ſaid Oath before the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix:' Now to prevent any Inconveniences that may happen by reaſon of ſuch Neglect or Omiſſion, Be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Juſtice of the Peace who has not taken and ſubſcribed, or ſhall not take and ſubſcribe the ſaid Oath, before the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, according to the Direction of the ſaid Act, may nevertheleſs continue to act as a Juſtice of the Peace, until the twentieth Day of *November* one thouſand ſeven hundred and forty-ſix, without being liable to, or incurring any Penalties or Incapacities, for not taking or ſubſcribing the ſaid Oath within the Time by the ſaid Act preſcribed.

Juſtices allowed to 20 Nov 1746, to qualify themſelves.

See farther 24 *Geo.* 2. *c.* 44 & 25 & 26 *Geo.* 2. *c.* 14 & 27. 27 *Geo.* 2. *c.* 16 & 20. 1 *Geo.* 3. *c.* 13.

CAP. XIV.

An Act to continue the Duties for Encouragement of the Coinage of Money.

18 Car. 2. c. 5. 25 Car. 2. c. 8. 1 Jac. 2. c. 7. 4 W. & M. c. 24. 12 W. 3. c. 11. 4 *Ann.* c. 22. 7 Ann. c. 24. 1 Geo. 1. c. 43. 9 Geo. 1. c. 19. 4 Geo. 2. c. 12.

'MAY it pleaſe your moſt Excellent Majeſty; Whereas great Benefit and Advantage did accrue to *England*, by one Act of Parliament paſſed in the eighteenth Year of the Reign of his Majeſty King CHARLES the Second, intituled, *An Act for encouraging of Coinage*; and continued by another Act made in the twenty-fifth Year of the Reign of his Majeſty King CHARLES the Second, intituled, *An Act for continuing a former Act concerning Coinage*; both which ſaid Acts were revived by an Act made in the Firſt Year of the Reign of his Majeſty King JAMES the Second; and were continued by an Act made in the fourth Year of the Reign of King WILLIAM and Queen MARY of glorious Memory; and were further continued by an Act made in the twelfth Year of the Reign of the ſaid late King WILLIAM; and were further continued by an Act made in the ſeventh Year of the Reign of her late Majeſty Queen ANNE of bleſſed Memory, and then extended to *Scotland*; and were further continued by an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt of glorious Memory, to be in Force for ſeven Years from the firſt Day of *March* one thouſand ſeven hundred and fifteen, and until the End of the firſt Seſſion of Parliament then next following; and were further continued by another Act made in the ninth Year of his ſaid late Majeſty's Reign, for ſeven Years from the firſt Day of *March* one thouſand ſeven hundred and twenty-three, and until the End of the firſt Seſſion of Parliament then next following; and were further continued by another Act made in the fourth Year of the Reign of his preſent Majeſty, for ſeven Years, from the firſt Day of *March* one thouſand ſeven hundred and thirty, and until the End of the firſt Seſſion of Parliament then next following; and were

'further

'further continued by another Act made in the twelfth Year of the Reign of his preſent Majeſty, for ſeven Years, from the firſt Day of *March* one thouſand ſeven hundred and thirty-eight, and until the End of the firſt Seſſion of Parliament then next following; ſo that unleſs the ſaid Act be continued, the Encouragement given thereby, will ceaſe, and this Kingdom be deprived for the future, of ſo great a Good, as it hath for many Years laſt paſt enjoyed:' Now we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, do give and grant unto your Majeſty, the Rates, Duties, and Impoſitions herein after mentioned, for and during the Term and Time herein after expreſſed; and do moſt humbly pray that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſuch and the like Rates, Duties, and Impoſitions, as by the ſaid Act of the eighteenth Year of King CHARLES the Second were granted, and by the ſaid ſubſequent Acts were continued, for and upon the Importation of Wines, Vinegar, Cyder, and Beer, during the reſpective Terms and Times therein mentioned, ſhall be further continued, and be paid and payable to his Majeſty, his Heirs and Succeſſors, for and upon all Wines, Vinegar, Cyder, and Beer, which ſhall be imported or brought into *Great Britain*, within or during the Space of ſeven Years, to commence from the firſt Day of *March* one thouſand ſeven hundred and forty-five, and until the End of the firſt Seſſion of Parliament then next following, and no longer; and that all the ſaid former Acts, and all other Acts of Parliament concerning Coinage, and every of them, and every Clauſe, Article, and Sentence in them, or any of them contained, now being in Force, ſhall be, and are by virtue of this Act continued, and ſhall be in Force, and be duly put in Execution for and during all ſuch Time and Term as are before mentioned, as fully and effectually as if the ſame were particularly repeated and re-enacted in the Body of this preſent Act; any former Law, Statute, Proviſion, Matter, or Thing whatſoever to the contrary notwithſtanding.

12 Geo. 2. c. 5.

The Rates, &c. by 18 Car. 2. and by the ſaid ſubſequent Acts granted upon Importation of Wines, Vinegar, &c. continued for 7 Years, from 1 March 1745.

The former Acts, and all others relating to Coinage, &c. continued for that Term.

'Farther continued by 27 Geo. 2. c. 11.' *and farther by* 1 *Geo.* 3. *c.* 16.

II. And to the End the Importers of Gold and Silver into the Mints of *England* and *Scotland* reſpectively, may not be diſcouraged by any Deficiency of the Revenue by this Act ſettled, for defraying the Coinage thereof; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the Treaſury, or any three or more of them now being, or the Lord High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, and they are hereby impowered and directed, out of the Monies ariſing by this Act, or out of any other publick Supplies granted or to be granted by Parliament, to cauſe ſo much Money to be applied, as ſhall be neceſſary for defraying the Expences of the ſaid Mints of *England* and *Scotland* reſpectively, by way of Impreſt, and upon Account for that Service, ſo as the ſame, together with the Coinage Duties ariſing by this Act, do not exceed in any one Year, the Sum of fifteen thouſand Pounds, and ſo as the ſaid Monies be iſſued out of the Exchequer of *Great Britain*, to the Maſter of the Mint in *England*, and to the Maſter of the Mint in *Scotland* reſpectively, for the ſaid Purpoſes.

Treaſury to defray the Expences of the Mints of England and Scotland.

CAP. XV.

An Act for enabling the Inhabitants of the Hamlet of *Bethnal Green*, in the County of *Middleſex*, to compleat their Church, and to pay Debts already contracted for the Relief of the Poor of the ſaid Hamlet. PR.

CAP. XVI.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers, Deviſees, and Leſſees. EXP.

Deeds and Wills of Papiſts made ſince 29 *Sept.* 1717, and inrolled before 1 *Dec.* 1746, to be valid. Purchaſes made by Proteſtants, ſince 29 *Sept.* 1717, not to be vacated for want of Inrolment of any Deed, &c.

CAP. XVII.

An Act for continuing an Act of this preſent Seſſion of Parliament, intituled, *An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government.* EXP. *See* 20 *Geo.* 2. *c.* 1.

CAP. XVIII.

An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the Road from the City of *Gloucester* to *Stone*; and other Roads therein mentioned; and for making the ſaid Act more effectual. PR.

The Act 12 Geo. 1. c. 24. continued for 21 Years.

CAP. XIX.

An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, *for repairing and enlarging the Road from* Liverpoole *to* Preſcot, *and other Roads therein mentioned, in the County Palatine of* Lancaſter; and for amending the Road leading from *Preſcot* to the Chapel of *Saint Helen* in the ſaid County. PR.

The Act 12 Geo. 1. c. 21. continued for 21 Years.

CAP. XX.

An Act to indemnify ſuch Perſons as have acted in Defence of his Majeſty's Perſon and Government, and for the Preſervation of the publick Peace of this Kingdom, during the Time of the preſent unnatural Rebellion; and Sheriffs and others, who have ſuffered Eſcapes occaſioned thereby, from vexatious Suits and Proſecutions. EXP.

'WHEREAS, during the unnatural Rebellion, which begun in or about the Months of *July* or *Auguſt* in the Year one thouſand ſeven hundred and forty-five, and ſtill continues, divers Lieutenants, Deputy Lieutenants, Juſtices of the Peace, Mayors, Bailiffs of Corporations, Conſtables, and other Officers and Perſons well affected to his Majeſty, and his Government, in order to preſerve our preſent happy Eſtabliſhment, and the Peace of this Kingdom, and to Suppreſs and put an End to the ſaid Rebellion, apprehended, and put into Cuſtody, and impriſoned, or cauſed to be apprehended, put into Cuſtody, and impriſoned ſeveral Criminals, and ſeveral Perſons who they ſuſpected might diſturb the publick Peace, or foment or promote Riots, Tumults, Rebellions, or evil Deſigns againſt the Government; and alſo ſeized and uſed ſeveral Horſes, Arms, and other Things; and alſo preſſed divers Horſes, Carts, and Carriages, for the Service of the Publick; and did, for the Purpoſes aforeſaid, enter into the Houſes and Poſſeſſions of ſeveral Perſons, and did quarter, and cauſe to be quartered divers Soldiers, and others, in the Houſes of divers Perſons, and did divers Acts, which could not be juſtified by the ſtrict Forms of Law, and yet were neceſſary, and ſo much for the Service of the Publick, that they ought to be juſtified by Act of Parliament, and the Perſons by whom they were tranſacted ought to be indemnified: And whereas divers Sheriffs, Gaolers, and other Perſons, may be or are in danger of being ſued, indicted, proſecuted, or proceeded againſt by reaſon of Eſcapes of Priſoners, let out or diſcharged by the Perſons engaged in the ſaid Rebellion;' Be it therefore enacted, *&c.*

See 19 *Geo.* 2. *c.* 39. *ſ.* 18.

"All perſonal Actions, *&c.* for Acts done before 30 *April* 1746, on Account of the Premiſſes, or againſt "Sheriffs, *&c.* for the Eſcape of Priſoners, *&c.* to be void."

CAP. XXI.

An Act more effectually to prevent profane Curſing and Swearing.

Refer to 21 *Jac.* 1. *c.* 20. 6 & 7 *W.* 3. *c.* 11.

'FORASMUCH as the horrid, impious, and execrable Vices of profane Curſing and Swearing (ſo highly diſpleaſing to Almighty God, and loathſome and offenſive to every Chriſtian) are become ſo frequent and notorious, that unleſs ſpeedily and effectually puniſhed, they may juſtly provoke the Divine Vengeance to increaſe the many Calamities theſe Nations now labour under: And whereas the Laws now in Being for puniſhing thoſe Crimes, have not anſwered the Intents for which they were deſigned, by Means of Difficulties attending the putting ſuch Laws in Execution:' For Remedy whereof, may it pleaſe your moſt Excellent Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June* one thouſand ſeven hundred and forty-ſix, if any Perſon or Perſons ſhall profanely Curſe or Swear, and be thereof convicted on the Oath of any one or more Witneſs or Witneſſes, before any one Juſtice of the Peace for any County, City, Riding, Diviſion, or Liberty, or before the Mayor, Juſtice, Bailiff, or other Chief Magiſtrate of any City or Town Corporate, or by the Confeſſion of the Party offending, every Perſon or Perſons ſo offending, ſhall forfeit and loſe the reſpective Sums herein after mentioned; (that is to ſay)

The Penalty of profane Curſing and Swearing.

Every Day Labourer, Common Soldier, Common Sailor, and Common Seaman, one Shilling;
And every other Perſon under the Degree of a Gentleman, two Shillings;
And every Perſon of or above the Degree of a Gentleman, five Shillings.

And in caſe any ſuch Perſon or Perſons ſhall, after Conviction, offend a ſecond Time, every ſuch Perſon ſhall forfeit and loſe Double; and for every other Offence after a ſecond Conviction, treble the Sum firſt forfeited by any Offender, for profane Curſing and Swearing as aforeſaid.

Profane Swearers in the Hearing of any Juſtice, &c. to be convicted without other Proof.

II. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall profanely Swear or Curſe, in the Preſence and Hearing of any Juſtice of the Peace for any County, Riding, Diviſion or Liberty; or in the Preſence or Hearing of any Mayor, Juſtice, Bailiff, or other chief Magiſtrate of any Town Corporate; every ſuch Juſtice, Mayor, or other chief Magiſtrate as aforeſaid, ſhall and is hereby authorized and required to convict every ſuch Offender of ſuch Offence (in the Form and Manner herein after ſet forth) without any other Proof whatſoever.

Conſtables, &c. to ſeize Perſons profanely Swearing, if unknown, and bring them before the next Juſtice, &c. who is to convict them on the Officer's Oath; and if they are known, Information to be made.

III. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall profanely Swear or Curſe, in the Preſence and Hearing of any Conſtable, Petty Conſtable, Tythingman, or other Peace Officer, it ſhall and may be lawful for any and every ſuch Conſtable, Petty Conſtable, Tythingman, or other Peace Officer, and they and each of them are hereby authorized and required (in caſe any ſuch Perſon ſhall be unkown to ſuch Conſtable, Petty Conſtable, Tythingman, or other Peace Officer) to ſeize, ſecure, and detain ſuch Offender or Offenders, unknown to him or them as aforeſaid; and ſuch Offender or Offenders forthwith to carry before the next Juſtice of the Peace for the County, Riding, Diviſion or Liberty, or before the Mayor, Juſtice, Bailiff, or other chief Magiſtrate of the Town Corporate, wherein ſuch Offence was committed; and the ſaid Juſtice, Mayor, or other chief Magiſtrate, is hereby authorized and required, on the Oath of ſuch Conſtable, Petty Conſtable, Tythingman, or other Peace Officer, to convict the Offender in Manner and Form herein after directed: And in caſe any ſuch Perſon ſo profanely Swearing or Curſing, in the Preſence or Hearing of any ſuch Conſtable, Petty Conſtable, Tythingman, or other Peace Officer, ſhall be known to any of them, every ſuch Conſtable, Petty Conſtable, Tythingman, or other Peace Officer, ſhall and is hereby required ſpeedily to make Information before ſome Juſtice of the Peace for the County, Riding, Diviſion or Liberty, Mayor, Juſtice, Bailiff, or chief Magiſtrate of any Town Corporate as aforeſaid, in order that the Offender or Offenders may be by ſuch Juſtice, Mayor, Bailiff, or other chief Magiſtrate convicted thereof, and puniſhed for the ſame, in Manner and Form as in and by this Act is directed.

Juſtices, &c. upon Information, to order the Offender to appear, &c. Penalty to be paid, or Security given, or the Offender to be committed for 10 Days to the Houſe of Correction.

IV. And be it further enacted by the Authority aforeſaid, That every ſuch Juſtice of the Peace, Mayor, or other chief Magiſtrate as aforeſaid, ſhall immediately upon Information given upon Oath of any ſuch Conſtable, Petty Conſtable, Tythingman, or other Peace Officer, or of any other Perſon whatſoever, cauſe the Offender or Offenders to appear before him; and upon ſuch Information being proved as aforeſaid, convict ſuch Offender or Offenders in ſuch Manner as in and by this Act is preſcribed. And in caſe ſuch Offender or Offenders ſhall not immediately pay down the reſpective Sum ſo forfeited, or give Security to the Satisfaction of ſuch Juſtice, Mayor, or other chief Magiſtrate, before whom ſuch Conviction is made, it ſhall and may be lawful for ſuch Juſtice, Mayor, or other chief Magiſtrate, to commit the Offender to the Houſe of Correction for the County, Riding, Diviſion, Liberty, City or Town Corporate where ſuch Offence ſhall be committed, there to remain, and be kept to hard Labour for the Space of ten Days.

Common Soldiers and Sailors, not paying the Penalty, &c. to be ſet in the Stocks.

V. Provided always, and it is hereby enacted by the Authority aforeſaid, That in caſe any common Soldier belonging to any Regiment in his Majeſty's Service, or any common Sailor or common Seaman belonging to any Ship or Veſſel, ſhall be convicted of profane Curſing or Swearing as aforeſaid, and ſhall not immediately pay down the Penalty by him forfeited, or give Security for the ſame as aforeſaid, and alſo the Coſt of the Information, Summons and Conviction, as in and by this Act is directed; every ſuch common Soldier, common Sailor or common Seaman, inſtead of being committed to the Houſe of Correction, as by this Act is directed, ſhall by the ſaid Juſtice, Mayor, Bailiff, or other Head Officer, be ordered to be publickly ſet in the Stocks for the Space of one Hour, for every ſingle Offence; and for any Number of Offences, whereof he ſhall be convicted at one and the ſame Time, two Hours.

Juſtices, &c. not doing their Duty, forfeit 5 l.

VI. And be it further enacted by the Authority aforeſaid, That if any Juſtice of the Peace of any County, Riding, Diviſion or Liberty, Mayor, Juſtice, Bailiff, or other chief Magiſtrate of any Town Corporate, ſhall wilfully and wittingly omit the Performance of his Duty, in the Execution of this Act, he ſhall forfeit and loſe the Sum of five Pounds; one Moiety thereof to the Uſe of the Informer, and the other Moiety thereof to the Uſe of the Poor of the Pariſh wherein ſuch Juſtice, Mayor, or other chief Magiſtrate ſhall reſide; to be recovered by Action, Suit, Bill, or Plaint, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or more than one Imparlance.

Conſtables, &c. not doing their Duty, forfeit 40 s. and for want of Diſtreſs, to be committed for one Month to the Houſe of Correction.

VII. And be it further enacted by the Authority aforeſaid, That if any Conſtable, Petty Conſtable, Tythingman, or other Peace Officer, ſhall wilfully and wittingly omit the Performance of his Duty in the Execution of this Act, and be thereof convicted by the Oath of one Witneſs, before any Juſtice of the Peace for any County, Riding, Diviſion, or Liberty, or before the Mayor, Juſtice, Bailiff, or other chief Magiſtrate of any Town Corporate, every ſuch Conſtable, Petty Conſtable, Tythingman, or other Peace Officer ſo offending, ſhall forfeit and loſe the Sum of forty Shillings; to be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of ſuch Juſtice, Mayor, or other chief Magiſtrate, and to be diſpoſed of, one Moiety thereof to the Uſe of the Informer, and the other Moiety to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed; and in caſe ſuch Offender ſhall not have ſufficient Goods and Chattels whereon to levy the ſaid Penalty, it ſhall and may be lawful for ſuch Juſtice, Mayor, or other Magiſtrate, to commit ſuch Offender to the Houſe of Correction for the County, Riding, Diviſion, Liberty, City or Place, there to remain, and be kept to hard Labour for the Space of one Month.

VIII. And be it further enacted by the Authority aforesaid, That all and every Justice of the Peace for any County, Riding, Division or Liberty, and all and every Mayor, Justice, Bailiff, or other chief Magistrate of any Town Corporate, before whom any Person or Persons shall be convicted of profane Swearing or Cursing, shall cause the Conviction to be drawn up in the Words and Form following.

Form of Conviction;

'*Middlesex*, to wit. BE it remembered, that on the Day of in the Year of his Majesty's Reign, *A. B.* was convicted before me (*one of his Majesty's Justices of the Peace for the County, Riding, Division, or Liberty aforesaid; or before me Mayor, Justice, Bailiff, or other chief Magistrate of the City or Town of within the County of , as the Case shall be*) of swearing one *or more* profane Oath *or Oaths, or* of cursing one *or more* profane Curse *or Curses, as the Case shall be.*'

Given under my Hand and Seal the Day and Year aforesaid.

Which said Form and Conviction shall not be liable to be removed by *Certiorari* into his Majesty's Court of *King's Bench*, but shall be deemed and taken to be final to all Intents and Purposes whatsoever; and the said Justice, Mayor, Bailiff, or other chief Magistrate before whom such Conviction shall be made, shall cause the same to be fairly wrote over upon Parchment, and returned to the next General or Quarter Sessions of the Peace for the County wherein such Conviction was made, to be filed by the Clerk of the Peace, and remain and be kept amongst the Records of the said County.

to be wrote on Parchment, and returned to the next Sessions.

Justices, &c. to put this Act in Execution indiscriminately.

IX. And be it further enacted by the Authority aforesaid, That all and every Justice of the Peace for any County, Riding, Division or Liberty, and every Mayor, Justice, Bailiff, or other chief Magistrate of any City or Town Corporate may, and they are hereby authorized and required to put this Act in Execution against any Person or Persons within their several Jurisdictions, although such Justice, Mayor, Bailiff, or other chief Magistrate shall be rated and pay to the Relief of the Poor of any Parish, Town, or Place, where any Offence, contrary to the true Intent and Meaning of this Act, shall be committed; any Law or Statute to the contrary in any wise notwithstanding.

Penalties how to be disposed of.

Offenders to pay all Charges over and above the Penalties,

X. And be it further enacted by the Authority aforesaid, That all and every Penalty or Penalties inflicted by this Act, upon any Person or Persons for profane Cursing and Swearing, shall be disposed of for the Benefit of the Poor of the Parish wherein such Offence was committed; and that all Charges of the Information and Conviction of any such Offender shall be borne and paid by the Party offending, if able, over and above the Penalties inflicted by this Act, which Charges shall be settled and ascertained by the Justice of Peace, Mayor, Bailiff, or other chief Magistrate before whom such Conviction shall be made. And in case such Party shall not be able, or shall not immediately pay the said Charges and Expences, or give Security for the same to the Satisfaction of such Justice of the Peace, Mayor, Bailiff, or other chief Magistrate, it shall and may be lawful for the Justice, Mayor, Bailiff, or other chief Magistrate before whom such Information and Conviction shall be made, to commit such Offender to the House of Correction as aforesaid, there to remain and be kept to hard Labour for the Space of six Days, over and above such Time for which such Offender may be committed in Default of Payment of the Penalties inflicted by this Act; and in such Case no Charges of Information and Conviction shall be paid by any Person whatsoever.

or be committed to the House of Correction for six Days extraordinary.

General Issue.

Treble Costs.

XI. And it is hereby further enacted, That if any Action or Suit shall be commenced or brought against any Justice of the Peace, Constable, or other Officer or Person whatsoever, for doing or causing to be done, any thing in pursuance of this Act concerning the said Offences, the Defendant in that Action may plead the General Issue, and give the Special Matter in Evidence; and if upon such Action Verdict be given for the Defendant, or the Plaintiff become nonsuit, or discontinue his Action, then the Defendant shall have treble Costs.

Proof, &c. to be made within eight Days.

XII. Provided always, and it is hereby enacted, That no Person shall be prosecuted or troubled for any Offence against this Statute herein before or herein after mentioned, unless the same be proved or prosecuted within eight Days next after the Offence committed.

Act to be read quarterly in all Churches, &c.

Penalty of 5l. for Neglect.

XIII. And it is further enacted by the Authority aforesaid, That this Act shall be publickly read four several Times in the Year, in all Parish Churches and publick Chapels, by the Parson, Vicar, or Curate of the respective Parishes or Chapels, immediately after Morning or Evening Prayer, on four several *Sundays* (that is to say) the *Sunday* next after the twenty-fifth Day of *March*, twenty-fourth Day of *June*, twenty-ninth Day of *September*, and twenty-fifth Day of *December*, in every Year; or in case Divine Service shall not be performed in any such Church or Chapel on any of the *Sundays* before mentioned, then upon the first *Sunday* after any of the said quarterly Days on which Divine Service shall happen to be performed in any such Church or Chapel, under the Pain of forfeiting the Sum of five Pounds for every such Omission or Neglect; to be levied by Distress and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of any one Justice, Mayor, Bailiff, or other chief Magistrate as aforesaid.

Fee of 1s. to the Justice's, &c. Clerk.

XIV. And be it further enacted by the Authority aforesaid, That the Clerk of the Justice, Mayor, Bailiff or other chief Officer, before whom Proceedings upon this Act shall be had, shall and may receive and take for the Information, Summons and Conviction of every Offender against this Act, the Sum one Shilling and no more.

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XV. And

XV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and forty-six, an Act made in the twenty-first Year of the Reign of King JAMES the First, intituled, *An Act to prevent and reform profane Cursing and Swearing*; and also an Act made in the sixth and seventh Years of the Reign of King WILLIAM the Third, intituled, *An Act for the more effectual suppressing profane Cursing and Swearing*, shall be and are hereby repealed. 21 Jac. 1. c. 20. and 6 & 7 W. 3. c. 11. repealed.

CAP. XXII.

An Act for the better Preservation of Havens, Roads, Channels, and navigable Rivers, within that Part of *Great Britain* called *England*.

'WHEREAS Masters and Owners of, and other Persons belonging to Ships, Crayers or other 'Vessels coming into Havens, Ports, Roads, Channels or navigable Rivers, within that Part of '*Great Britain* called *England*, do cast, throw out, and unlade their Ballast, either on the Shore, or on 'the Side, and below the usual full Sea Mark, and frequently do other Annoyances, to the Detriment 'and Obstruction of Navigation, and the Offenders often go unpunished, for want of a further and more 'speedy Method of bringing them to Justice:' For Remedy whereof, may it please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if at any Time, from and after the first Day of *June* one thousand seven hundred and forty-six, any Master or Owner, or any Person acting as Master of any Ship, Pink, Crayer, Lighter, Keil-boat, or other Vessel whatsoever, shall cast, throw out, or unlade; or if at any Time, from and after the Day aforesaid, there shall be cast, thrown out, or unladen from and out of any Ship, Pink, Crayer, Lighter, Keil-boat, or other Vessel whatsoever, being or riding within any Haven, Port, Road, Channel or navigable River, within that Part of *Great Britain* called *England*, any Ballast, Rubbish, Gravel, Earth, Stone, Wreck or Filth, but only upon the Land where the Tide or Water never flows or runs; it shall and may be lawful for any one or more Justice or Justices of the Peace for the County, City, Town Corporate, Liberty or Place, where or near which such Offence shall be committed, upon Information thereof, and he and they are hereby authorized and required, to summon or issue out his or their Warrant or Warrants, to apprehend and bring before him or them the Master or Masters, Owner or Owners of any such Ship, Pink, Crayer, Lighter, Keil-boat or other Vessel, or other Person or Persons acting as such, against whom such Complaint or Information shall be made or given; and upon his, her or their Appearance or Default, to proceed to examine the Matter of Fact, and upon due Proof made (either by the Confession of the Party offending, or on View of such Justice or Justices, or upon the Oath or Oaths of one or more credible Witness or Witnesses, which Oaths the said Justices are hereby impowered and required to administer) that any Ballast, Rubbish, Earth, Gravel, Stone, Wreck or Filth, had been cast, unladen, or thrown out of, or from any Ship, Pink, Crayer, Lighter, Keil-boat, or other Vessel, the Master or Masters, or Person or Persons acting as Master or Masters thereof, shall be adjudged, and he and they are hereby respectively declared to be the Offenders against this Act; and he and they being by such Justice or Justices (or any of the Ways or Means aforesaid) thereof convicted, shall forfeit and pay for every such Offence any Sum, not exceeding the Sum of five Pounds, nor under fifty Shillings, at the Discretion of such Justice or Justices, the one Moiety thereof to the Informer, and the other Moiety thereof to the Overseers of the Poor of the Parish, Town or Place wherein such Conviction shall be pronounced, for the Use of the Poor there.

Masters, &c. throwing out Ballast, &c.

out of any Ship, &c. in Harbour, &c.

but upon dry Land only, Justices may issue Warrants,

and upon Proof, &c.

fine them not more than 5 l. nor less than 50 s.

II. And be it further enacted, That the Penalties inflicted or incurred by this Act, shall be recovered and levied by Distress and Sale either of the Goods and Chattels of the Persons so convicted respectively as aforesaid, or of the Ship, Pink, Crayer, Lighter, Keil-boat, or other Vessel, or of their Tackle, Apparel or Furniture (by Warrant or Warrants under the Hand and Seal, or Hands and Seals of such Justice or Justices, and which he and they are hereby impowered and required, on such Conviction as aforesaid to make, and to direct the same to the Constables, or to the Tythingman, or other proper Officer of the Parish, Town or Place where such Warrants are respectively to be executed; and which Warrants the Constables and Tythingmen, and Officers aforesaid, are hereby respectively required to execute) together with the Charges of such Distress and Sale, rendering the Overplus (if any be, after demand in Writing) to the respective Owners thereof; and for want of sufficient Distress, the said Justice or Justices are hereby impowered and required to commit such Master or Masters, or Person or Persons acting as such, and so convicted as aforesaid, to the common Gaol of the County, City, Town Corporate, or to the House of Correction of the County where the Offenders shall be respectively convicted as aforesaid, there to remain for the Space of two Months, or until Payment shall be made of the Penalties and Forfeitures, or so much thereof, as for the Nonpayment of which such Commitment shall be.

Penalties how recoverable.

For want of Distress to be committed.

'III. And whereas it frequently happens, that Ships and Vessels are run on Shore, sunk or stranded in 'Harbours, Ports, Channels and navigable Rivers, or are brought or drove into the same in a ruinous or 'shattered Condition, and the Owner, or some other Person having, or pretending to have the Com'mand or Power of such Ship or Vessel, frequently ship off or take away the Rigging, Tackle and other 'valuable Parts thereof, and permit the Hulk to sink in the Sand, in such Harbours and Places as afore'said, and there to remain; and great Damages often happen thereby, not only by other Ships and Ves'sels sticking or running thereon, but by filling up the Channel in such Harbours and Places, so as to 'render the same impracticable, or very difficult or dangerous for Navigation, before the same can be re-

Ship sunk or stranded, &c.

'moved

'moved by any of the Laws in Being:' Now for the more effectually remedying ſuch Miſchiefs for the future, be it further enacted by the Authority aforeſaid, That as ſoon as any Ship or Veſſel ſhall, after the ſaid firſt Day of *June*, be ſunk, ſtranded, or run on Shore in any Harbour, Port, Channel or navigable River, or ſhall be brought or drove in, or be there in a ruinous or ſhattered Condition as aforeſaid, and permitted to remain there, and the Owner, or ſome other Perſon having, or pretending to have any Property therein, or the Command or Power thereof, or any other Perſon or Perſons by their or any of their Order, Privity or Aſſent, ſhall begin to take down, or carry away any of the Rigging or Tackle, or if there ſhall not be any Perſon to take Care of the ſaid Ship or Veſſel, it ſhall be lawful for any one or more Juſtice or Juſtices of the Peace for the County or Place where or near ſuch Fact, Accident or Offence ſhall happen, upon Information thereof, and he and they are hereby authorized and required, to ſummon, or iſſue out his or their Warrant or Warrants to apprehend and bring before him or them the Owner, or other Perſon having, or pretending to have the Command or Power over ſuch Ship or Veſſel; and upon his or their Appearance or Default, to proceed to examine the Matter of Fact, in Manner and Form aforeſaid; and in caſe upon ſuch Examination, ſuch Juſtice or Juſtices ſhall find any Owner, or other Perſon having, or pretending to have the Command or Power over ſuch Ship or Veſſel, or any of the Perſons aforeſaid, guilty of ſuch Offence as aforeſaid, ſuch Juſtice or Juſtices ſhall, and he and they is and are hereby required to iſſue his and their Warrant or Warrants for ſeizing and removing ſuch Ship or Veſſel, and alſo the Rigging or Tackle thereof, in ſuch Manner as ſuch Juſtice or Juſtices ſhall order and direct; and if the Owner, or ſuch other Perſon aforeſaid, ſhall not within five Days give Security, according to the Approbation of ſuch Juſtice or Juſtices, to clear the Harbour, Port, Channel or River of ſuch Veſſel, and of all Wreck, and Parts belonging to the ſame, and pay the Charges and Expences of ſeizing, removing and diſpoſing of ſuch Ship or Veſſel, Tackle or Furniture, then to cauſe the Hulk, Rigging or Tackle to be ſold, and with or out of the Money ariſing by ſuch Sale, to pay the Charges and Expences of clearing the Harbour or Place where ſuch Ship or Veſſel ſhall lie; and alſo the Charges and Expences of ſeizing, removing and ſelling ſuch Ship, Veſſel, Furniture and Tackle, rendering the Overplus, if any be, to the Owner or Owners of ſuch Manor where the ſame ſhall happen.

in an Harbour, and permitted to remain there,

Juſtices to ſummon the Owner, &c.

and upon Conviction, to iſſue Warrants for ſeizing and removing the Ship and Tackle,

and unleſs the Owner give Security within 5 Days,

to make Sale of the ſame.

Juſtices to execute this Act indiſcriminately.

IV. And be it further enacted by the Authority aforeſaid, That all and every the Juſtices aforeſaid may, and they are hereby reſpectively authorized and required to put this Act in Execution againſt any Perſon or Perſons within their ſeveral Juriſdictions, although ſuch Juſtice or Juſtices ſhall or may be rated or aſſeſſed, or do, or ſhall, or may actually pay for or towards the Maintenance or Relief of the Poor of any Pariſh, Town or Place, in which any Conviction in purſuance of this Act ſhall be pronounced; any Law or Statute to the contrary thereof notwithſtanding.

Convictions to be final.

V. And be it alſo enacted, That all Convictions, to be pronounced by the Authority of this Act, ſhall be final to all Intents and Purpoſes, not to be appealed from, or removed into any Court of Record at *Weſtminſter*.

Diſtreſs not to be ſold till after 5 Days.

VI. Provided always, and it is hereby further enacted, That none of the Diſtreſſes to be at any Time made by virtue of this Act, or any Part of ſuch Diſtreſſes, ſhall be ſold till after the Expiration of five Days from the Day of making ſuch Diſtreſſes reſpectively; but that it ſhall and may be lawful to and for the Perſons convicted in the mean while (to wit, at any Time before the Expiration of the ſaid five Days) to redeem ſuch Diſtreſs, by Payment of the Money for which the ſame ſhall have been made by virtue hereof, to and for the Uſes and Purpoſes of this Act, together with the Coſts and Charges of and for making, ſeizing, and detaining ſuch Diſtreſs.

Limitation of the Powers of this Act.

VII. Provided nevertheleſs, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, abridge, diminiſh or alter any Right, Benefit or lawful Uſe, that the Lord or Lords, Lady or Ladies of any Manor or Manors adjoining to or bordering upon any Haven, Port, Road, Channel or River, or that any other Perſon or Perſons whatſoever hath or have to ſuch Haven, Port, Channel or River, or to the Banks, Shores or Sides thereof, or any Fiſhery, Manufactures or Royalties therein; nor extend to the caſting out, unlading or throwing out of any Ship, Pink, Crayer, Lighter, Keil-boat or other Veſſel, any Stone, Rocks, Bricks, Lime ot other Materials, uſed or to be uſed, in or towards the building, amending, repairing and keeping in Repair, any Quay, Pier, Wharf, Wear or Bridge, or the Banks or Sides of any Haven, Port, Road, Channel or navigable River within this Realm; but, on the contrary, this Act ſhall be conſtrued and taken to prevent the Miſchiefs to be done in, or to, or upon the ſaid Havens, Ports, Roads, Channels or Rivers, which may any ways tend to obſtruct, prejudice, incommode, hinder or do any Annoyance in the ſaid Havens, Ports, Roads, Channels or Rivers, or prejudice the Navigation therein and not otherwiſe.

VIII. Provided alſo, That nothing herein contained ſhall extend to take away, abridge, diminiſh or limit any former or other Juriſdiction or Right, or Remedy, to puniſh any Nuſance to be done or committed in any Haven, Port, Road, Channel or navigable River.

CAP.

CAP. XXIII.

An Act to continue two Acts of Parliament; one for encouraging the Growth of Coffee in his Majesty's Plantations in *America*, and the other for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in *America*.

'WHEREAS an Act passed in the fifth Year of the Reign of his present Majesty, intituled, *An Act for encouraging the Growth of Coffee in his Majesty's Plantations in* America; and to continue and be in Force from the twenty-fifth Day of *March* one thousand seven hundred and thirty-five, to the twenty-fifth Day of *March* one thousand seven hundred and thirty-nine, and from thence to the End of the then next Session of Parliament: And whereas another Act passed in the sixth Year of the Reign of his said present Majesty, intituled, *An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in* America, to continue and be in Force for the Term of five Years, to be computed from the twenty-fourth Day of *June* one thousand seven hundred and thirty-three, and to the End of the then next Session of Parliament: And whereas by another Act passed in the eleventh Year of the Reign of his said present Majesty, the several Terms granted by the two before mentioned Acts were enlarged and continued from the Expiration of the said Terms, for the further Term of seven Years, and from thence to the End of the then next Session of Parliament: And forasmuch as the said recited Acts have, by Experience, been found beneficial, and are fit to be further continued;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the before mentioned Acts, and each of them, and all the Powers and Clauses therein contained, shall be, and are hereby continued to be in full Force and Effect from and after the Expiration of the respective Terms by the said Acts severally granted, enlarged and continued, for and during the further Term of seven Years, and from thence to the End of the then next Session of Parliament.

5 Geo. 2. c. 24.

6 Geo. 2. c. 13.

11 Geo. 2. c. 18.

The recited Acts continued for 7 Years.

The 5 *Geo.* 2. *c.* 24. *Farther continued by* 25 *Geo.* 2. *c.* 35. 32 *Geo.* 2. *c.* 23. *and the* 6 *Geo.* 2. *c.* 13. 'Farther continued by 26 Geo. 2. c. 32.' *and* 1 *Geo.* 3. *c.* 9

CAP. XXIV.

An Act to impower *Lora Pitt*, Widow, to erect a Bridge or Bridges over the River *Froome*; and to make a Causeway to the East End of the Town of *Dorchester*, over *Forthington Moor* in the County of *Dorset*. PR.

CAP. XXV.

An Act for calling any suspected Person or Persons, whose Estates or principal Residence are in *Scotland*, to appear at *Edinburgh*, or where it shall be judged expedient, to find Bail for their good Behaviour. EXP.

'WHEREAS a wicked and unnatural Rebellion against his Majesty, hath been raised and carried on within that Part of *Great Britain* called *Scotland*: And whereas, at this Juncture, it is necessary for the publick Safety, and for the Safety of every particular Subject, to prevent their being seduced to rebellious, seditious, and unlawful Practices against his Majesty's Sacred Person, Government, and the Laws, and that by such Methods as may be most easy to the Subjects;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifteenth Day of *May* one thousand seven hundred and forty-six, and until the twentieth Day of *November* following, the King's Advocate, or his Deputy of *Scotland*, may and shall, upon a Warrant under his Majesty's Hand, or Sign Manual, apply to the Lords Justice General, Justice Clerk, and Commissioners of Justiciary in *Scotland*, craving that Letters may be issued; and upon Production of such Warrant, the said Lords Justice General, Justice Clerk, and Commissioners of Justiciary or a *Quorum* of them, are hereby authorized and required to cause Letters to be issued in his Majesty's Name, and at the Instance of his Advocate, or his Deputy in *Scotland*, for his Highness's Interest, in common Form, commanding and charging such Person or Persons, having their Estates or ordinary Residence within *Scotland*, to appear at *Edinburgh*, or any other Place or Places in *Scotland* before the said Court of Justiciary, then and there to find sufficient Bail for the loyal and peaceable Behaviour of every such Person or Persons, and to appear when and were the said Court shall direct; and the said Letters are to contain a Warrant for citing of the said Person or Persons, being within *Scotland*, personally, or at their Dwelling-houses, or at the Discretion of the said Court, upon Cause shewn, to cite in the same Manner as by the Law of *Scotland*, where there is no *Tutus Accessus*, is directed upon fifteen free Days, or not being within *Scotland* upon sixty Days, according to the Forms used for citing Persons who are absent out of *Scotland*.

The King's Advocate, &c. in Scotland, upon Warrant or Sign Manual from his Majesty, to apply for Letters.

Lord Justice General, &c. to issue Letters, &c.

Letters to contain a Warrant for citing, as in Cases where there is no Tutus Accessus.

II. And

Persons appearing to find Bail, &c. or be committed.

Penalty of Disobedience.

II. And be it further enacted by the Authority aforesaid, That upon the Appearance of the Person or Persons summoned, pursuant to the Letters aforesaid, it shall be lawful for the said Court, to require such Person or Persons to find sufficient Bail, in such Sum as they in their Discretion shall think fit, not exceeding the Sum of one thousand Pounds Sterling, for the loyal and peaceable Behaviour of every such Person or Persons, and to appear at such Place as the said Court shall appoint, at any Time within the Space of six Calendar Months from the Date of such Bail; and every such Person refusing or neglecting to give such Bail, shall by the Court be committed to Prison for the Space of six Months, or until such Bail shall be found; and every Person being guilty of wilful Disobedience, in not appearing pursuant to such Summons, shall incur the Penalty of Single and Life Rent Escheat, to be brought in for his Majesty's Use, and shall be further fined in the Sum of five hundred Pounds Sterling, and be liable to one Year's Imprisonment.

CAP. XXVI.

An Act to attaint *Alexander* Earl of *Kellie*, *William* Viscount of *Strathallan*, *Alexander* Lord *Pitsligo*, *David Wemyss* Esquire, commonly called Lord *Elcho*, eldest Son and Heir Apparent of *James* Earl of *Wemyss*; *James Drummond* Esquire, eldest Son and Heir Apparent of *William* Viscount of *Strathallan*; *Simon Fraser* Esquire, eldest Son and Heir Apparent of *Simon* Lord *Lovat*; *George Murray* Esquire, commonly called Lord *George Murray*, Brother to *James* Duke of *Athol*; *Lewis Gordon* Esquire, commonly called Lord *Lewis Gordon*, Brother to *Cosmo George* Duke of *Gordon*; *James Drummond*, taking upon himself the Title of Duke of *Perth*; *James Graham*, late of *Duntroon*, taking on himself the Title of Viscount of *Dundee*; *John Nairn*, taking upon himself the Title or Stile of Lord *Nairn*; *David Ogilvie*, taking upon himself the Title of Lord *Ogilvie*; *John Drummond*, taking upon himself the Stile or Title of Lord *John Drummond*, Brother to *James Drummond*, taking on himself the Title of Duke of *Perth*; *Robert Mercer* Esquire, otherwise *Nairn*, of *Aldie*; Sir *William Gordon* of *Park*, *John Murray* of *Broughton*, Esquire; *John Gordon* the elder, of *Glenbucket*; *Donald Cameron* the younger, of *Lochiel*; Doctor *Archibald Cameron*, Brother to *Donald Cameron* the younger, of *Lochiel*; *Ludovick Cameron* of *Tor Castle*, *Alexander Cameron* of *Dungallon*; *Donald Mac Donald* of *Clanronald*, junior, Son to *Rhonald Mac Donald* of *Clanronald*, *Donald Mac Donald* of *Lochgarie*, *Alexander Mac Donald* of *Keppoch*, *Archibald Mac Donold*, Son of *Col Mac Donald* of *Barisdale*; *Alexander Mac Donald* of *Glencoe*, *Evan Mac Pherson* of *Clunie*, *Lauchlan Mac Lauchlan* of *Castle Lauchlan*, *John Mac Kinnon* of *Mac Kinnon*, *Charles Stewart* of *Ardshiel*, *George Lockhart*, eldest Son and Heir Apparent of *George Lockhart* of *Carnwath*; *Lawrence Oliphant* the elder, of *Gask*; *Lawrence Oliphant* the younger, of *Gask*; *James Graham* the younger, of *Airth*; *John Stewart*, commonly called *John Roy Stewart*; *Francis Farquharson* of *Monalterye*, *Alexander Mac Gilivrae* of *Drumaglass*; *Lauchlan Mac Intosh*, Merchant at *Inverness*; *Malcolm Ross*, Son of *Alexander Ross* of *Pitcalny*; *Alexander Mac Leod*, Son to Master *John Mac Leod* Advocate; *John Hay*, Portioner of *Restalrig*, Writer to the Signet; *Andrew Lumsdale*, otherwise *Lumsdain*, Son to *William Lumsdale*, otherwise *Lumsdain*, Writer in *Edinburgh*; and *William Fidler*, Clerk in the Auditor's Office in the Exchequer of *Scotland*; of High Treason, if they shall not render themselves to one of his Majesty's Justices of the Peace, on or before the twelfth Day of *July* in the Year of our Lord one thousand seven hundred and forty-six, and submit to Justice. PR.

CAP. XXVII.

CAP. XXVII.

An Act for the more effectual securing the Duties now payable on Foreign-made Sail Cloth imported into this Kingdom; and for charging all Foreign-made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged at their first setting out to Sea, to be furnished with one compleat Set of Sails made of *British* Sail Cloth.

'WHEREAS by an Act made and passed in the ninth Year of the Reign of his present Majesty, intituled, *An Act for further encouraging and regulating the Manufacture of* British *Sail Cloth; and for the more effectual securing the Duties now payable on Foreign Sail Cloth imported into this Kingdom*; and which by an Act made in the thirteenth Year of his present Majesty, was continued to the twenty-fifth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament; it was enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and thirty-six, all Foreign-made Sail Cloth or Canvas, usually entered as *Hollands Duck* or *Vitry Canvas*, which should be fit and proper to be made use of for the making of Sails, for navigating Ships or Vessels, and which should be imported into *Great Britain* by way of Merchandize, and for which any Duties had been granted, or were made payable, or ought to be paid to his Majesty, should be stamped at the Time of landing thereof, at or in the Port or Place where the same should be imported or landed; and that the Commissioners of the Customs of *Great Britain* should provide, or cause to be provided, and to be distributed to the proper Officers of the Customs of the Ports where such Foreign-made Sail Cloth or Canvas should be imported, a sufficient Number of Stamps, with which the said Officers were thereby required to stamp every such Piece or Parcel of Foreign-made Sail Cloth or Canvas; and which Stamps should express or denote the Place or Country from whence the same Sail Cloth or Canvas was imported; and the said Commissioners were thereby required to take Care that the said Stamps should be so contrived, that the Impression thereof might be durable, and so as the same might be the least liable to be counterfeited; and divers Penalties and Forfeitures were by the said Act directed to be levied and inflicted, in order to prevent the counterfeiting of such Stamps, and selling Foreign-made Sail Cloth or Canvas with counterfeit Stamps, and the working up the same unstamped, in such Manner as is therein mentioned: And whereas not only great Numbers of Sails made up in Foreign Parts, made of Foreign Canvas are used by Masters of Ships and Vessels for navigating such Ships and Vessels into this Kingdom, but also great Quantities of Foreign-made Sail Cloth and Canvas, fit for making Sails, are imported into, and made and wrought up into Sails in this Kingdom, without paying the Duty, or being stamped as by the former Laws is directed, to the great Prejudice of his Majesty's Subjects, and the Diminution of the publick Revenue;' For the remedying and preventing whereof for the future, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fouth Day of *June* in the Year of our Lord one thousand seven hundred and forty-six, every Master of any Ship or Vessel belonging to any of his Majesty's Subjects, navigated with any Foreign-made Sail or Sails, or who shall have any Foreign-made Sail or Sails on board his Ship or Vessel, shall, at the Time of making his Entry or Report of such Ship or Vessel at the Custom-house where such Ship or Vessel shall be entered, also make an Entry and Report upon Oath, of all and every Foreign-made Sail and Sails used in, or being on board every such Ship or Vessel; and the Master of such Ship or Vessel shall, before such Ship or Vessel shall be cleared by the Officers of the Customs inwards, where such Ship or Vessel makes any Discharge of her Lading, pay to his Majesty, his Heirs and Successors, the like and the same Duties as are charged upon, and made payable by an Act of the twelfth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain, for all Foreign-made Sails imported by way of Merchandize.

9 Geo. 2. c. 37.
13 Geo. 2. c. 28.
For former Provisions refer to 1 *Jac.* 1. c. 24. 7 & 8 *W.* 3. c. 20 & 39. 12 *Ann. st.* 1. c. 16. 4 *Geo.* 2. c. 27. 10 *Geo.* 2. c. 27.
Masters of Ships to make Entry upon Oath of all Foreign-made Sails on board;
and before clearing, pay the Duties charged by 12 Anne, st. 1. c. 16.

II. And it is hereby further enacted, That every such Sail shall be stamped at the Port or Place where such Ship or Vessel shall make her Entry as aforesaid, in Manner herein after mentioned; and in case the Master of such Ship or Vessel shall not make such Entry, and pay the said Duty, before the Ship or Vessel shall be cleared by the Officers of the Customs inwards, all and every such Sail and Sails shall be forfeited to his Majesty, his Heirs and Successors; and such Master shall for every such Offence also forfeit the Sum of fifty Pounds, which said Sum of fifty Pounds shall be applied, one Moiety thereof to the Use of his Majesty, his Heirs and Successors, and the other Moiety thereof to the Person of Persons who shall sue for the same.

Sails to be stamped at the Place of Entry. On Non-entry, &c. the Sails to be forfeited:
The Master to forfeit 50 l.

III. Provided always, and it is hereby enacted and declared, That if the Master of such Ship or Vessel shall, after his Report and Entry made, and before the Ship or Vessel is cleared by the Officers of the Customs inwards, declare his Intention of not choosing to pay the said Duty, and shall deliver to the Officer of the Customs of the Port or Place where he makes such Entry and Report as aforesaid, such Sail or Sails for which he has declared his Intention of not paying the said Duty; that then, and in such Case, such Sail and Sails is and are hereby declared to be forfeited to his Majesty, his Heirs and Successors, and such Master shall not be subject or liable to pay the said Duty or Penalty of fifty Pounds; any thing herein contained to the contrary in any wise notwithstanding.

Masters not choosing to pay the Duty,
and delivering the Sails to the Officer of the Port,
the Sails to be forfeited.

Sails brought from the East-Indies, exempted from Duty.

IV. Provided always, and it is hereby further enacted and declared, That nothing herein contained ſhall be deemed, conſtrued, adjudged or taken to charge or make liable any Captain or Maſter of any Ship or Veſſel, coming from the *Eaſt Indies*, with any of the Duties or Forfeitures aforeſaid, for or upon Account of ſuch Ship or Veſſel being navigated with, or having on board any Foreign made Sail or Sails, which ſhall be by ſuch Captain or Maſter, *bona fide*, brought from the *Eaſt-Indies*; any thing in this Act to the contrary in any wiſe notwithſtanding.

Foreign made Sail Cloth imported,

to be ſtamped at the landing.

V. And be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, all foreign made Sail Cloth or Canvas, uſually entered as *Hollands Ducks* or *Vitry Canvas*, fit and proper to be made uſe of for the making of Sails for navigating of Ships or Veſſels, which ſhall be imported into *Great Britain*, by way of Merchandize, and upon the Importation whereof any Duties have been granted or are made payable, or which ought to be paid to his Majeſty, his Heirs and Succeſſors, ſhall be ſtamped at the Time of landing thereof, at or in the Port or Place where the ſame ſhall be imported or landed, as hereafter mentioned.

Stamps of 8 Inches Diameter to be made, &c.

'VI. And whereas the Stamps now uſed at the Cuſtom-houſe, in purſuance of the ſaid former Act, 'are of too ſmall Dimenſions, and, as the ſame are now uſed and applied, make a very obſcure Mark 'and Impreſſion, and which is liable to be ſoon defaced and become undiſtinguiſhable;' It is therefore further enacted by the Authority aforeſaid, That the Commiſſioners of the Cuſtoms of *Great Britain* ſhall, on or before the ſaid twenty-fourth Day of *June*, provide or cauſe to be provided, ſuch and ſo many Stamps of eight Inches Diameter each, as ſhall be ſufficient for that Purpoſe, for the ſtamping of all foreign made Sails, and foreign made Sail Cloth or Canvas, and ſhall for that Purpoſe cauſe a proper Number of the ſaid Stamps to be ſent to, and diſtributed amongſt the reſpective proper Officers of the Cuſtoms of all and every the Port and Ports within the Kingdom of *Great Britain*; and the Officers of every ſuch Port are hereby enjoined and required to ſtamp all ſuch foreign-made Sails, and foreign-made Sail Cloth or Canvas, which ſhall be imported and entered at the ſeveral Ports where they reſpectively reſide; and which ſaid Stamps ſhall, in order to make the Impreſſion durable, be dipped in a Liquor made of red Lead well mixed with linſeed Oil well boiled; and the ſaid Stamp or Impreſſion therewith to be made, ſhall expreſs and denote the Place and Port in which ſuch Sails, and foreign made Sail Cloth or Canvas are entered; and the ſaid Commiſſioners, in providing the ſaid Stamps for the Purpoſes aforeſaid, ſhall take care that they be ſo contrived, that the Impreſſion thereof may be plain and durable, ſo as the ſame may be leaſt liable to be forged or counterfeited; and if any Perſon or Perſons whatſoever ſhall, at any Time or Times from and after the ſaid twenty-fourth Day of *June*, counterfeit or forge any Stamp, which ſhall be provided or made in purſuance of this Act for the Purpoſes aforeſaid, or ſhall counterfeit or reſemble the Impreſſion of the ſame, upon any of the ſaid foreign made Sail Cloth or Canvas, or foreign made Sails, chargeable with any Duty by virtue of this Act, or of any former Act or Acts of Parliament made in that Behalf; or ſhall ſell ſuch Sail Cloth or Canvas with ſuch counterfeit or forged Stamps, knowing the ſame to be counterfeited or forged, thereby to defraud his Majeſty, his Heirs or Succeſſors, of any of the Duties thereby and hereby granted; then every ſuch Perſon ſo offending, and duly convicted thereof, ſhall forfeit the Sum of fifty Pounds.

Stamps to be dipped in red Lead and Oil; and to denote the Place of Entry of the Sail Cloth.

Forging the Stamps, &c.

to forfeit 50l.

Foreign made Sail Cloth made up unſtamped,

to be forfeited, and the Sail maker, &c.

to pay 50l.

to be levied by Diſtreſs;

or be committed for ſix Months.

VII. And it is hereby further enacted, That from and after the ſaid twenty-fourth Day of *June*, no Maſter Sail-maker, Journeyman Sail-maker, or other Perſon or Perſons whatſoever, within *Great Britain*, and from and after the twenty-ninth Day of *December* one thouſand ſeven hundred and forty-ſix, no Maſter Sail-maker, Journeyman Sail-maker, or other Perſon or Perſons whatſoever, in his Majeſty Plantations in *America*, ſhall make or work up into Sails or Tarpawlins, or cauſe to be made or worked up into Sails or Tarpawlins, any foreign made Sail Cloth or Canvas not ſtamped according to this Act; and in caſe any Maſter or Journeyman Sail-maker, or other Perſon or Perſons whatſoever, ſhall make or work up, or cauſe to be made or worked up, into Sails or Tarpawlins, any foreign Sail Cloth or Canvas, other than as aforeſaid, ſuch Sails and Tarpawlins ſhall be forfeited; and every ſuch Maſter or Journeyman Sail-maker, or ſuch other Perſon or Perſons ſo offending, and being thereof lawfully convicted upon the Oath of one or more credible Witneſs or Witneſſes, before any one or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion, City, Town or Place where the ſaid Offence ſhall be committed (which Oath ſuch Juſtice and Juſtices is and are hereby impowered and required to adminiſter) ſhall forfeit the Sum of fifty Pounds for every Sail or Tarpawlin by him or them ſo made, or cauſed to be made, not being ſtamped as aforeſaid; which ſaid Penalty or Forfeiture of fifty Pounds ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of two or more Juſtices of the Peace for the County, Riding, Diviſion, City, Town or Place where the Offence ſhall be committed, and ſhall go and be applied to the Uſe of the Informer or Informers; and for want of ſuch Diſtreſs, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices, by like Warrant or Warrants, to commit ſuch Maſter or Journeyman Sail-maker, or other Perſon, to the Gaol of the County, City, Riding, Diviſion, Town or Place where ſuch Offence was committed, there to remain without Bail or Mainprize for the Space of ſix Months, or until he pays the ſaid Penalty of fifty Pounds.

Stamps to be put on the after Side of the Sails, &c.

VIII. And be it further enacted, That every Sail-maker or other Perſon, who ſhall make up into Sails any foreign made Sail Cloth or Canvas, ſhall place the Stamps affixed or impreſſed on ſuch foreign Sail Cloth or Canvas in the moſt conſpicuous Part of ſuch Sails (that is to ſay) on the after Side of ſuch Sails, and in ſuch Manner, that the Number of Stamps in every Sail may appear proportionably to the Number of Bolts or Pieces contained in the ſaid Sail; and in caſe any Sail-maker or other Perſon ſhall make up any foreign made Sail Cloth or Canvas into Sails, in any other Manner than aforeſaid

aforesaid, such Sails shall be forfeited, and such Sail-maker or such other Person shall, for every such Offence, forfeit the Sum of ten Pounds. Penalty 10 l.

IX. And be it enacted by the Authority aforesaid, That no Master Sail-maker, Journeyman Sail-maker or other Person whatsoever, shall, after the twenty-fourth Day of *June* one thousand seven hundred and forty-seven, alter, repair or mend any Sail or Sails made of foreign made Sail Cloth or Canvas, not stamped according to this Act; and in case any Master or Journeyman Sail-maker, or other Person, shall alter, repair or mend any Sail or Sails not stamped as aforesaid, every such Master and Journeyman Sail-maker, or other Person, shall, for every Sail so altered, repaired or mended, forfeit the Sum of twenty Pounds. Foreign made Sail Cloth unstamped, not to be mended, &c. Penalty 20 l.

X. And be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-six, every Sail-maker in *Great Britain*, and from and after the twenty-ninth Day of *December* one thousand seven hundred and forty-six, every Sail-maker in his Majesty's Plantations in *America* shall affix or impress, or cause to be affixed or impressed, on every new Sail by him so made, a Stamp of eight Inches Diameter, containing the Name and Place of Abode of such Sail-maker, in plain distinct Letters and Words at Length; and which said Stamp, in order to make the Impression durable, shall be dipped in a Liquor made with Lamp Black well mixed with Linseed Oil well boiled; and in case any Sail-maker or other Person shall make any new Sail or Sails, and shall deliver the same to any Captain or Master of any Ship or Vessel, not being stampt with his Name and Place of Abode as aforesaid, every such Sail shall be forfeited, and every Sail-maker or other Person shall, for every Sail by him or them so delivered, not stamped as aforesaid, forfeit the Sum of ten Pounds. New Sails to be stamped with the Maker's Name, &c. under Forfeiture of the Sails and 10 l.

'XI. And whereas Doubts have arisen about the Meaning of a Clause in the said Act of the ninth 'Year of his present Majesty's Reign, by which Ships or Vessels are obliged, at their first setting out, 'or being first navigated at Sea, to be furnished with one full and complete Set of Sails made of Sail 'Cloth manufactured in *Great Britain*:' To obviate such Doubts for the future, be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-six, every Ship or Vessel which shall be built in *Great Britain*, and from and after the twenty-ninth Day of *December* one thousand seven hundred and forty-six, every Ship or Vessel which shall be built in his Majesty's Plantations in *America*, shall, upon her first setting out, or being first navigated, have or be furnished with one full and compleat Set of new Sails (*bona fide*, belonging to such Ship or Vessel) made of Sail Cloth manufactured in *Great Britain*; and in case such Ship or Vessel shall not, on her first setting out, be fitted or furnished with a new Set of Sails, properly belonging to such Ship or Vessel, made of Sail Cloth of the Manufacture of *Great Britain* as aforesaid; that then, and for every such Neglect or Default, the Master of such Ship or Vessel shall forfeit the Sum of fifty Pounds. Ships new built in Great Britain or America, on first setting out, to be furnished with a Set of new Sails, manufactured in Great Britain, Penalty 50 l.

XII. And it is hereby further enacted by the Authority aforesaid, That the several pecuniary Penalties and Forfeitures herein before imposed on Persons offending against this Act (not otherwise directed and applied) shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record in *Great Britain*, or in such of his Majesty's Plantations wherein such Offence shall be committed; in which Suit no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; which said Forfeitures shall be applied, one Moiety thereof to his Majesty, his Heirs and Successors, and the other Moiety thereof to the Person or Persons who shall sue for the same. Penalties how to be recovered, and disposed.

XIII. And be it enacted by the Authority aforesaid, That this Act shall continue and be in Force for the Term of seven Years, to commence from the twenty-fourth Day of *June* one thousand seven hundred and forty-six, and from thence to the End of the then next Session of Parliament, and no longer. This Act to continue for 7 Years. Farther continued by 26 Geo. 2. c. 32.' *and again by* 32 *Geo.* 2. *c.* 23. *See also* 25 *Geo.* 2. *c.* 21 & 32.

CAP. XXVIII.

An Act for the better regulating of Elections of Members to serve in Parliament, for such Cities and Towns in that Part of *Great Britain* called *England*, as are Counties of themselves.

'WHEREAS by an Act made and passed in the last Session of Parliament, intituled, *An Act to 'explain and amend the Laws, touching the Elections of Knights of the Shire to serve in Parliament for 'that Part of* Great Britain *called* England, several good Provisions were enacted for the better regulating 'the said Elections: And whereas it is reasonable, that like Provisions should be made for the due 'Election of Members to serve in Parliament, for such Cities and Towns in that of *Great Britain* 'called *England*, as are Counties of themselves, and in which Persons have a Right to vote for electing 'such Members, for and in respect of Freehold Lands, Tenements or Hereditaments, of the yearly Va'lue of forty Shillings;' Therefore be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-six, every Person demanding to vote for the Election of any Member to serve in Parliament for such City or Town, being a County of itself, in that Part of *Great Britain* called *England*, for and in respect of any Freehold Estate of forty Shillings a Year, shall, before he is admitted to poll at the said Election (if required by the Candidates, or any of them, or any Person having 18 Geo. 2. c. 18. Persons demanding to vote for the Election of Members, if required, to take the Oath following, &c.

ing a Right to vote at the ſaid Election) firſt take the Oath (or being a *Quaker*, the ſolemn Affirmation) following, *videlicet:*

The Oath.

YOU ſhall ſwear (or, being a *Quaker*, you ſhall ſolemnly affirm) *That you have a Freehold Eſtate, conſiſting of* (ſpecifying the Nature of ſuch Freehold Eſtate, whether Meſſuage, Land, Rent, Tythe, or what elſe; and if ſuch Freehold Eſtate conſiſts in Meſſuages, Lands or Tithes, then ſpecifying in whoſe Occupation the ſame are; and if Rent, then ſpecifying the Names of the Owners or Poſſeſſors of the Lands or Tenements, out of which ſuch Rent is iſſuing, or ſome or one of them) *lying or being in the City and County, or Town and County* (as the Caſe may be) *of of the clear yearly Value of forty Shillings, over and above all Rents and Charges payable out of, or in reſpect of the ſame; and that you have been in the actual Poſſeſſion or Receipt of the Rents and Profits thereof, for your own Uſe, above twelve Calendar Months; or that the ſame came to you within the Time aforeſaid, by Deſcent, Marriage, Marriage Settlement, Deviſe, or Promotion to a Benefice in a Church, or by Promotion to an Office; and that ſuch Freehold Eſtate has not been granted or made to you fraudulently, on Purpoſe to qu lify you to give your Vote; and that the Place of your Abode is at in and that you are twenty-one Years of Age, as you believe; and that you have not been polled before at this Election.*

The Oath, &c. by whom to be adminiſtered.

Which Oath (or ſolemn Affirmation) the Sheriff or Sheriffs, by him or themſelves, or his or their Under Sheriff or Under Sheriffs, or ſuch ſworn Clerk or Clerks, as ſhall be by him or them appointed for the taking of the Poll, is and are hereby required to adminiſter; and in caſe any Freeholder, or other Perſon, taking the ſaid Oath or Affirmation hereby appointed, ſhall thereby commit wilful Perjury, and be thereof convicted; and if any Perſon do unlawfully and corruptly procure or ſuborn any Freeholder, or other Perſon, to take the ſaid Oath or Affirmation, in order to be polled, whereby he ſhall commit ſuch wilful Perjury, and ſhall be thereof convicted; he and they, for every ſuch Offence, ſhall incur ſuch Pains and Penalties, as are in and by two Acts of Parliament, the one made in the fifth Year of the Reign of the late Queen ELIZABETH, intituled, *An Act for Puniſhment of ſuch Perſons as ſhall procure or commit wilful Perjury*; the other made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual preventing and further Puniſhment of Forgery, Perjury, Subornation of Perjury; and to make it Felony to ſteal Bonds, Notes or other Securties for Payment of Money*; directed to be inflicted for Offences committed contrary to the ſaid Acts.

Wilful Perjury and Subornation to be puniſhed as by

5 Eliz. c. 9.

& 2 Geo. 2. c. 25.

10 Annæ, c. 23.

'II. And whereas by an Act made in the tenth Year of the Reign of Queen ANNE, intituled, *An Act for the more effectual preventing fraudulent Conveyances, in order to multiply Votes for electing Knights of Shires to ſerve in Parliament*; it was enacted, That no Perſon ſhould vote for the electing a Knight of the Shire within that Part of *Great Britain* called *England*, in Reſpect or in Right of any Lands or Tenements which had not been charged or aſſeſſed to the publick Taxes, Church Rates, and Pariſh Duties, in ſuch Proportion as other Lands or Tenements of forty Shillings *per Annum*, within the ſame Pariſh or Townſhip where the ſame ſhould lie, or had been uſually charged: And whereas by an Act

12 Annæ, ſt. 1. c. 5.

of Parliament made in the twelfth Year of the Reign of her ſaid late Majeſty Queen ANNE, for explaining the ſaid recited Clauſe, it is enacted, that the ſaid Act, or any Thing therein contained, ſhall not extend, or be conſtrued to reſtrain any Perſon from voting in ſuch Election of any Knight of a Shire within that Part of *Great Britain* called *England*, in Reſpect or in Right of any Rents, Tithes, or other Incorporeal Inheritances, or any Meſſuages or Lands in extraparochial Places, or any Chambers in the Inns of Court, or Inns of Chancery, or any Meſſuages or Seats belonging to any Offices, in Regard or by Reaſon that the ſame have not been uſually charged or aſſeſſed to all or any the publick Taxes, Church Rates and Pariſh Duties aforeſaid; or in Reſpect or Right of any other Meſſuages or Lands not therein before ſpecified, in Regard or by Reaſon that the ſame have not been uſually charged or aſſeſſed to all and every the publick Taxes, Church Rates and Pariſh Duties aforeſaid; provided that ſuch Meſſuages or Lands have uſually been charged or aſſeſſed to ſome one or more of the ſaid publick Taxes, Rates or Duties, in ſuch Proportion as other Meſſuages or Lands of forty Shillings *per Annum* in the ſame Pariſh or Townſhip, where the ſame ſhall lie or be, are uſually charged to the ſame: Which ſaid Proviſions are recited in an Act of Parliament made

13 Geo. 2. c. 20.

in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectually preventing fraudulent Qualifications of Perſons to vote as Freeholders in the Election of Members to ſerve in Parliament, for ſuch Cities and Towns as are Counties of themſelves, in that Part of* Great Britain *called* England; and are therein enacted to extend, and to be conſtrued to extend, to ſuch Lands or Tenements, for or in Reſpect of which any Perſon ſhall vote for the Election of any Member to ſerve in Parliament for any ſuch City or Town as aforeſaid, being a County of itſelf, in that Part of *Great*

18 Geo. 2. c. 18.

Britain called *England*: And whereas by an Act paſſed in the laſt Seſſion of this preſent Parliament, it is enacted, That ſo much of the ſaid recited Acts of the tenth and twelfth Years of the Reign of the late Queen ANNE, as diſables any Perſon to vote for Knights of Shires in Reſpect or in Right of any Lands or Tenements which have not been charged or aſſeſſed as therein mentioned, ſhall be and is repealed;' Be it enacted by the Authority aforeſaid, That ſo much of the ſaid recited Act of the thirteenth Year of the Reign of his preſent Majeſty, as extends the ſaid Proviſions to ſuch Cities and Towns that are Counties of themſelves as aforeſaid, ſhall alſo, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, be, and is hereby repealed.

Part of the Act of 13 Geo. 2. repealed.

Qualification of Perſons who ſhall vote for Members for Cities or Towns being Counties.

III. Provided always, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, no Perſon ſhall vote for the electing a Member or Members to ſerve in Parliament for ſuch City or Town, being a County of itſelf as aforeſaid, within that Part of *Great Britain* called *England*, in Reſpect or in Right of any Freehold Meſſuages, Lands or Tenements, of the

the yearly Value of forty Shillings as aforeſaid, which have not been charged or aſſeſſed towards ſome Aid granted, or hereafter to be granted to his Majeſty, his Heirs or Succeſſors, by a Land Tax in *Great Britain*, twelve Calendar Months next before ſuch Election: Provided, That nothing herein contained ſhall extend, or be conſtrued to reſtrain any Perſon from voting in any ſuch Election for Cities and Towns as are Counties of themſelves as aforeſaid, in Reſpect or in Right of any Rents, or any Meſſuages or Seats belonging to any Offices, in Regard or by Reaſon that the ſame have not been uſually charged or aſſeſſed to the Aid commonly called the *Land Tax*; and the acting Commiſſioners of the Land Tax for the time being, or any three or more of them, at their Meetings, ſhall ſign and ſeal one other Duplicate of the Copies of the Aſſeſſment or Aſſeſſments to be delivered to them by the Aſſeſſors, after all Appeals determined, and the ſame ſhall deliver, or cauſe to be delivered, to the Perſons officiating as Clerks of the Peace within the Diſtricts of the ſaid Cities and Towns, being Counties of themſelves as aforeſaid reſpectively, to be by them kept amongſt the Records of the Seſſions, to which all Perſons may reſort at all ſeaſonable Times, and inſpect the ſame, paying ſix Pence for ſuch Inſpection; and the ſaid Perſons officiating as Clerks of the Peace, or their Deputies, are hereby required forthwith to give Copies of the ſaid Duplicates, or any Part thereof, to any Perſon or Perſons who ſhall require the ſame, paying after the Rate of ſix Pence for every three hundred Words; and ſo in Proportion for any greater or leſs Number.

Exception.

Commiſſioners of the Land Tax to ſign Duplicates of the Aſſeſſments, to be delivered to the Clerks of the Peace, &c. and filed.

Copies to be given to Perſons paying for them.

IV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, no Perſon ſhall vote in ſuch Election of a Member or Members to ſerve in Parliament for any City or Town, being a County of itſelf, and in which Perſons have a Right to vote for ſuch Members, for and in reſpect of Lands, Tenements or Hereditaments, of the yearly Value of forty Shillings, unleſs ſuch Perſons ſhall have a freehold Eſtate in the City and County, or Town and County for which he votes, of the clear yearly Value of forty Shillings, over and above all Rents and Charges payable out of or in reſpect of the ſame, and ſhall have been in the actual Poſſeſſion, or in Receipt of the Rents and Profits thereof for his own Uſe, above twelve Calendar Months, except the ſame came to him within the Time aforeſaid by Deſcent, Marriage, Marriage Settlement, Deviſe or Promotion to any Benefice in a Church, or by Promotion to an Office; and no Perſon ſhall vote in Reſpect or in Right of any Freehold Eſtate which was made or granted to him fraudulently, on purpoſe to qualify him to give his Vote, or ſhall vote more than once at the ſame Election; and if any Perſon ſhall vote in any ſuch Election contrary to the true Intent and Meaning hereof, he ſhall forfeit to any Candidate for whom ſuch Vote ſhall not have been given, and who ſhall firſt ſue for the ſame, the Sum of forty Pounds, to be recovered by him or them, his or their Executors or Adminiſtrators, together with full Coſts of Suit, by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, Privilege or Imparlance ſhall be admitted or allowed; and in every ſuch Action the Proof ſhall lie on ſuch Perſon againſt whom the ſame was brought, unleſs the Fact on which ſuch Action is grounded be, the having polled more than once at the ſame Election.

Perſons voting, to have a Freehold Eſtate of forty Shillings, &c.

and to be in Poſſeſſion above 12 Months. Exception.

Penalty of fraudulent Qualification, &c.

The Proof where to lie, &c.

V. And be it declared by the Authority aforeſaid, That no Publick or Parliamentary Tax, Church or Pariſh Rate or Duty, or any other Tax, Rate or Aſſeſſment whatſoever, to be aſſeſſed or levied within ſuch Cities or Towns, being Counties of themſelves as aforeſaid, is or ſhall be deemed or conſtrued to be any Charge payable out of or in reſpect of any Freehold Eſtate within the Meaning and Intention of this Act, or of the Oath or ſolemn Affirmation herein before directed to be adminiſtered to and taken by every Freeholder, if required, as aforeſaid.

Taxes not within this Act.

VI. And be it further enacted by the Authority aforeſaid, That the Sheriff or Sheriffs of any City or Town, being a County of itſelf, in that Part of *Great Britain* called *England*, or in his or their Abſence, his or their under Sheriff or under Sheriffs, or ſuch other Perſon as he or they ſhall depute, ſhall, at every Election of any Member or Members to ſerve in Parliament for ſuch City or Town, allow a Cheque Book for every Poll Book for each Candidate, to be kept by their reſpective Inſpectors, at the Place where the Poll for ſuch Election ſhall be taken or carried on.

Sheriff to allow a Cheque Book for every Poll Book.

VII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, the Sheriff or Sheriffs of every City or Town, being a County of itſelf, and having a Right to elect a Member or Members of Parliament by virtue of the Writ iſſuing out of *Chancery*, without any Precept thereupon, within that Part of *Great Britain* called *England*, ſhall forthwith, upon the Receipt of the Writ for Election of a Member or Members to ſerve in Parliament for ſuch City or Town, cauſe publick Notice to be given of the Time and Place of Election, and ſhall proceed to Election thereupon, within the Space of eight Days next after that of his Receipt of the ſaid Writ, and give three Days Notice thereof at leaſt, excluſive of the Day of the Receipt of the Writ, and of the Day of Election.

Sheriffs to give publick Notice, &c.

and to proceed to Election within 8 Days after Receipt of the Writ.

VIII. And be it further enacted by the Authority aforeſaid, That in caſe any Sheriff or under Sheriff, preſiding at any Election of a Member or Members to ſerve in Parliament for any ſuch City or Town, being a County of itſelf as aforeſaid, within that Part of *Great Britain* called *England*, ſhall wilfully offend againſt, or act contrary to the true Intent and Meaning of this Act, every ſuch Sheriff or under Sheriff ſhall be liable to be proſecuted by Information or Indictment in his Majeſty's Court of *King's Bench* at *Weſtminſter*, or at the Aſſizes for the City or Town where ſuch Offence ſhall be committed, in which no *Noli proſequi*, or *Ceſſat Proceſſus* ſhall be granted; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

Sheriffs offending,

may be proſecuted in the King's Bench, &c.

IX. And

Plaintiffs how to proceed.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be ſufficient for the Plaintiff, in any Action of Debt given by this Act, to ſet forth in the Declaration or Bill, that the Defendant is indebted to him in the Sum of and to alledge the particular Offence for which the Action or Suit is brought, and that the Defendant hath acted contrary to this Act, without mentioning the Writ of Summons to Parliament, or the Return thereof; and it ſhall be ſufficient in any Indictment or Information for any Offence committed contrary to this Act, to alledge the particular Offence charged upon the Defendant, and that the Defendant is guilty thereof, without mentioning the Writ of Summons to Parliament, or the Return thereof; and upon Trial of any Iſſue in any ſuch Action, Suit, Indictment or Information, the Plaintiff, Proſecutor or Informer ſhall not be obliged to prove the Writ of Summons to Parliament, or the Return thereof, or any Warrant or Authority to the Sheriff or Sheriffs, grounded upon any ſuch Writ of Summons.

Suits to be commenced within 9 Months.

X. Provided always, That every Action, Suit, Indictment or Information given by this Act, ſhall be commenced within the Space of nine Calendar Months after the Fact upon which the ſame is grounded ſhall have been committed.

Statutes of Jeofails extended to ſuch Proceedings.

XI. And be it further enacted by the Authority aforeſaid, That all the Statutes of Jeofails, and Amendments of the Law whatſoever, ſhall and may be conſtrued to extend to all Proceedings in any Action, Suit, Indictment or Information given or allowed by this Act, or which ſhall be brought in purſuance thereof.

Plaintiff diſcontinuing, &c. ſhall pay treble Coſts.

XII. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe the Plaintiff or Informer, in any Action, Suit, Indictment or Information given by this Act, ſhall diſcontinue the ſame, or be nonſuited, or Judgment be otherwiſe given againſt him; then, and in any of the ſaid Caſes, the Defendant againſt whom ſuch Action, Suit or Information ſhall have been brought, ſhall recover his treble Coſts.

Limitation of this Act.

XIII. Provided always, and be it enacted by the Authority aforeſaid, That this Act, or any thing therein contained (other than and except ſuch Clauſes and Proviſions as are by this Act made for or concerning allowing Cheque Books, or for or concerning Notice to be given of the Time and Place of Election, and proceeding to Election thereupon) ſhall not extend, or be conſtrued to extend, to any City or Town, being a County of itſelf, or to any Perſon or Perſons, where the Right of voting for any Member or Members of any ſuch City or Town is, for or in reſpect of Burgage Tenure, or where the Right of voting for ſuch Member or Members, for or in reſpect of a Freehold, does not require the ſame to be of the yearly Value of forty Shillings.

See further 31 *Geo.* 2. *c.* 14. 33 *Geo.* 2. *c.* 20.

CAP. XXIX.

An Act for ſettling an additional Revenue of twenty-five thouſand Pounds upon his Royal Highneſs WILLIAM Duke of *Cumberland*, and the Heirs Males of his Body, for the ſignal Services done by his Royal Highneſs to his Country.

May it pleaſe your moſt Excellent Majeſty,

'WHEREAS by the glorious Succeſs with which it has pleaſed Almighty God to bleſs your Ma'jeſty's Arms, under the auſpicious Conduct of your Majeſty's dearly beloved Son the Duke 'of *Cumberland*, we may reaſonably hope for a happy and ſpeedy End of the preſent wicked and unna'tural Rebellion:' In return therefore for your Majeſty's unwearied Care and affectionate Concern for the Safety and Proſperity of your People, of which the expoſing a Life ſo juſtly valuable to your Majeſty, is a moſt endearing Proof, we beg Leave to offer your Majeſty the warmeſt Aſſurances of that Duty and Loyalty which muſt ever flow from Hearts full of Gratitude and Affection: And that we may in ſome meaſure expreſs the deep Senſe we have of the indefatigable Labours his Royal Highneſs the Duke of *Cumberland* has undergone, and the eminent Services he has performed, in the Defence of your Majeſty, and his Country, we moſt humbly beſeech your Majeſty that an additional Revenue may be ſettled on his Royal Highneſs, and the Heirs Males of his Body; which Proviſion, we pray Almighty God, by the long Continuance of his illuſtrious Line, may remain as a laſting Monument to all Ages, of our Reſpect, Gratitude and Affection for his Royal Highneſs the Duke, to whoſe diſtinguiſhed Conduct and Courage, under God and your Majeſty, we owe the pleaſing Proſpect of being ſpeedily delivered from the Horrors and Deſolation that muſt have accompanied the Continuance of this deteſtable Rebellion: Wherefore we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That his Royal Highneſs WILLIAM Duke of *Cumberland*, and the Heirs Males of his Body, ſhall have, receive and enjoy, at the Receipt of the Exchequer, one Annuity or yearly Rent, or Sum of twenty-five thouſand Pounds, of lawful Money of *Great Britain*, out of the Duties and Revenues which compoſe the Fund, commonly called *The Aggregate Fund*, and every or any of them (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, but with Preference to all other Payments which ſhall or may hereafter be charged upon, or payable out of, the ſaid Aggregate Fund) which ſaid Annuity or yearly Rent or Sum of twenty-five thouſand Pounds, and every Part thereof, ſhall commence from the Feaſt Day of the Annunciation of the bleſſed Virgin *Mary* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, and ſhall be paid and payable quarterly to his ſaid Royal

An Annuity of 25,000*l.* to be paid to the Duke of Cumberland, and the Heirs Males of his Body, out of the aggregate Fund; to commence from March 25, 1746, and payable quarterly.

Royal Highneſs, and the Heirs Males of his Body, at the four moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſts of the Nativity of Saint *John* the Baptiſt, Saint *Michael* the Archangel, the Birth of our Lord Chriſt, and the Annunciation of the Bleſſed Virgin *Mary*, by even and equal Portions; the firſt quarterly Payment thereof to be made at the Feaſt of the Nativity of Saint *John* the Baptiſt, in the Year of our Lord one thouſand ſeven hundred and forty-ſix.

Treaſury to direct the Auditor to paſs Debentures for paying the Annuity.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury now being, and the high Treaſurer and under Treaſurer of the Exchequer, and Commiſſioners of the Treaſury for the time being, and they are hereby authorized, impowered and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer, now, and for the time being, to make forth and paſs Debentures, from time to time, for paying the ſaid Annuity or yearly Rent or Sum of twenty-five thouſand Pounds, as the ſame ſhall, from time to time, become due and payable, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; which ſaid Warrant, and the Debentures to be made forth and paſſed thereupon, ſhall be a ſufficient Authority to the ſeveral and reſpective Officers of the Receipt of the Exchequer, now, and for the time being, for the Payment of the ſaid Annuity or yearly Rent or Sum of twenty-five thouſand Pounds, to his ſaid Royal Highneſs the Duke, and the Heirs Males of his Body as aforeſaid, at the reſpective quarterly Feaſt Days in this Act before appointed for Payment thereof, without any further or other Warrant to be ſued for, had or obtained in that Behalf.

The Warrant not to be determinable.

III. And be it enacted by the Authority aforeſaid, That after the ſigning of ſuch Warrant, the ſame ſhall be good, valid and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and ſhall not be determinable or revokable by or upon the Demiſe of his Majeſty (whom God long preſerve) or of any of his Heirs or Succeſſors, or by or upon the Death or Removal of any of the ſaid Commiſſioners of the Treaſury, or the Lord high Treaſurer, or by or upon the Determination of the Power, Office or Offices of them, or any of them.

Treaſury and the Officers of the Exchequer to act without Fee.

IV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of the Treaſury now being, and the high Treaſurer or Commiſſioners of the Treaſury for the time being, Chancellor and under Treaſurer, Chamberlains and Barons of the Exchequer, and all other the Officers and Miniſters of the Court of Exchequer, and of the Receipt thereof, now, and for the time being, ſhall, and they are hereby authorized and ſtrictly enjoined and required to do without Fee or Reward, all ſuch Acts, Matters and Things as are herein before directed and required, or ſhall be neceſſary to be done and performed by them, or any or either of them, in order to render this Act and the ſeveral Payments hereby directed effectual.

The Duke's Receipt, &c. to be a ſufficient Diſcharge.

V. And be it enacted by the Authority aforeſaid, That the Acquittance or Acquittances, Receipt or Receipts of his ſaid Royal Highneſs WILLIAM Duke of *Cumberland*, and the Heirs Males of his Body, and of ſuch other Perſon or Perſons as ſhall be intitled or authorized to receive the ſaid Annuity or yearly Rent or Sum, or any Part thereof, ſhall be a good and ſufficient Diſcharge for the Payment thereof, without any further or other Warrant, to be ſued for, had or obtained in that Behalf, and that the ſaid Annuity or yearly Rent or Sum, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions and other publick Charges whatſoever; and in caſe any of the Officers of the Receipt of his Majeſty's Exchequer ſhall refuſe or neglect to pay the ſaid Annuity or yearly Rent or Sum, or any Part thereof, according to the true Intent of this Act, or to do any Act neceſſary to enable his ſaid Royal Highneſs, and the Heirs Males of his Body, to receive the ſame, then his ſaid Royal Highneſs WILLIAM Duke of *Cumberland*, and the Heirs Males of his Body, and ſuch other Perſon or Perſons as ſhall be intitled to receive the ſaid Annuity or yearly Rent or Sum, or any Part thereof, may, from time to time, ſue, proſecute and implead ſuch Officers, or any of them, their Executors and Adminiſtrators, by Bill, Plaint or Action of Debt, and ſhall or may recover Judgments, and ſue out Executions thereupon, againſt ſuch Officers reſpectively, their Heirs, Executors or Adminiſtrators, for ſo much of ſuch Sum or Sums of Money then due and owing upon the ſaid Annuity, yearly Rent or Sum, or any Part thereof, as ſhall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the Time or Times when Demands ſhall have been legally made of the Payment of the ſaid Annuity, yearly Rent or Sum, or any Part thereof, as aforeſaid, or for the Refuſal or Neglect to do any Act neceſſary to be done by ſuch Officer or Officers, to enable his ſaid Royal Highneſs and the Heirs Males of his Body to receive the ſame.

The Annuity free from all Taxes.

Officers of the Exchequer for Nonpayment, may be ſued, &c.

The Annuity veſted in the Duke and the Heirs Males of his Body, not to be alienated, &c.

VI. And it is hereby enacted by the Authority aforeſaid, That the ſaid Annuity, yearly Rent or Sum of twenty-five thouſand Pounds, ſhall be, and the ſame is by this Act veſted in his ſaid Royal Highneſs, and the Heirs Males of his Body; and that the ſame, or any Part thereof, ſhall not at any Time or Times hereafter be aliened, conveyed, diſpoſed, charged or incumbered by his ſaid Royal Highneſs, or by any of the Heirs Males of his Body, for any greater or longer Eſtate or Time than during the natural Life of the Perſon ſo aliening, conveying, diſpoſing, charging or incumbering the ſame, or ſo as to prevent the ſame from deſcending to the Heirs Males in Tail, according to the ſaid Limitations.

If by Redemption of any of the Duties of the Fund there ſhall not ariſe ſufficient Monies, certain Duties to be continued.

VII. And be it further enacted by the Authority aforeſaid, That if at any Time or Times hereafter, by the Redemption of any of the Duties or Revenues compoſing the ſaid Aggregate Fund, there ſhall not be ſufficient Monies ariſing thereby to ſatisfy and pay the ſaid Annuity to his ſaid Royal Highneſs, and the Heirs Males of his Body, from time to time, as the ſame ſhall become due and payable; that then (notwithſtanding ſuch Redemption as aforeſaid) the Duties called the two Thirds of a Subſidy of Tonnage and Poundage upon Goods and Merchandizes imported, and the Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paſte, Tea, Nutmegs, Cinnamon, Cloves, Mace, Pictures and Muſlins, and the

the increaſed Duties upon Coffee, Cocoa Nuts, Chocolate, Cocoa Paſte, Tea, Nutmegs, Cinnamon, Cloves, Mace and Pictures; and the further Rates and Duties upon all White Callicoes, Porcellan, called *China* Ware, and Drugs; all which ſaid Subſidies and Duties are Part of the ſaid Aggregate Fund, and are intended to be continued, ſhall be, and the ſame are hereby enacted to be continued, and ſhall be ſubject and liable to anſwer and pay out of the ſame all the Payments which ſhall after ſuch Redemption grow due, for and upon the ſaid Annuity, yearly Rent or Sum of twenty-five thouſand Pounds, to his ſaid Royal Highneſs the Duke of *Cumberland*, and the Heirs Males of his Body; and the ſaid ſeveral Subſidies and Duties ſo to be continued, and hereby made ſubject and liable to anſwer the Payments of the ſaid Annuity of twenty-five thouſand Pounds, or ſo much thereof as ſhall be ſufficient to pay the ſame, are and ſhall be hereby appropriated, iſſued and applied thereunto, during the Continuance of the ſame Annuity of twenty-five thouſand Pounds to his ſaid Royal Highneſs the Duke of *Cumberland*, and the Heirs Males of his Body; any thing in this or any other Act contained to the contrary notwithſtanding.

CAP. XXX.

An Act for the better Encouragement of the Trade of his Majeſty's Sugar Colonies in *America*.

6 *Geo.* 2. *c.* 13.

'FOR Advancement of the Trade of his Majeſty's Kingdom of *Great Britain*, to and in the ſeveral *Britiſh* Sugar Colonies in the *Weſt Indies* in *America*; for the better Encouragement of his Majeſty's Ships and private Ships of War, and the annoying and diminiſhing the Power and Wealth of his Majeſty's Enemies in thoſe Parts; and for the Increaſe of Shipping and Seamen for theſe and other Services;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Mariner or other Perſon who ſhall ſerve on Board, or be retained to ſerve on Board, any Privateer or trading Ship or Veſſel, that ſhall be employed in any of the *Britiſh* Sugar Colonies in the *Weſt Indies* in *America*, nor any Mariner or other Perſon being on Shore in the ſaid *Britiſh* Sugar Colonies, or any of them, ſhall be liable to be impreſſed or taken away, or ſhall be impreſſed or taken away, in or from any of the ſaid *Britiſh* Sugar Colonies, or any of them, or any of the Ports thereof, or at Sea in thoſe Parts, by any Officer or Officers of or belonging to any of his Majeſty's Ships of War, impowered by the Lord High Admiral of *Great Britain*, or the Lords Commiſſioners for executing the Office of the Lord High Admiral of *Great Britain* for the time being, or any other Perſon whatſoever, unleſs ſuch Mariner ſhall have before deſerted from ſuch Ship of War belonging to his Majeſty, at any Time after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix; upon Pain that any Officer or Officers ſo impreſſing or taking away, or cauſing to be impreſſed or taken away, any Mariner or other Perſon, contrary to the Tenor and true Meaning of this Act, ſhall forfeit to the Maſter, or Owner or Owners of any ſuch Ship or Veſſel, the Sum of fifty Pounds for every Man he or they ſhall ſo impreſs or take; to be recovered with full Coſts of Suit in any Court of Record within any Part of his Majeſty's Dominions.

Mariners belonging to Privateers, or Trading Ships, not to be impreſſed in the Weſt Indies;

unleſs they ſhall have deſerted from his Majeſty's Ships.

Penalty 50 l.

II. And for preventing the Deſertion of any Mariners or Seamen from his Majeſty's Ships of War, in any of the Parts aforeſaid, to any ſuch Trading or Privateer Ship or Veſſel as aforeſaid; Be it further enacted by the Authority aforeſaid, That every Maſter or Commander of ſuch Trading or Privateer Ship or Veſſel as aforeſaid, ſhall, before he ſhall receive or entertain, in any of the Parts aforeſaid, any Mariner, Seaman or other Perſon, to ſerve on Board ſuch Privateer or Trading Ship or Veſſel, endeavour (by all the Ways and Means that he reaſonably and conveniently may or can) to diſcover whether ſuch Mariner, Seaman or other Perſon hath deſerted from any of his Majeſty's Ships or Ship of War, in any of the Parts aforeſaid; and in caſe any ſuch Maſter or Commander ſhall receive or entertain any Mariner, Seaman or other Perſon, on Board ſuch Trading Ship or Privateer as aforeſaid, without ſuch reaſonable Endeavour for ſuch Diſcovery firſt had and made, or which he ſhall know, or be informed, hath deſerted from any of his Majeſty's Ships or Ship of War, in any of the Parts aforeſaid, ſuch Maſter or Commander ſhall forfeit to the King's Majeſty, his Heirs and Succeſſors, the Sum of fifty Pounds, for every Man he ſhall ſo receive or entertain, to be recovered with full Coſts of Suit in any Court of Record within any Part of his Majeſty's Dominions.

Maſters of Privateers and Trading Veſſels to inquire if ſuch Mariner hath deſerted from a Ship of War, before they entertain him, &c.

Penalty 50 l.

III. And for the more effectual preventing Merchant Ships or Privateers, in any of the Parts aforeſaid, from harbouring or entertaining any Seaman who ſhall deſert his Majeſty's Service in any of the Parts aforeſaid, Be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, every Maſter of a Merchant Ship or Veſſel, and Commander of a Privateer, ſhall, before he ſhall ſet Sail from any Port of or belonging to the ſaid *Britiſh* Sugar Colonies, or any of them, deliver to the chief Officer of the Cuſtoms of the Port from whence he ſhall ſet Sail, an exact Liſt of all the Men belonging to ſuch Merchant Ship or Veſſel or Privateer, containing their Names, Ages and Deſcriptions of their Perſons; upon Pain that he ſhall forfeit the Sum of ten Pounds to his Majeſty, his Heirs and Succeſſors, for every ſuch Man he ſhall ſo receive and entertain on Board, whoſe Name ſhall not be inſerted in ſuch Liſt, to be recovered with full Coſts of Suit in any Court of Record within any Part of his Majeſty's Dominions.

Liſts, &c. of the Men employed to be delivered to the Officer of the Port, by the Maſters, &c. of Veſſels.

Penalty 10 l.

IV. And it is hereby further enacted, That ſuch Officer of the Cuſtoms do return to ſuch Maſter or Commander an atteſted Copy of ſuch Liſt ſo delivered to him; and that upon the Death or Alteration of any Seaman, the ſaid Liſt be immediately altered and delivered to the naval Officer, or chief Officer of the Cuſtoms, in any Port where ſuch Merchant Ship or Veſſel or Privateer ſhall arrive in

Copy of the Liſt to be returned, &c.

Manner

Manner as aforeſaid; all which ſaid Liſts ſhall, from time to time, be produced and ſhewn to any of the Captains or other Officer of any of his Majeſty's Ships of War demanding the ſame; and if any Man or Men belonging to any of his Majeſty's Ships of War, ſhall be found on Board any Merchant Ship or Veſſel or Privateer, whoſe Name ſhall not be contained in ſuch Liſt as aforeſaid; the Maſter or Commander of ſuch Veſſel or Privateer ſhall forfeit to his Majeſty, his Heirs and Succeſſors, the Sum of fifty Pounds, for every ſuch Man which ſhall be ſo found on Board, to be recovered in Manner as aforeſaid.

The Liſts to be ſhewn to Captains of Men of War.

Men belonging to any of the Men of War being aboard, and not in the Liſt, the Maſter to forfeit 50 l.

V. And for the better furniſhing Seamen to ſerve on Board his Majeſty's Ships of War, which ſhall be in or about the ſeveral Parts aforeſaid in *America*, for annoying the Enemy, and protecting the Trade there, it is hereby further enacted, That the Maſter or Commander of every Trading Ship or Veſſel, and every Packet Boat, which ſhall, from time to time, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, be Outward-bound, and going for any of the Parts aforeſaid in *America*, ſhall be and are hereby obliged (at the Deſire of any of his Majeſty's Officers thereunto lawfully authorized, and at the Charges of his Majeſty, to be paid in Manner herein after mentioned) to receive on Board, and carry to the Port or Place whereto ſuch Trading Ship, Veſſel or Packet Boat ſhall be ſo bound, and there deliver to ſuch Officer or Perſon to whom they ſhall be aſſigned, any Number of Mariners, Seamen or other Perſons actually entered into his Majeſty's Sea Service and Pay (over and above the Complement of Mariners or Seamen which ſuch Trading Ship, Veſſel or Packet Boat uſually carries, or which ſhall be ſufficient for navigating the ſame for ſuch intended Voyage, not exceeding the Proportion of a fifth Part of the Number of ſuch uſual or ſufficient Complement of Mariners or Seamen) upon Pain of forfeiting the Sum of fifty Pounds, for every ſuch Seaman or Mariner that he or they ſhall refuſe to take on Board and carry; or, after having received on Board, ſhall willingly permit and ſuffer to eſcape, to be paid and recovered as aforeſaid.

Maſters, &c. to carry Mariners, &c. in the King's Service, to the Port the Veſſel is bound to;

Penalty 50 l.

VI. And it is hereby further enacted by the Authority aforeſaid, That the Maſter or Commander of every Trading Ship or Veſſel, and every Packet Boat, upon receiving ſuch Mariners, Seamen or other Perſons on Board for his Majeſty's Service, in Manner aforeſaid, is hereby required to ſign an Acknowledgment in Writing, of his having received ſuch Mariners, Seamen or other Perſons on Board in order to carry and deliver them to ſuch Officer or Perſon to whom they ſhall be ſo aſſigned as aforeſaid, and to deliver the ſame to ſuch of his Majeſty's Officers who ſhall ſhip the ſaid Mariners, Seamen or other Perſons on Board ſuch Trading Ship, Veſſel or Packet Boat, who is to lay the ſame before the Commiſſioners of his Majeſty's Navy, which ſuch Officer is hereby required to do; and ſuch Maſter or Commander of every ſuch Trading Ship, Veſſel and Packet ſhall, within ſix Months after his ſo receiving any ſuch Mariners, Seamen or other Perſons on Board for his Majeſty's Service, produce and deliver to the ſaid Commiſſioners of his Majeſty's Navy a Certificate in Writing, under the Hand of the Commander in Chief of his Majeſty's Ships of War in the *Weſt Indies*, or of the Commander or Captain of ſome one of his Majeſty's Ships of War in the *Weſt Indies*, that ſuch Commander or Officer hath received the ſaid Mariners, Seamen or other Perſons on Board his Majeſty's Ships, or ſuch of them as ſuch Commander or Officer ſhall receive, which Certificate ſuch Commander in Chief, or Commander or Captain of his Majeſty's Ships or Ship of War in the *Weſt Indies*, are hereby required to give, upon receiving on Board his Majeſty's Ships or Ship, the ſaid Mariners, Seamen or other Perſons from on Board the ſaid Trading Ships, Veſſels and Packet; and upon producing and delivering ſuch Certificate, the Commiſſioners of his Majeſty's Navy are hereby authorized and required to pay to the Maſter or Commander of ſuch Trading Ship, Veſſel or Packet, for the Charges and Expences of ſo carrying the ſaid Mariners, Seamen or other Perſons, at and after the Rate of ſix Pence *per Diem* for each Mariner, Seaman or other Perſon, whoſe Name ſhall be contained and ſet forth in the ſaid Certificate from the Commander in Chief, or Commander or Captain of his Majeſty's Ships or Ship of War in the *Weſt Indies*, to be ſo produced and delivered to the ſaid Commiſſioners of his Majeſty's Navy, from the Time of their being firſt received on Board the ſaid Trading Ship, Veſſel or Packet, to the Time of their being ſo delivered and received on Board his Majeſty's Ships or Ship of War in the *Weſt Indies* as aforeſaid.

Maſters, &c. to ſign an Acknowledgment of the Men received, &c.

to be laid before the Commiſſioners of the Navy.

Certificate from the Commander, &c. of the Men being received, to be produced to the Commiſſioners;

who ſhall thereon pay the Charges of carrying the Men.

VII. Provided nevertheleſs, and it is hereby enacted by the Authority aforeſaid, That in caſe of any threatened or actual Invaſion of any of his Majeſty's ſaid Colonies in *America*, or in caſe of any other unforeſeen and emergent Neceſſity or Occaſion requiring the ſame, it ſhall and may be lawful to and for the Commanders and Captains of his Majeſty's Ships of War, ſtationed or being in any of the Parts aforeſaid, with the Concurrence, Approbation and Conſent of the Governor and Commander in Chief, and of the Council for the Time being of the ſaid Colonies, or any of them, but not otherwiſe, to impreſs ſuch a Number of Mariners or Seamen to ſerve on Board his Majeſty's ſaid Ships of War, as ſhall be neceſſary and ſufficient to make up the uſual and ſufficient Complement of Mariners or Seamen belonging to each of the ſaid Ships, ſuch Mariners or Seamen ſo impreſſed being diſcharged, if they require the ſame, ſo ſoon as the Service for which they were ſo impreſſed is performed; which Diſcharge each Captain of his Majeſty's Ships, whom it may concern, is hereby required to give; and in caſe of his refuſing or delaying the ſame, is hereby made ſubject and liable to pay the Penalty of fifty Pounds to the Party aggrieved, to be recovered with full Coſts of Suit in any Court of Record within any Part of his Majeſty's Dominions; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

In what Caſes Mariners may be impreſſed;

and obtain Diſcharges.

See farther concerning Plantations 24 Geo. 2. c. 51 & 53. 29 Geo. 2. c. 5 & 35. 30 Geo. 2. c. 9.

CAP. XXXI.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and forty-ſix; and alſo for enabling his Majeſty to raiſe a further Sum of Money for the Uſes and Purpoſes therein mentioned; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Receipts, Annuity Orders or other Orders, loſt, burnt or otherwiſe deſtroyed.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have chearfully granted to your Majeſty in this Seſſion of Parliament, for the Service of the Year one thouſand ſeven hundred and forty-ſix, in the eaſieſt Manner we are able, for the Benefit of your Majeſty's Subjects; and alſo to uſe ſuch Ways and Means therein, as that your Majeſty may have the better and more ſpeedy Effect of the ſaid Supplies, have reſolved to give and grant unto your Majeſty the Sum of one million, out of the Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from time to time be and remain in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called the *Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued and applied, a Sum not exceeding the ſaid Sum of one million, for and towards the Supply granted to his Majeſty, for the Service of the ſaid Year one thouſand ſeven hundred and forty-ſix; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

One million granted out of the Sinking Fund.

II. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million, or any Part thereof, by Loans or Exchequer Bills, in Manner hereafter mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money, not exceeding the ſaid Sum of one million, upon the Credit of the ſaid Surpluſſes, Exceſſes and Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Intereſt after a Rate not exceeding four Pounds *per Centum per Annum*, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the high Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, who are hereby authorized to iſſue their Warrants for that Purpoſe, as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover, that no Money ſo to be lent on the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Clauſe of Loan at 4 l. per Cent.

III. And be it further enacted, That all and every Perſon and Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, not exceeding the ſaid Rate of four Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtred in Courſe according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators or Aſſigns, who ſhall have his, her or their Order or Orders firſt entred in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes or Overplus Monies; and he, ſhe or they, who ſhall have his, her or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund* as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, without any undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever, other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid; and that no Fee, Reward, or Gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's

Tallies and Orders for Repayment.

Orders to be regiſtered and paid in Courſe,

without undue Preference.

Subjects, for providing or making of any such Books or Registers, or any Entries, Views, or Searches in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of his Majesty's Officer or Officers, their Clerks, or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made either in Point of Registry or Payment contrary to the true Meaning of this Act by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt with full Costs of Suit to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Order, according to each Person's due Place and Order, as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid: All which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

No Fee for registering, &c.

Penalty of undue Preference.

IV. Provided always, and it is declared, That if it shall happen that several Tallies of Loans, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference, which of those be entered first, so as he enters them all the same Day.

No undue Preference where Tallies are dated, &c. the same Day.

V. Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay, subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed of, but kept for them, Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Nor if subsequent Orders be paid before such as were not demanded.

VI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registred by virtue of this Act, after Order entered in the Book of Registry as aforesaid, his, her or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her or their Order, may assign or transfer his, her or their Right, Title, Interest and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt as aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders (which the Officers shall upon Request without Fee or Charge accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors and Assigns, to the Benefit thereof and Payment thereon, and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment to make void, release or discharge the same, or any the Monies thereby due, or any Part thereof.

Orders assignable *toties quoties*.

The Assignment not to be voided.

VII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the said Sum of one million, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills as is herein after mentioned, or by both or either of those Ways or Means, for the publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall judge it more adviseable to raise the said Sum of one million, or any Part thereof, by Exchequer Bills instead of such Loans as aforesaid; that then they respectively are hereby authorized and impowered at any Time or Times to prepare and make, or cause to be prepared and made, at the Exchequer any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the whole the said Sum of one million, together with such Loans as aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions as in and by a certain Act of Parliament, for granting an Aid to his Majesty by a Land Tax, for the Service of the Year one thousand seven hundred and forty-six, are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act.

Treasury may make new Exchequer Bills for raising the said one Million, &c.

19 Geo. 2. c. 3.

VIII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last-mentioned Act, relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Aids, Taxes or Assessments granted by the same Act) shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated or re-enacted in the Body of this present Act.

The Exchequer Bills to be subject to the same Regulations.

IX. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by or out of the growing Produce of the said Surplusses, Excesses or Overplus Monies, commonly called *The Sinking*

Exchequer Bills, &c. to be repaid out of the Sinking Fund.

ing Fund (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

The further Sum of 500,000 l. granted his Majeſty, by Sign Manual, to impower the Treaſury to receive Loans, or make Exchequer Bills.

X. And for the better enabling Your Majeſty effectually to ſuppreſs the preſent Rebellion, to carry on the War with Vigour, and make good ſuch Treaties as are or ſhall be made with Your Majeſty's Allies, Your ſaid dutiful and loyal Commons have alſo freely given and granted unto Your Majeſty the further Sum of five hundred thouſand Pounds, to be raiſed in Manner herein after-mentioned; Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commiſſioners of his Majeſty's Treaſury, now or for the time being, or any three or more of them, or the Lord High Treaſurer for the time being, at any Time or Times before the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-ſix, to cauſe or direct any Loans to be taken or received at his Majeſty's Exchequer, from any Perſon or Perſons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding in Loans and Exchequer Bills together, in the whole, the ſaid Sum of five hundred thouſand Pounds, in the ſame or like Manner, Form and Order, and according to the ſame or like Rules and Directions, as in and by the before-mentioned Act of this preſent Seſſion of Parliament (for granting an Aid to his Majeſty by a Land-tax, for the Service of the Year one thouſand ſeven hundred and forty-ſix) are enacted and preſcribed, concerning the Loans or Exchequer Bills to be taken or made in purſuance of the ſaid Act.

Regulations concerning the Exchequer Bills.

XI. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities, contained in the ſaid laſt-mentioned Act, relating to the Loans or Exchequer Bills, authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Rates, Duties and Aſſeſſments granted by the ſame Act) ſhall be applied and extended to the Loans and Exchequer Bills to be made in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſame Loans or Exchequer Bills had been originally authorized by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this Act.

Loans, &c. to carry 4 l. per Cent Intereſt, payable out of the firſt Supplies, or Sinking Fund.

XII. And be it further enacted by the Authority aforeſaid, That all ſuch Loans or Exchequer Bills, not exceeding hundred five thouſand Pounds as aforeſaid, as ſhall be taken in or made forth in purſuance of this Act, may reſpectively be made to bear or carry an Intereſt, Premium or Rate, not exceeding four Pounds *per Centum per Annum*; and all ſuch Loans or Exchequer Bills, together with the Intereſt, Premium, Rate and Charges incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt Aids or Supplies which ſhall be granted in Parliament next after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-ſix; and in caſe ſufficient Aids or Supplies for that Purpoſe ſhall not be granted before the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſeven, then all and every the ſaid Loans or Exchequer Bills, with the Intereſt, Premium, Rate and Charges incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon ſuch Monies, as at any Time or Times at or after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſeven ſhall be or remain in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes, by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling and diſcharging ſuch Loans or Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

Monies paid out of the Sinking Fund to be replaced.

XIII. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called the *Sinking Fund*, ſhall from time to time be replaced by and out of the firſt Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithſtanding.

The Land Tax, Malt Act, &c.

XIV. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-ſix*, and ſo much Money (if any ſuch be) of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland, *for the Service of the Year one thouſand ſeven hundred and forty-ſix*, and ſo much

much Money (if any ſuch be) of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo all the Monies coming into the Exchequer by Sale of Annuities, after the Rate of four Pounds *per Centum per Annum*, and by Contributions by way of a Lottery, upon one other Act of this Seſſion of Parliament, (intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Glaſs, and upon Spirituous Liquors; and for raiſing a certain Sum of Money by Annuities and a Lottery, to be charged on the ſaid Rates and Duties; and for obviating ſome Doubts about making out Orders at the Exchequer, for the Monies advanced upon the Credit of the Salt Duties, granted and continued to his Majeſty by an Act of the laſt Seſſion of Parliament*;) and alſo the Sum of one million five hundred thouſand Pounds, by this Act granted, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein after expreſſed (that is to ſay)

Annuities, and Duties upon Glaſs, &c. appropriated.

XV. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two million two hundred ninety-four thouſand forty-eight Pounds ſixteen Shillings and three Pence, for or towards the naval Services herein after more particularly expreſſed; (that is to ſay) For or towards defraying the Charge of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards carrying on the Building of the intended Hoſpital for ſick and wounded Seamen at *Goſport*, for the Year one thouſand ſeven hundred and forty-ſix.

2,294,648 l. 16 s. 3 d. towards the Naval Services.

XVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ninety-ſix thouſand four hundred ſeventy-eight Pounds nineteen Shillings and two Pence, for the Freight of Tranſports, between the firſt Day of *January* one thouſand ſeven hundred and forty-four, and the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money, not exceeding fifty-four thouſand ſeven hundred fifty-three Pounds nine Shillings and three Pence Halfpenny, for the Expence of Victuals provided for his Majeſty's Land Forces, between the firſt Day of *January* one thouſand ſeven hundred and forty-four, and the thirty-firſt Day of *December* one thouſand ſeven hundred and forty-five.

96,478 l. 19 s. 2 d. for Freight of Tranſports.

54,753 l. 9 s. 3 d. Halfpenny for Victualling the Land Forces.

XVII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, and for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

10,000 l. to Greenwich Hoſpital.

XVIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding four hundred twenty-two thouſand three hundred nineteen Pounds nineteen Shillings and ſix Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and forty-ſix, performed and to be performed; and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

422,319 l. 19 s. 6 d. to the Office of Ordnance.

XIX. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two hundred and ſix thouſand two hundred fifty-three Pounds and fifteen Shillings, for defraying the Charge of eleven thouſand five hundred and fifty Marines, (Commiſſion and Non-commiſſion Officers included) to be employed for the Year one thouſand ſeven hundred and forty-ſix.

206,253 l. 15 s. to the Marines.

XX. And be it further enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million two hundred ninety-eight thouſand one hundred Pounds fourteen Shillings and ſeven Pence, for defraying the Charge of forty-nine thouſand two hundred and twenty-nine effective Men, for his Majeſty's Land Forces, including Commiſſion and Non-commiſſion Officers, and one thouſand eight hundred and fifteen Invalids, to be employed for the Service of the Year one thouſand ſeven hundred and forty-ſix.

1,298,100 l. 14 s. 7 d. to the Land Forces.

XXI. Provided nevertheleſs, That out of the ſaid Sum of one million two hundred ninety-eight thouſand one hundred Pounds fourteen Shillings and ſeven Pence, there ſhall and may be iſſued and applied any Sum, not exceeding thirty-ſix thouſand eight hundred ſixty-four Pounds nine Shillings and ſeven Pence, for defraying the Charge of Gariſons in *Great Britain*, *Guernſey* and *Jerſey*, for the Year one thouſand ſeven hundred and forty-ſix; and the further Sum of thirty thouſand Pounds upon Account, for Contingencies of the Army, for the Year one thouſand ſeven hundred and forty-ſix.

36,864 l. 9 s. 7 d. to Garriſons.

30,000 l. for Contingencies of the Army.

XXII. And be it further enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding three hundred forty-three thouſand four hundred forty Pounds eighteen Shillings and one Penny Halfpenny, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and

343,440 l. 18 s. 1 d. Halfpenny to the Plantations, &c.

and for Proviſions for the Garriſons at *Annapolis Royal*, *Placentia*, *Gibraltar*, *Georgia*, *Rattan* and *Cape Breton*, for the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding one hundred fifty-five thouſand ſeventy-four Pounds ſix Shillings and one Penny, for the Pay of thirteen Regiments of Foot, and two Regiments of Horſe, under the Command of ſeveral Noblemen; and any Sum or Sums of Money, not exceeding thirty-five thouſand nine hundred fifty-two Pounds and ten Shillings, for the Pay of twenty Independent Companies, for three hundred and ſixty-five Days, from the reſpective Times of their being raiſed; and any Sum or Sums of Money, not exceeding one hundred ſixty-one thouſand ſix hundred and ſeven Pounds ſeventeen Shillings and one Penny Halfpenny, for defraying the Charge of one thouſand two hundred ſixty-four Horſe, and four thouſand nine hundred and eight Foot, with the General Officers, and Train of Artillery, the Troops of his Majeſty the King of *Sweden*, as *Landgrave* of *Heſſe Caſſel*, in the Pay of *Great Britain*, from the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-five, to the twenty-fourth Day of *December* one thouſand ſeven hundred and forty-ſix, both incluſive, together with the Subſidy for the ſaid Time, purſuant to Treaty; and any Sum or Sums of Money, not exceeding three hundred thouſand Pounds, towards defraying the Expence of the Pay and Subſiſtence of two Bodies of the Troops of *Hanover*, conſiſting of five thouſand Horſe, and thirteen thouſand Foot, making in the whole eighteen thouſand Men, to act in the Low Countries, with the *Auſtrian* Troops, and thoſe of the *States General* of the United Provinces, for the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, for a Train of Artillery to attend the ſaid Troops; and any Sum or Sums of Money, not exceeding four hundred thouſand Pounds, to enable the Queen of *Hungary* to ſupport her Allies, and maintain fifty thouſand Men in the Low Countries, for the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding one hundred thouſand Pounds, to enable the King of *Sardinia* the better to maintain and proſecute the War in *Italy*, for the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding twenty-one thouſand five hundred forty-five Pounds nineteen Shillings and eleven Pence, for defraying the Charge of the Troops of the *States General* whilſt in his Majeſty's Service, in the Year one thouſand ſeven hundred and forty-five, and one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding forty thouſand three hundred twenty-eight Pounds nineteen Shillings and ten Pence, for defraying the extraordinary Pay or Douceurs, Forrage, Waggon Money and other Extraordinaries of the ſix thouſand *Heſſians* in his Majeſty's Service, incurred in the Year one thouſand ſeven hundred and forty-two, and one thouſand ſeven hundred and forty-three, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding forty thouſand eight hundred and eighty Pounds nineteen Shillings and two Pence, for the Pay of General, and General Staff Officers, for the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding nineteen thouſand one hundred ſixty-eight Pounds eighteen Shillings and four Pence, for defraying the Charge of two Troops of Rangers, a Highland Company, Boatmen, Half Galleys or Schooners, for the Service of *Georgia*, for the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding one hundred thirty-ſeven thouſand twenty-ſeven Pounds three Shillings and eleven Pence, for defraying the extraordinary Expence of his Majeſty's Land Forces on Account of the Rebellion, and for Horſes loſt in *Flanders* and at Sea, incurred *Anno* one thouſand ſeven hundred and forty-five, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding twenty-four thouſand ſeven hundred and one Pounds ſeven Shillings and ſix Pence, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and forty-ſix, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money, not exceeding three thouſand eight hundred and eighty-ſix Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and forty-ſix; which ſaid Sum of three thouſand eight hundred eighty-ſix Pounds ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, or other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint.

155,074 l. 6 s. 1 d. for 13 Regiments of Foot, and 2 of Horſe.

35,952 l. 10 s. for 20 Independent Companies.

161,607 l. 17 s. 1 d. Halfpenny for Troops, &c. to the King of Sweden.

300,000 l. to the Troops of Hanover.

10,000 l. for a Train of Artillery.

400,000 l. to the Queen of Hungary.

100,000 l. to the King of Sardinia.

21,545 l. 19 s. 11 d. to the Troops of the States General.

40,328 l. 19 s. 10 d. to the Heſſian Troops for 1742 and 1743.

40,880 l. 19 s. 2 d. for Staff Officers.

19,168 l. 18 s. 4 d. to the Rangers, &c. of Georgia.

137,027 l. 3 s. 11 d. to Expences of the Rebellion, &c.

24,701 l. 7 s. 6 d. to Half-pay.

3,886 l. to Widows of reduced Officers.

XXIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding five hundred thouſand Pounds, upon Account, to enable his Majeſty effectually to ſuppreſs the preſent Rebellion, to carry on the War with Vigour both by Sea and Land, and to make good ſuch Treaties as are or ſhall be made with his Majeſty's Allies, for the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding two hundred thouſand Pounds, to make good his Majeſty's Engagements with the King of *Sardinia*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding twenty-four thouſand two hundred ninety-nine Pounds one Shilling and four Pence, to make good his Majeſty's Engagements with the Elector of *Cologn*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding eight thouſand ſix hundred

500,000 l. towards ſuppreſſing the Rebellion, carrying on the War, &c.

200,000 l. to the King of Sardinia.

24,299 l. 1 s. 4 d. to the Elector of Cologn.

dred and twenty Pounds, to make good his Majesty's Engagements with the Elector of *Mentz*, pursuant to Treaty. 8,620 l. to the Elector of Mentz.

XXIV. And it is hereby enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and paid to the Commissioners for building a Bridge cross the River *Thames*, from the City of *Westminster* to the opposite Shore, in the County of *Surrey*, or any seven or more of them, or to such Person or Persons as shall be appointed, under the Hands and Seals of the said Commissioners, or any seven or more of them, to receive the same, the Sum of twenty-five thousand Pounds, without Account, other than is directed for the other Monies raised by virtue of several former Acts of Parliament, passed during the Reign of his present Majesty, for building the said Bridge, to be applied towards finishing the said Bridge, and to perform the other Trusts reposed in them: And there shall and may be issued to the Trustees for establishing the Colony of *Georgia* in *America*, any Sum or Sums of Money, not exceeding four thousand Pounds, by them to be applied for the further settling and improving the said Colony: And any Sum or Sums of Money, not exceeding ten thousand Pounds, to be applied towards the Maintenance and Support of the *British* Forts and Settlements belonging to the Royal *African* Company of *England*. 25,000 l. to Westminster Bridge. 4,000 l. to the Trustees of Georgia. 10,000 l. to the African Company.

XXV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding eight thousand three hundred sixty-seven Pounds nine Shillings and ten Pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Stamp Duties at *Christmas* one thousand seven hundred and forty-four; and any Sum or Sums of Money, not exceeding thirteen thousand seven hundred and ninety-three Pounds three Shillings and five Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets or Wines made from *British* or foreign Fruit or Sugar at *Michaelmas* one thousand seven hundred and forty-five; and any Sum or Sums of Money, not exceeding seventeen thousand five hundred Pounds, to replace to the said Sinking Fund the like Sum paid out of the same, to answer half a Year's Interest due at *Michaelmas* one thousand seven hundred and forty-five, after the Rate of three Pounds ten Shillings *per Centum per Annum*, on the Principal Sum of one million lent on the Credit of the Salt Duties, which were continued for six Years from *Lady-day* one thousand seven hundred and fifty-three, towards the Supply for the Year one thousand seven hundred and forty-five. 8,367 l. 9 s. 10 d. to the Sinking Fund, Deficiency of Stamp Duties. 13,793 l. 3 s. 5 d. to ditto, Deficiency of Duties on Home made Wines. 17,500 l. to ditto, Interest on the Salt Duties.

XXVI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding forty-nine thousand two hundred fifty-two Pounds eighteen Shillings and nine Pence, for making good the Deficiency of the General Fund for the Year ended at *Michaelmas* one thousand seven hundred and forty-five; and any Sum or Sums of Money not exceeding eleven thousand nine hundred and fifty Pounds two Shillings and nine Pence Farthing, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and forty-five. 49,252 l. 18 s. 9 d. Deficiency of the General Fund. 11,950 l. 2 s. 9 d. Farthing, Deficiency of the Grants for 1745.

XXVII. And be it enacted by the Authority aforesaid, That the said Aids or Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament. Limitation of these Supplies.

XXVIII. And as to the said Sum of twenty-four thousand seven hundred and one Pounds seven Shillings and six Pence by this Act appropriated on Account of Half-pay as aforesaid; it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application thereof; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Imployment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who hath resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*. What Persons are entitled to Half-pay. *See* 20 *Geo.* 2. *c.* 36.

'XXIX. And whereas by an Act of Parliament made in the eighteenth Year of his Majesty's 18 Geo. 2. [illegible]22.
'Reign (intituled, *An Act for granting to his Majesty the Sum of eight hundred thousand Pounds out of the Sinking Fund; and for granting a Sum remaining in the Exchequer, arisen by the Surplus of the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and forty-five; and for the further appropriating the Supplies granted in this Session of Parliament; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices; and for the further enforcing the Payment of the said Duties*) several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several Uses and Purposes therein expressed, amongst which, any Sum or Sums of Money not exceeding twenty-six

'thousand

'thouſand ſeven hundred and ſeventy-five Pounds fifteen Shillings and ten Pence, was appropriated 'to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs 'to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid 'Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of twenty-ſix thouſand ſeven hundred ſeventy-five Pounds fifteen Shillings and ten Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the Rules by the ſaid Act preſcribed to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe his Majeſty ſhall judge to be proper Objects of Charity; or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act, or the ſaid former Act to the contrary notwithſtanding.

Overplus of Half-pay applied to the Compaſſionate Liſt.

'XXX. And whereas ſeveral Bills, commonly called Exchequer Bills, ſeveral Tickets, commonly 'called Lottery Tickets, ſeveral Orders and Certificates made forth in lieu of the ſaid Lottery Tic'kets, and likewiſe for Annuities of divers Kinds, payable at or near the Receipt of his Majeſty's 'Exchequer, as alſo ſeveral Receipts of the Caſhiers of the Governor and Company of the Bank 'of *England*, or ſome of them, for Money contributed there for the Purchaſe of Annuities, trans'ferrable in the Books of the ſaid Governor and Company, have, by Caſualty or Miſchance, been 'loſt, burnt or otherwiſe deſtroyed; which Exchequer Bills, Lottery Tickets, Certificates, Receipts, 'Annuity Orders, and other Orders of the reſpective Denominations aforeſaid, were made forth by 'and in purſuance of ſeveral Acts of Parliament in that Behalf;' Be it therefore enacted by the Authority aforeſaid, That in all Caſes where it ſhall appear, by Affidavit to be made before any of the Barons of the *Exchequer* for the time being (who ſhall interrogate the Deponent thereupon) to the Satisfaction of ſuch Baron or Barons, that any ſuch Exchequer Bills, or any ſuch Tickets, Certificates, Receipts, Annuity Orders, or other Orders as aforeſaid, before the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-ſix, have been, or are, loſt, burnt or otherwiſe deſtroyed, or that there be good Reaſon to believe the ſame have been burnt, loſt or otherwiſe deſtroyed; it ſhall and may be lawful for the reſpective Officers and Perſons appointed to iſſue or make forth ſuch Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders or other Orders, or to pay or diſcharge the ſame, or to iſſue any Monies due or payable thereon, upon producing a Certificate from any of the ſaid Barons, of ſuch Affidavit made before him (which Affidavit the ſaid Barons, or any of them, is and are hereby authorized to take; and which Certificate he or they are hereby required to make and grant, without Fee or Reward) and, on Security given to the ſaid reſpective Officers and Perſons, to their good Liking, to indemnify them reſpectively againſt all other Perſons whatſoever, for or concerning the Monies ſpecified in, or due upon, ſuch reſpective Bill or Bills, Ticket or Tickets, Certificate or Certificates, Receipt or Receipts, Order or Orders, they the ſaid Perſons and Officers reſpectively, ſhall, and are hereby required to make forth Duplicates of the ſaid Bills, Tickets, Certificates, Receipts and Orders, at the Requeſt of the reſpective Owners, and to pay and diſcharge the ſame, and all ſuch Intereſt as is or ſhall be due on any of them carrying Intereſt, or to make forth Stock or transferrable Annuities, in lieu of ſuch Receipts as he or they ſhould have paid or diſcharged, or made forth on the ſaid original Bills, Tickets, Certificates, Receipts, Annuity Orders, or other Orders, if the ſame had been produced, and ſhall be allowed all ſuch Payments, Sum or Sums of Money in their reſpective Accounts; and in all Caſes where the Signing of the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer of *Great Britain* for the time being, is neceſſary for making the ſaid Duplicates, or any of them effectual, for the Purpoſes aforeſaid; it is hereby further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the Lord High Treaſurer for the time being, to ſign ſuch Duplicates accordingly.

loſt or deſtroyed, &c. before 1 Aug. 1746.

Exchequer Bills, Tickets, Orders, &c.

on Affidavit made thereof before the Barons of the Exchequer,

and a Certificate produced,

and Security given,

the Officers to make forth Duplicates and Payment of the ſaid Bills, &c.

CAP. XXXII.

An Act for amending the Laws relating to Bankrupts.

'WHEREAS many Perſons within the Deſcription of, and liable to the Statutes concerning Bank'rupts, frequently commit ſecret Acts of Bankruptcy unknown to their Creditors and other 'Perſons, with whom, in the Courſe of Trade, they have Dealings and Tranſactions; and after the 'committing thereof, continue to appear publickly and carry on their Trade and Dealings, by buying 'and ſelling of Goods and Merchandizes, drawing, accepting and negociating Bills of Exchange, and 'paying and receiving Money on Account thereof, in the uſual Way of Trade, and in the ſame open 'and publick Manner as if they were ſolvent Perſons, and had not become Bankrupts: And whereas 'the permitting ſuch ſecret Acts of Bankruptcy to avoid and defeat Payments, really and *bona fide* 'made in the Caſes, and under the Circumſtances above-mentioned, where the Perſons receiving the 'ſame had not Notice of, or were privy to ſuch Perſons having committed any Act of Bankruptcy, will 'be a great Diſcouragement to Trade and Commere, and a Prejudice to Credit in general:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *October* in the Year of our Lord

For former Laws concerning Bankrupts, refer to
34 & 35 *H.* 8. c. 4.
13 *Eliz.* c. 7.
1 *Jac.* 1. c. 15.
21 *Jac.* 1. c. 19.
13 & 14 *Car.* 2. c. 24.
10 *Ann.* c. 15.
7 *Geo.* 1. c. 31.
5 *Geo.* 2. c. 30. *which laſt is by* 31 *Geo.* 2. c. 35. *continued to* 29 *Sept.* 1764.

one thouſand ſeven hundred and forty-ſix, no Perſon who is or ſhall be really and *bona fide* a Creditor of any Bankrupt, for or in reſpect of Goods really and *bona fide* ſold to ſuch Bankrupt, or for or in reſpect of any Bill or Bills of Exchange really and *bona fide* drawn, negociated or accepted by ſuch Bankrupt, in the uſual and ordinary Courſe of Trade and Dealing, ſhall be liable to refund or repay to the Aſſignee or Aſſignees of ſuch Bankrupt's Eſtate, any Money which, before the ſuing forth of ſuch Commiſſion, was really and *bona fide*, and in the uſual and ordinary Courſe of Trade and Dealing, received by ſuch Perſon of any ſuch Bankrupt, before ſuch Time as the Perſon receiving the ſame ſhall know, underſtand or have Notice that he is become a Bankrupt, or that he is in inſolvent Circumſtances.

After 29 Sept. 1746, Creditors of Bankrupts not liable to refund to the Aſſignees.

Monies received before Notice of Inſolvency, &c.

'II. And whereas Merchants and other Traders frequently lend Money on Bottom-ree, or at Reſpondentia, and in the Courſe of their Trade frequently cauſe their Ships or Veſſels, and the Goods and Merchandizes loaded thereon, to be inſured; and where Commiſſions of Bankruptcy have iſſued againſt the Obligor in ſuch Bottom-ree or Reſpondentia Bond, or the Under-writer or Aſſurer in ſuch Aſſurance, before the Loſs of the Ship or Goods, in ſuch Bond or Policy of Inſurance mentioned, hath happened, it hath been made a Queſtion, whether the Obligee or Obligees in ſuch Bond, or the Aſſured in ſuch Policy of Inſurance, ſhould be let in to prove their Debts, or be admitted to have any Benefit or Dividend under ſuch Commiſſion, which may be a Diſcouragement to Trade:' For Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *October*, the Obligee in any Bottom-ree or Reſpondentia Bond, and the Aſſured in any Policy of Inſurance, made and entered into upon a good and valuable Conſideration, *bona fide*, ſhall be admitted to claim; and after the Loſs or Contingency ſhall have happened, to prove his, her or their Debt and Demands in reſpect of ſuch Bond or Policy of Inſurance, in like Manner as if the Loſs or Contingency had happened before the Time of the iſſuing of the Commiſſion of Bankruptcy againſt ſuch Obligor or Inſurer; and ſhall be intitled unto, and ſhall have and receive a proportionable Part, Share and Dividend of ſuch Bankrupt's Eſtate, in Proportion to the other Creditors of ſuch Bankrupt, in like Manner as if ſuch Loſs or Contingency had happened before ſuch Commiſſion iſſued; and all and every Perſon or Perſons againſt whom, from and after the ſaid twenty-ninth Day of *October*, any Commiſſion of Bankruptcy ſhall be awarded, ſhall be diſcharged of and from the Debt or Debts owing by him, her or them, on every ſuch Bond and Policy of Inſurance as aforeſaid, and ſhall have the Benefit of the ſeveral Statutes now in Force againſt Bankrupts, in like Manner, to all Intents and Purpoſes, as if ſuch Loſs or Contingency had happened, and the Money due in reſpect thereof had become payable, before the Time of the iſſuing of ſuch Commiſſion.

Obligees in Bottom-ree, &c. admitted to claim

Dividends.

Bankrupts diſcharged from Debts on Policy of inſurance, &c.

CAP. XXXIII.

An Act to indemnify Perſons who have omitted to qualify themſelves for Offices, Employments, and Promotions, within the Time limited by Law, and for allowing further Time for that Purpoſe. EXP.

CAP. XXXIV.

An Act for the further Puniſhment of Perſons going armed or diſguiſed, in Defiance of the Laws of Cuſtoms or Exciſe; and for indemnifying Offenders againſt thoſe Laws, upon the Terms in this Act mentioned; and for Relief of Officers of the Cuſtoms in Informations upon Seizures.

'WHEREAS divers diſſolute Perſons have aſſociated themſelves, and entered into Confederacies to ſupport one another, and have appeared in great Gangs in ſeveral Parts of this Kingdom, carrying Fire-arms, or other offenſive Weapons; and when ſo aſſembled, have been aiding and aſſiſting in running, landing or carrying away prohibited or uncuſtomed Goods, or Goods liable to Duties of Exciſe, or in the illegal relanding of any Goods or Merchandizes, which have been ſhipped or exported upon Debenture or Certificate, or in reſcuing the ſame after Seizure, or in obſtructing the Officers of the Revenue in the Execution of their Office, to the great Diſcouragement of the fair Trader, and the Loſs of the Publick Revenue: And whereas ſeveral Officers of the Cuſtoms and Exciſe, and their Aſſiſtants, have been wounded, maimed, and ſome of them killed, when in the Execution of their Office, or otherwiſe, by the ſaid diſſolute Perſons, ſo aſſociated and aſſembled as aforeſaid, to the great Terror of his Majeſty's peaceable Subjects, in Defiance of the Laws, and to the utter Subverſion of all Civil Authority and Power whatſoever:' For Remedy of which many and great Inconveniencies, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſons, to the Number of Three or more, armed with Fire-arms or other offenſive Weapons, ſhall, from and after the twenty-fourth Day of *July* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, be aſſembled, in order to be aiding and aſſiſting in the illegal Exportation of Wooll or other Goods prohibited to be exported, or the carrying of Wooll or other ſuch Goods, in order to ſuch Exportation, or in the running, landing or carrying away prohibited or uncuſtomed Goods, or Goods liable to pay any Duties, which have not been paid or ſecured; or in the illegal relanding of any Goods whatſoever, which have been ſhipped or exported upon Debenture or Certificate,

Former Laws concerning Cuſtoms, 12 *Car.* 2. c. 4. — 13 & 14 *Car.* 2. c. 11. — 25 *Car.* 2. c. 6. — 2 *W. & M. ſeſſ.* 2. c. 4 & 10. — 4 & 5 *W. & M.* c. 5 & 11. — 6 *W. & M.* c. 17. — 9 & 10 *W.* 3. c. 27. — 5 *Geo.* 1. c. 11. — 9 *Geo.* 1. c. 21. — 7 *Geo.* 1. *ſeſſ.* 1. c. 21. — 8 *Geo.* 1. c. 15. — 18 & 19 *Car.* 2. c. 9. — 11 *Geo.* 1. c. 7 & 30. — 12 *Geo.* 1. c. 28. — 1 *Geo.* 2. *ſeſſ.* 2. c. 17. — 4 *Geo.* 2. c. 35. — 15 *Geo.* 2. c. 33. — 16 *Geo.* 2. c. 28. — Armed Perſons to the Number of three, aſſembled to aſſiſt in the illegal exporting or running of Goods, &c. — 20 *Geo.* 2. c. 54. *Offences againſt this Act to be tried by the general Pardon,*

Certificate; or in reſcuing or taking away the ſame, after Seizure, from any Officer or Officers of the Cuſtoms or Exciſe, or other his Majeſty's Revenue, or other Perſon or Perſons employed by him or them, or aſſiſting him or them, or from the Place where they ſhall be lodged by him or them; or in reſcuing any Perſon who ſhall be apprehended for any of the Offences made Felony by this or any other Act, relating to the Revenues of Cuſtoms or Exciſe; or in preventing the apprehending any Perſon who ſhall be guilty of any ſuch Offence; or in caſe any Perſons, to the Number of three or more, ſo armed as aforeſaid, ſhall, after the ſaid twenty-fourth Day of *July*, be ſo aiding or aſſiſting, or if any Perſon ſhall, from and after the ſaid twenty-fourth Day of *July* aforeſaid, have his Face balcked, or wear any Vizard, Maſk or other Diſguiſe when paſſing with ſuch Goods, or ſhall forcibly hinder, obſtruct, aſſault, oppoſe or reſiſt any of the Officers of the Cuſtoms or Exciſe, or other his Majeſty's Revenue, in the ſeizing or ſecuring any ſuch Goods; or if any Perſon or Perſons, from and after the ſaid twenty-fourth Day of *July* in the Year aforeſaid, ſhall maim or dangerouſly wound any Officer of the Cuſtoms or Exciſe, or any other his Majeſty's Revenue, in his attempting to go on Board any Ship or Veſſel within the Limits of any of the Ports of this Kingdom, or ſhoot at, maim or dangerouſly wound him when on Board ſuch Ship or Veſſel, and in the due Execution of his Office or Duty, then every Perſon ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy; and that all and every Perſon and Perſons, who ſhall at any Time be convicted of any the Offences aforementioned, within that Part of *Great Britain* called *Scotland*, ſhall, for every ſuch Offence, incur and ſuffer the Pains of Death and Confiſcation of Moveables.

of appearing in Diſguiſe with ſuch Goods, or who ſhall reſiſt, &c. Officers in the Execution of their Duty;

guilty of Felony without Clergy.

Scotland.

II. And, for the more eaſy and ſpeedy bringing the Offenders againſt this Act to Juſtice, Be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be charged with being guilty of any of the Offences aforeſaid, before any one or more of his Majeſty's Juſtices of the Peace, or before one of his Majeſty's Juſtices of the Court of *King's Bench*, if the Offence be committed in *England*; or before the Lord Juſtice General, or one of the Lords of Juſticiary, or any one or more of his Majeſty's Juſtices of the Peace in *Scotland*, if the Offence be committed in *Scotland*; by Information of one or more credible Perſon or Perſons upon Oath, by him or them to be ſubſcribed, ſuch Juſtice of the Peace, or Juſtice of the *King's Bench*, or Lord Juſtice General, Lord Juſtice Clerk, or Lord of Juſticiary reſpectively, before whom ſuch Information ſhall be made as aforeſaid, ſhall forthwith certify under his Hand and Seal, and return ſuch Information to one of the Principal Secretaries of State of his Majeſty, his Heirs or Succeſſors, who is hereby required to lay the ſame, as ſoon as conveniently may be, before his Majeſty, his Heirs or Succeſſors, in his or their Privy Council; whereupon it ſhall and may be lawful for his Majeſty, his Heirs or Succeſſors, to make his or their Order, in his or their ſaid Privy Council, thereby requiring and commanding ſuch Offender or Offenders to ſurrender him or themſelves within the Space of forty Days after the firſt Publication thereof in the *London Gazette*, to the Lord Chief Juſtice, or any other of his Majeſty's Juſtices of the Court of *King's Bench*, or to any one of his Majeſty's Juſtices of the Peace, if the Offence be committed in *England*; or to any of the Lords of Juſticiary, or to any one of his Majeſty's Juſtices of the Peace in *Scotland*, if the Offence be committed in *Scotland*; who is hereby required, upon ſuch Offender or Offenders ſurrendering him or themſelves, to commit him or them, without Bail or Mainprize, to the County Gaol, or to the Gaol or Priſon of the Place where he or they ſhall ſo ſurrender, to the end that he or they may be forth-coming to anſwer the Offence or Offences wherewith he or they ſhall ſtand charged according to due Courſe of Law; which Order the Clerks of his Majeſty's Privy Council ſhall cauſe to be forthwith printed and publiſhed in the two ſucceſſive *London Gazettes*, and to be forthwith tranſmitted to the Sheriff of the County where the Offence ſhall be committed, who ſhall, within fourteen Days after the Receipt thereof, cauſe the ſame to be proclaimed between the Hours of ten in the Morning, and two in the Afternoon, in the Market-places, upon the reſpective Market-days of two Market Towns in the ſame County, near to the Place where ſuch Offence ſhall have been committed; and a true Copy of ſuch Order ſhall be affixed upon ſome publick Place in ſuch Market-towns: And in caſe ſuch Offender or Offenders ſhall not ſurrender him or themſelves, purſuant to ſuch Order of his Majeſty, his Heirs or Succeſſors, to be made in Council as aforeſaid, he or they ſo neglecting or refuſing to ſurrender him or themſelves as aforeſaid, or eſcaping after ſuch Surrender, ſhall, from the Day appointed for his or their Surrender as aforeſaid, be adjudged, deemed and taken to be convicted and attainted of Felony, and ſhall ſuffer Pains of Death, as in Caſes of a Perſon convicted and attainted by Verdict and Judgment of Felony, without Benefit of Clergy, if the Offence be charged to have been committed in *England*; and ſhall be adjudged, deemed and taken to be convicted of a Capital Crime, and ſhall ſuffer the Pains of Death, and Confiſcation of Moveables, as in Caſe of a Perſon found guilty of a Capital Crime, and under Sentence for the ſame, if the Offence be charged to have been committed in *Scotland*; and that it ſhall be lawful to and for the Court of *King's Bench*, or the Juſtices of *Oyer* and *Terminer*, or General Gaol Delivery for the County or Place where ſuch Perſon ſhall be, to award Execution againſt ſuch Offender and Offenders, in ſuch Manner as if he or they had been convicted and attainted in the ſaid Court of *King's Bench*, or before ſuch Juſtices of *Oyer* and *Terminer*, or General Gaol Delivery reſpectively, if the Offence be charged to have been committed in *England*; and that it ſhall be lawful for the Court of Juſticiary, or the Lords of Juſticiary, in their Circuits, to award Execution againſt ſuch Offender and Offenders, in ſuch Manner as if he or they had been found guilty and condemned in the ſaid Court of Juſticiary, or in the Circuit reſpectively.

Perſons charged upon Oath with Offences againſt this Act,

the Juſtice, &c. to certify the Information to one of the Secretaries of State,

who is to lay the ſame before the King in Council;

Orders to be made for the Offender's ſurrendering in 40 Days;

and Commitment without Bail.

Order to be publiſhed in two ſucceſſive Gazettes, and tranſmitted to the Sheriff,

who ſhall proclaim the ſame.

Copy to be affixed in the Market-towns.

Offenders not ſurrendering, &c.

to be convicted of Felony without Clergy.

The King's Bench, or Juſtices of Oyer and Terminer, &c. to award Execution.

III. And

III. And be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall, after the Time appointed as aforeſaid for the Surrender of any Perſon or Perſons ſo charged upon Oath with any of the Offences aforeſaid, ſhall be expired, harbour, receive, conceal, aid, abet or ſuccour ſuch Perſon or Perſons, knowing him or them to have been ſo charged as aforeſaid, and to have been required to ſurrender him or themſelves by ſuch Order or Orders as aforeſaid, and not to have ſurrendered purſuant to ſuch Order or Orders, being proſecuted for the ſame, within one Year after the Offence committed, and lawfully convicted thereof, ſhall be guilty of Felony; and ſhall be tranſported as a Felon or Felons to ſome or one of his Majeſty's Colonies or Plantations in *America*, there to remain for the Space of ſeven Years, in the ſame Manner as Felons are appointed to be tranſported by an Act made in the fourth Year of the Reign of his late Majeſty King GEORGE the Firſt, of Glorious Memory, intituled, *An Act for the further preventing Robbery, Burglary and other Felonies; and for the more effectual Tranſportation of Felons, and unlawful Exporters of Wooll; and for declaring the Law upon ſome Points relating to Pirates*; and by another Act made in the ſixth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for the better preventing Robbery, Burglary and other Felonies; and for the more effectual Tranſportation of Felons*; and if any ſuch Offender or Offenders ſhall return into *Great Britain* or *Ireland* before the Expiration of the ſaid Term, contrary to the Intent and Meaning hereof, he or they ſo returning ſhall ſuffer as Felons, and have Execution awarded againſt them, as Perſons attainted of Felony, without Benefit of Clergy.

Perſons harbouring, &c. Offenders after the Time appointed for their Surrender,

4 Geo. 1. c. 11.

6 Geo. 1. c. 23.

and returning before the Term, to ſuffer as Felons.

IV. Provided nevertheleſs, and it is hereby declared and enacted, That nothing herein contained ſhall be conſtrued to prevent or hinder any Judge, Juſtice of the Peace, Magiſtrate, Officer or Miniſter of Juſtice whatſoever, from taking, apprehending and ſecuring ſuch Offender or Offenders, againſt whom ſuch Information ſhall be given, and for requiring whoſe Surrender ſuch Order in Council ſhall be made as aforeſaid, by the ordinary Courſe of Law; and in caſe ſuch Offender or Offenders, againſt whom ſuch Information, and for requiring whoſe Surrender ſuch Order in Council ſhall be made as aforeſaid, ſhall be taken and ſecured, in order to be brought to Juſtice, before the Time ſhall be expired, within which he or they ſhall be required to ſurrender him or themſelves by ſuch Order in Council as aforeſaid; that then, in ſuch Caſe, no further Proceedings ſhall be had upon ſuch Order made in Council againſt him or them ſo taken and ſecured as aforeſaid; but he or they ſhall be brought to Trial by due Courſe of Law; any thing herein contained to the contrary in any wiſe notwithſtanding.

Magiſtrates, &c. may ſecure and proceed againſt Offenders by the ordinary Courſe of Law.

V. And for the better and more impartial Trial of any Indictment or Information which ſhall be found, commenced or proſecuted, for any of the Offences made Felony by this or any other Act relating to the Revenues of Cuſtoms or Exciſe, Be it enacted by the Authority aforeſaid, That every ſuch Offence ſhall and may be enquired of, examined, tried and determined, in any County within that Part of the Kingdom of *Great Britain* called *England*, in ſuch Manner and Form as if the Fact had been therein committed: Provided, That no Attainder for any of the Offences made Felony by virtue of this Act, ſhall make or work any Corruption of Blood, Loſs of Dower or Forfeiture of Lands or Tenements.

Offences where to be tried.

The Attainder not to effect Corruption of Blood, &c. or Forfeiture.

VI. And be it enacted by the Authority aforeſaid, That if any Officer or Officers of his Majeſty's Revenue, or other Perſons being employed in the ſeizing, conveying or ſecuring any Wooll or other Goods forfeited, on account of their being prohibited or uncuſtomed Goods, or on account of the Duties chargeable thereon not having been paid or ſecured, or by virtue of any Law made to prevent the Exportation of Wooll or other Goods, or in endeavouring to apprehend any Offender againſt this Act, ſhall be beat, wounded, maimed or killed by any Offender againſt this Act; or the ſaid Wooll or other Goods ſo ſeized, ſhall be reſcued by Perſons ſo armed as aforeſaid; in all ſuch Caſes reſpectively, the Inhabitants of every Rape or Lath, in ſuch Counties as are divided into Rapes or Laths, and in every other County the Inhabitants of every Hundred where ſuch Facts ſhall be committed, within that Part of *Great Britain* called *England*, ſhall make full Satisfaction and Amends for all the Damages which ſuch Officers or Perſons ſhall reſpectively ſuffer by ſuch Beating, Wounding, and Maiming reſpectively, and by the Loſs of ſuch Goods ſo ſeized and reſcued, and ſhall alſo pay the Sum of one hundred Pounds for each Perſon ſo killed, to the Executors or Adminiſtrators of ſuch Officers, or other Perſon ſo killed as aforeſaid; and that ſuch reſpective Officers and other Perſons, and their ſaid Executors and Adminiſtrators, ſhall be and are hereby enabled to ſue for and recover ſuch their Damages, ſo as the Sum to be recovered for any ſuch Beating, Wounding or Maiming, ſhall not exceed forty Pounds, nor for the Loſs of the Goods two hundred Pounds, againſt the Inhabitants of the ſaid Rape or Lath, in ſuch Counties as are divided into Rapes or Laths; and in every other County the Inhabitants of every Hundred, who by this Act ſhall be made liable to anſwer all or any Part thereof; and that if ſuch Perſon or Perſons ſhall recover in ſuch Action, all the Inhabitants of the Rape or Lath in ſuch Counties as are divided into Rapes or Laths, and in every other County the Inhabitants of every Hundred, who by this Act ſhall be made liable to all or any Part of the ſaid Damage or Sum, ſhall be ratably and proportionably taxed and aſſeſſed for and towards Payment of the Damages and Coſts to be recovered by the Plaintiff or Plaintiffs in any Action to be brought upon this Act, and alſo of all juſt and neceſſary Expences in defending ſuch Action; which Taxation and Aſſeſſment ſhall be made, levied and paid by the Ways and Means, and in the Manner and Form preſcribed for the levying and paying Damages and Coſts recovered againſt Inhabitants of Hundreds in Caſes of Robberies, and for the levying and paying the juſt and neceſſary Expences in defending any Action to be brought for ſuch Damages, in and

If Officers, &c. be wounded or killed in ſeizing Wooll, &c. or ſecuring Offenders, or the Goods ſhall be reſcu'd, the Country to make good the Damages;

100 l. for each Perſon killed.

For beating, &c. 40 l.

For Loſs of Goods, 200 l.

Damages to be ratably taxed.

and levied as by 8 Geo. 2. c. 16.

If the Plaintiff be nonſuit, the Charges of the Defence, &c. to be levied as the Act directs.

by an Act (intituled, *An Act for the Amendment of the Law relating to Actions on the Statute of Hu and Cry*) made in the eighth Year of the Reign of his preſent Majeſty, and by ſo much of any former Law relating to Actions againſt Hundreds, in caſe of Robberies, as is not repealed or altered by the ſaid Act; and that if any Plaintiff or Plaintiffs, in any Action to be brought upon this Act, ſhall be nonſuited, or ſhall diſcontinue his, her, or their Action; or if in ſuch Action, Judgment on Demurrer, or Verdict ſhall be given againſt him, her, or them, the Charges neceſſarily expended in defending ſuch Action, over and above the Coſts in thoſe Caſes to be taxed, and alſo the taxed Coſts, in caſe the Plaintiff or Plaintiffs be inſolvent, ſhall be levied by ſuch Taxation and Aſſeſſment, and ſhall be paid in ſuch Manner, as in the like Caſes ſuch Charges and Coſts in Actions brought upon the ſaid Act are thereby directed to be levied and paid; and that every Action to be brought upon this Act, ſhall be proſecuted in like Manner as Actions upon the ſaid Act of the eighth Year of the Reign of his preſent Majeſty are directed to be proſecuted.

Notice to be given within 4 Days of the Injury received;

and Examination within 8 Days.

Recognizance, &c. to proſecute.

VII. Provided nevertheleſs, That no Perſon or Perſons ſhall recover any Damages by virtue of this Act, for any ſuch Beating, Wounding, Maiming, or Loſs of Goods, unleſs he or they ſhall, within four Days after ſuch Damage or Injury, cauſe Notice to be given of ſuch Offence being committed, unto two or more of the Inhabitants of ſome Town, Village, or Hamlet, near to the Place where ſuch Fact ſhall have been committed, and ſhall, within eight Days after ſuch Fact, declare, by Examination upon Oath, before ſome Juſtice of the Peace of the County, Liberty, or Diviſion where the ſame was committed, which Examination every ſuch Juſtice ſhall be obliged to take, whether he or they ſo examined, do know the Perſon or Perſons who committed ſuch Fact, or any of them; and if upon ſuch Examination it be declared, that he or they knew the Perſon or Perſons who committed the ſame, or any of them, then he or they ſhall be bound by Recognizance to proſecute ſuch Offender or Offenders according to Law; and that no ſuch Perſon or Perſons ſhall recover any Damages by virtue of this Act, unleſs he or they ſhall, over and beſides the ſaid Notice and Recognizance herein before required, give ſuch Notice, and enter into ſuch Recognizance, as Perſons robbed are, by the ſaid Act of the eighth Year of the Reign of his preſent Majeſty, directed to give and enter into, in order to enable them to maintain Actions upon the ſaid Act.

No Satisfaction to be made if the Offender be convicted in 6 Months.

VIII. Provided alſo, That where any Offender ſhall be apprehended and convicted of ſuch Offence, within the Space of ſix Calendar Months after the Offence committed, no Hundred, Rape, or Lath, or any Inhabitant thereof, ſhall be in any wiſe ſubject to make any Satisfaction for ſuch Damages, or to pay the ſaid one hundred Pounds to the Executors or Adminiſtrators of ſuch killed Perſon.

Actions to be brought within 1 Year.

IX. Provided alſo, That no Perſon ſhall be intitled to bring any Action againſt the Inhabitants of any Hundred, Rape, or Lath, for any the Matters aforeſaid, unleſs the ſame ſhall be commenced within one Year after the Offence committed.

Perſons apprehending, &c. an Offender,

to be paid 500 l. by the Commiſſioners of the Revenue, who are to adjuſt the Claimers Rights.

Offenders diſcovering, &c. others,

to be acquitted,

and have a Share of the Premium.

Perſons wounded in apprehending, &c. Offenders,

to be paid 50 l.

X. And for the better diſcovering and apprehending the ſaid Offender or Offenders in that Part of *Great Britain* called *England*, who ſhall have been advertiſed as aforeſaid, and ſhall not have ſurrendered him or themſelves within forty Days as afore directed, Be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *July* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, all and every Perſon and Perſons, who ſhall apprehend and take, or diſcover, ſo that he may be taken, any Perſon in that Part of *Great Britain* called *England*, ſo advertiſed as aforeſaid, who ſhall have not ſurrendered himſelf within forty Days as aforeſaid, and cauſe him to be brought before the Lord Chief Juſtice of the Court of *King's Bench*, or before any one of the Juſtices of the ſaid Court, or any one of his Majeſty's Juſtices of the Peace for *London* or *Middleſex* (who is hereby required to commit ſuch Perſon to the Priſon of *Newgate* for ſuch Felony) ſhall have and receive, for every ſuch Perſon who ſhall be ſo apprehended, the Sum of five hundred Pounds, to be paid within one Month after Execution ſhall be awarded againſt ſuch Offender ſo apprehended and committed as aforeſaid, by the Commiſſioners of the Cuſtoms or Exciſe reſpectively, who are hereby required to receive the Applications of all ſuch who are concerned in ſuch diſcovering or apprehending ſuch Offender, and determine who are intitled to the ſaid Reward, and their reſpective Shares and Proportions thereof; and the ſame ſhall be divided amongſt ſuch Perſons as aforeſaid, in ſuch Shares and Proportions, as to the ſaid Commiſſioners of the Cuſtoms or Exciſe reſpectively, or to the major Part of them ſhall ſeem reaſonable; and if any ſuch Offender, againſt whom no ſuch Order of Council ſhall have been made, ſhall himſelf ſo diſcover or apprehend any other Offender, againſt whom ſuch Order ſhall have been made, he ſhall be diſcharged and acquitted of ſuch his own Offence, and all other the like Offences then before committed, and for which no Proſecution ſhall have been then commenced, and ſhall alſo have his Share of the Reward; and if any Perſon or Perſons ſhall happen to loſe a Limb, or an Eye, or be otherwiſe grievouſly maimed or wounded in the apprehending, or endeavouring to apprehend, or making Purſuit after ſuch Offender or Offenders; all and every Perſon or Perſons ſo wounded and maimed as aforeſaid ſhall, upon Application to the Commiſſioners of the Cuſtoms or Exciſe reſpectively as aforeſaid, have and receive the Sum of fifty Pounds, over and above any other Reward that he or they may be intitled to as an Apprehender by virtue of this Act; and in caſe any Perſon or Perſons ſhall happen to be killed in the taking or apprehending, or endeavouring to apprehend, or in making Purſuit after any ſuch Offender or Offenders, that then the Executors or Adminiſtrators of ſuch Perſon or Perſons ſo killed as aforeſaid, upon Application to the Commiſſion-

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ers of the Customs or Excise respectively as aforesaid, and laying sufficient Proof before them, of such Person being killed as aforesaid, shall have and receive the Sum of one hundred Pounds; all which Rewards before mentioned shall be paid to the several and respective Persons, who shall become intitled thereto as aforesaid, by the Receiver General of the Customs, or Cashier of the Excise respectively, upon an Order directed to them for that Purpose by the Commissioners of the Customs or Excise; and the Money paid by such Receiver General, or Cashier, as aforesaid, shall be accepted of, and allowed in his Accounts as so much Money paid to his Majesty; and every such Officer shall be hereby discharged thereof accordingly; any Law, Custom, or Usage to the contrary notwithstanding. and Executers of Persons killed, 100 l.

XI. And be it further enacted, That if any of the said Offender or Offenders in that Part of *Great Britain* called *England*, at any Time before his Majesty's Order in Council shall be made requiring him or them to surrender him or themselves within the Space of forty Days as aforesaid, shall discover two or more of his, her or their Accomplices therein, to the Commissioners of the Customs or Excise in *England* respectively, and apprehend them, or cause them to be apprehended, so as they, or two of them at least, be brought to Justice, and convicted of such Offence, the Offender or Offenders so discovering, shall have and receive the Sum of fifty Pounds for every such Offender so discovered and convicted, as a Reward for such his, her or their Discovery; and every such Person so discovering shall be clearly acquitted and discharged of such his, her or their Offence, and all other the like Offences then before committed, for which no Prosecution shall have been then commenced: Which said Reward shall be paid in such Manner as herein before is mentioned, with respect to the Reward for apprehending. Offenders discovering, &c. Two or more Accomplices, to receive 50 l. and be acquitted.

XII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to restrain his Majesty's Court of *King's Bench*, or any of the Judges thereof, or the Court of Justiciary in *Scotland*, or any of the Judges thereof respectively, from bailing any Person committed for Felony by virtue of this Act, and not convicted or attainted thereof as aforesaid, in such Manner as they may by Law do in other Cases of Felony. Proviso for Bail. *Continued by* 32 *Geo.* 2. *c.* 18.

'XIII. And whereas at the same Time that the Laws made for securing the Revenues of Customs and Excise are enforced for the future, by new Penalties and Provisions, which for the Sake of the fair Trader, the Security of the publick Revenue, the Quiet and Safety of the Kingdom, and the Honour and Dignity of Government, ought most rigorously and strictly to be put in Execution, it may be proper to pardon many of those who have heretofore been guilty of such illegal Practices, and put it in their Power to make some Atonement for their Offences, and some Return for the Clemency extended to them, by serving his Majesty and their Country aboard the Fleet;' Be it therefore enacted by the Authority aforesaid, That every Person who, before the twenty-fourth Day of *June* one thousand seven hundred and forty-six, shall have been guilty of illegal Running, Landing, Unshipping, Concealing, Receiving, or Carrying any Wooll, prohibited Goods, Wares or Merchandizes, or any Foreign Goods liable to the Payment of the Duties of Customs or Excise, the same Duties not having been paid or secured, or of aiding or assisting therein, or shall have been armed with Fire-arms, or other offensive Arms or Weapons, in order to be aiding or assisting any such Offenders, or have been guilty of rescuing such Goods, Wares or Merchandizes, or such Foreign Goods as aforesaid, where Duties had not been paid or secured, after Seizure from the Officers of the Customs or Excise, or of any Act or Matter whatsoever, whereby Persons may be deemed and taken to be Runners of Foreign Goods and Commodities, within the Intent and Meaning of any Law now in Force; or of hindering, opposing, obstructing, wounding, or beating any Officer or Officers of the Customs or Excise in the Execution of his or their Office or Duty, or of aiding or assisting therein, shall be, and are, by the Authority of this present Act, acquitted, indemnified, released, and discharged against the King's Majesty, his Heirs and Successors, and any Officer or Officers of the Customs or Excise, and every of them, and all and every other Person and Persons, of and from all and every the said Offences, concerning which no Suit or Information, or Prosecution shall have been commenced, or Composition made, before the said twenty-fourth Day of *June*, upon the following Terms and Conditions (that is to say) That he do, before he shall be apprehended for the same, and before the twenty-ninth Day of *September* one thousand seven hundred and forty-six, enter himself with some Commission Officer of his Majesty's Fleet, to serve as a common Sailor in the said Fleet, and do, for one Year at least, from the Time of such Entry, actually and *bona fide* serve and do Duty as such in the said Fleet; and shall also, before the said twenty-ninth Day of *September*, register his Name, Employment, and usual Place of Abode, with the Clerk of the Peace of the County, Riding, or Division where he resides, in a Book which is hereby directed to be kept by the said Clerk among the Records of the Sessions for the said County, Riding, or Division, for this Purpose, and shall sign such Register, signifying that he claims the Benefit of this Act, and that he has entered himself with a certain Commission Officer, by Name, of his Majesty's Fleet, to serve as a common Sailor; which Entry shall be made in the following Form; Offenders before 24 June 1746, acquitted, &c. if before 29 Sept. 1746, they enter as common Sailors in the Fleet;

A. B. *of* *claims the Benefit of an Act of the Nineteenth Year of the Reign of his Majesty King* GEORGE *the Second, and has entered himself with a Commission Officer of his Majesty's Fleet, and has registered his Name in the Book kept by the Clerk of the Peace of this County, Riding, or Division, this Day of pursuant to the Directions of the said Act.* Form of the Entry.

For

Fee for Entry, 1 s.

For which Entry or Regiſter there ſhall be paid to the Clerk of the Peace of ſuch County, Riding or Diviſion, one Shilling, and no more; and that the ſaid Clerks of the Peace ſhall immediately after the ſaid twenty-ninth Day of *September*, tranſmit to the Commiſſioners of the Cuſtoms and Exciſe an exact Account of all the Perſons who have, by ſuch Entry or Regiſter as aforeſaid, intitled themſelves to claim the Benefit of this Act.

Clerks of the Peace to tranſmit the Entry.

Perſons claiming under this Act, and offending again, &c.

XIV. Provided always, That every Perſon who ſhall make ſuch Entry, and claim the Benefit of this preſent Act as aforeſaid, and ſhall afterwards be guilty of, or commit any of the like Offences as thoſe herein before mentioned, or hereby intended to be acquitted, releaſed, or diſcharged, or ſhall at any Time after deſert from the ſaid Service, or within the ſaid Year procure his Diſcharge therefrom, ſhall be ſubject and liable to be proſecuted, not only for or in reſpect of ſuch new Offence, but ſhall alſo be ſubject and liable to all the ſame Pains, Penalties, and Forfeitures, as he would have incurred, or been ſubject or liable to, in caſe this Indemnity had never been given; any thing herein contained to the contrary notwithſtanding.

liable to double Proſecution.

Penalty on falſe Muſters, &c.

XV. Provided alſo, That if any Officer of his Majeſty's Navy ſhall by falſe Muſter or Certificate, or by any other colluſive or evaſive Ways or Means whatſoever, ſuffer or permit ſuch Perſon to avoid the actual Service as aforeſaid, ſuch Perſon ſhall not only loſe the Benefit of this Act, but every ſuch Officer ſhall ſuffer the Penalty of five hundred Pounds.

Coſts, &c. not to be given to Defendant, where there was a probable Cauſe of Seizure.

The Judge ſhall certify.

XVI. And be it further enacted by the Authority aforeſaid, That in caſe any Information ſhall be commenced and brought to Trial, on Account of the Seizure of any Ship as forfeited for illegally carrying Goods, or of any Wooll, Goods, Wares or Merchandizes, as prohibited or uncuſtomed, or illegally carried or exported, or intended or attempted to be exported, or as illegally relanded after having been ſhipt or exported upon Debenture or Certificate, wherein a Verdict ſhall be found for the Claimer thereof, and it ſhall appear to the Judge or Court before whom the ſame ſhall be tried, that there was a probable Cauſe of Seizure, the Judge or Court before whom the ſaid Information ſhall be tried, ſhall certify on the Record, that there was a probable Cauſe for the Proſecutor's ſeizing the ſaid Ship or Goods; and in ſuch Caſe, the Defendant ſhall not be intitled to any Coſts of Suit whatſoever, nor ſhall the Perſons who ſeized the ſaid Ship or Goods be liable to any Action, Indictment, or other Suit or Proſecution on Account of ſuch Seizure; and that in caſe any Action, Indictment, or other Proſecution, ſhall be commenced and brought to Trial againſt any Perſon or Perſons whatſoever, on Account of the Seizure of any ſuch Ship, or of any Wooll, Goods, Wares, or Merchandizes, as prohibited or uncuſtomed, or as illegally carried or exported, or intended or attempted to be exported, or illegally relanded as aforeſaid, wherein a Verdict ſhall be given againſt the Defendant or Defendants, if the Court or Judge, before whom ſuch Action or Proſecution ſhall be tried, ſhall certify on the ſaid Record, that there was a probable Cauſe for ſuch Seizure, then the Plaintiff, beſides his Ship or Goods ſo ſeized, or the Value thereof, ſhall not be intitled to above two Pence Damager, nor to any Coſts of Suit, nor ſhall the Defendant in ſuch Proſecution be fined above one Shilling.

Damages 2 s. Fine 1 d.

This Act to be in Force for 7 Years. Continued by 26 Geo. 2. c. 32.

XVII. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue in Force for the Space of ſeven Years, and from thence to the End of the next Seſſion of Parliament.

Concerning Cuſtoms, ſee farther 21 *Geo.* 2. *c.* 2. 28 *Geo.* 2. *c.* 21. 30 *Geo.* 2. *c.* 18 & 29. 32 *Geo.* 2, *c.* 10.

CAP. XXXV.

An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of *Weſtminſter*, and that Part of the Dutchy of *Lancaſter* adjoining thereto, and the ſeveral Pariſhes of Saint *Giles in the Fields*, Saint *Mary le Bon*, and ſuch Part of the Pariſh of Saint *Andrew*, *Holborn*, as lies in the County of *Middleſex*.

Continued and amended by 23 Geo. 2. c. 26. and laſtly by 32 Geo. 2. c. 27.

For former Laws refer to 3 Geo. 2. c. 26. 4 Geo. 2. c. 30. 10 Geo. 2. c. 32. 11 Geo. 2. c. 15. 13 Geo. 2. c. 21. 17 Geo. 2. c. 35.

Land Coal-meter's Office to be erected in Weſtminſter, and 2 Managers to be appointed.

23 Geo. 2. c. 26. Their Office Hours.

'WHEREAS many Frauds and Abuſes are daily committed in the Admeaſurement of Coals, and in and relating to the Coal Trade, within the City and Liberty of *Weſtminſter*, and that Part of the Dutchy of *Lancaſter* adjoining thereto, and in the Pariſh of Saint *Giles in the Fields*, Saint *Mary le Bon*, and ſuch Part of the Pariſh of Saint *Andrew*, *Holborn*, as lies in the County of *Middleſex*, notwithſtanding the Laws now in Force for the Regulation of the Coal Trade:' For Remedy thereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *September* one thouſand ſeven hundred and forty-ſix, there ſhall be erected and continued, within the City and Liberty of *Weſtminſter*, one publick Office, which ſhall be called by the Name of *The Land Coal-meters Office*, for the City and Liberty of *Weſtminſter*; which ſaid Office ſhall from time to time be managed by two Perſons, to be nominated and appointed by his Majeſty, his Heirs and Succeſſors; which ſaid two Perſons, ſo to be nominated and appointed, ſhall be called and known by the Name of *The Principal Land Coal-meters for the City and Liberty of* Weſtminſter; and ſuch Office, after erected, ſhall be kept open every Day (*Sundays* excepted) from the twenty-fifth Day of *March* to the twenty-ninth Day of *September* yearly, during the Continuance of this Act, from the Hour of Five

till

till Twelve in the Forenoon, and from the Hour of One till Eight in the Afternoon; and from the twenty-ninth Day of *September* to the twenty-fifth Day of *March* yearly, during the Continuance of this Act, from the Hour of Seven till Twelve in the Forenoon, and from the Hour of One till Six in the Afternoon.

Principals to be sworn.

II. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be capable of acting as one of the Principal Land Coal-meters, until he or they shall, before two or more of his said Majesty's Justices of the Peace for the said City and Liberty of *Westminster* (who are hereby authorized and required to administer the same) take an Oath in the Words following; to wit,

The Oath.

I A. B. *do swear, That I will truly and faithfully, according to the best of my Judgement and Ability, execute the Office of one of the Principal Land Coal-meters for the City and Liberty of* Westminster, *and for that Part of the Dutchy of* Lancaster *adjoining thereto, and for the several Parishes of Saint* Giles in the Fields, *Saint* Mary le Bon, *and for such Part of the Parish of Saint* Andrew, Holborn, *as lies in the County of* Middlesex.

So help me God.

Principals to appoint Labouring Coal-meters;

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Principal Land Coal-meters, or any one or more of them, and they, or any one or more of them, are and is hereby authorized to appoint a sufficient Number of Persons to be Labouring Coal-meters within the said City and Liberty, and the aforesaid Part of the said Dutchy of *Lancaster*, and in the said Parishes, and the aforesaid Part of the said Parish of Saint *Andrew, Holborn*; one of which said Labouring Coal-meters shall attend every Day (*Sundays* excepted) at such of the Coal Wharfs, Warehouses, or other Places of Sale, within the said City and Liberty, and in the aforesaid Part of the said Dutchy of *Lancaster*, and in the said Parishes, and the aforesaid Part of the said Parish of Saint *Andrew, Holborn*, at which he shall be stationed by the Principal Land Coal-meters, or any one or more of them, from the twenty-fifth Day of *March* to the twenty-ninth Day of *September* yearly, during the Continuance of this Act, from the Hour of Five till Twelve in the Forenoon, and from the Hour of One till Eight in the Afternoon; and from the twenty-ninth Day of *September* to the twenty-fifth Day of *March* yearly, during the Continuance of this Act, from the Hour of Seven till Twelve in the Forenoon, and from the Hour of One till Six in the Afternoon, to measure out the Coals which shall, from time to time, be sold at any of the said Wharfs or Warehouses, where such Labouring Coal-meters shall be so stationed as aforesaid.

to be stationed.

Hours of Attendance.

To be sworn.

IV. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be capable of acting as one of the Labouring Coal-meters to be appointed as aforesaid, until he or they shall, before two or more of his said Majesty's Justices of the Peace for the said City and Liberty of *Westminster* (who is and are hereby authorized and required to administer the same) take an Oath in the Words following; to wit,

The Oath.

I A. B. *do swear, That I will duly and faithfully, to the best of my Skill and Knowledge, execute the Office of one of the Labouring Coal-meters for the said City and Liberty of* Westminster, *and for that Part of the Dutchy of* Lancaster *adjoining thereto, and for the several Parishes of Saint* Giles in the Fields, *and for Saint* Mary le Bon, *and for such Part of the Parish of Saint* Andrew, Holborn, *as lies in the County of* Middlesex; *and will well and truly, according to the best of my Skill and Judgment, measure Coals, between Buyer and Seller, without Favour or Ill-will.*

So help me God.

Justices to certify the Oaths.

And the said Justices respectively, who shall administer the said Oaths hereby directed, are hereby required to certify the taking thereof to the next General Quarter Sessions of the Peace, to be held for the said County of *Middlesex*, after the taking of such Oaths respectively, there to remain on Record.

Penalty of breaking Bulk.

V. And be it further enacted by the Authority aforesaid, That if any Lighterman, or other Person, after Coals shall have been been delivered on Board any Lighter or Craft from out of any Ship, shall break Bulk, before the Time of Delivery at the Wharf, in the Absence of a Meter, or of the Consumer, or of his Agent (in Cases where the Meter is not hereby obliged to attend the Delivery) the Person so offending in this Respect shall, for every Offence, forfeit and pay the Sum of five Pounds.

Stations to be varied.

VI. And, in order to prevent Confederacy, be it enacted, That the Stations to be appointed to and for the said Labouring Coal-meters, at the said Wharfs, shall be varied in such Manner as the Principal Coal-meters, or any one or more of them shall think fit.

VII. And be it further enacted, That all Contracts and Agreements to be made at any Time, from and after the said twenty-fourth Day of *September*, for any Quantity of Coals to be delivered within the said City and Liberty of *Westminster*, or the aforesaid Part of the said Dutchy, or the

Pool Measure, &c.

ſaid Pariſhes, or the aforeſaid Part of the ſaid Pariſh of Saint *Andrew, Holborn*, directly from any Lighter, or other Craft, to the Conſumer (not being leſs than Five Chaldron) ſhall be for Pool Meaſure, including the Ingrain of one Chaldron in every Score, according to the ancient Cuſtom of the Port of *London*, and ſhall be ſo underſtood between the Seller and Buyer, though the Term of Pool Meaſure may be omitted in any written or verbal Contract or Agreement for that Purpoſe.

Pool Meaſure, &c. to be loaded ſeparately.

VIII. And be it further enacted by the Authority aforeſaid, That all Coals which ſhall, at any Time from and after the ſaid twenty-fourth Day of *September*, be delivered as and for Pool Meaſure at any Wharf within the ſaid City and Liberty, or the ſaid Part of the ſaid Dutchy, ſhall be loaded ſeparately in the Craft, together with the Ingrain thereto belonging, and ſhall be ſo filled and delivered from thence, without being meaſured by the Buſhel, unleſs the Buyer deſire to have the ſame ſo meaſured.

One Labouring Coal-meter to be preſent at Wharf Meaſure.

IX. And be it further enacted by the Authority aforeſaid, That all Coals which, from and after the ſaid twenty-fourth Day of *September*, ſhall be ſold as and for Wharf Meaſure, at any Place or Places within the ſaid City and Liberty, or the aforeſaid Part of the ſaid Dutchy, or the ſaid Pariſhes, or the aforeſaid Part of the ſaid Pariſh of Saint *Andrew, Holborn*, ſhall be meaſured in the Preſence of one of the ſaid Labouring Coal-meters, in ſuch Manner as is directed in and by an Act of Parliament, made and paſſed in the ſixteenth and ſeventeenth Years of the Reign of his late Majeſty King CHARLES the Second, intituled, *An Act for regulating the Meaſures and Prices of Coals*; and the ſaid Labouring Coal-meters ſhall and may, and he and they is and are hereby authorized and required to fill up any Buſhel or Buſhels of Coals, as ſhall appear to him or them to be deficient or wanting in Meaſure, out of the Stock of Coals of the Perſon or Perſons ſo vending or contracting for the Sale of the ſaid Coals.

16 & 17 Car. 2. cap. 2.

who is to fill up deficient Meaſure.

Seller to pay 4 d. per Chaldron.

X. And be it further enacted by the Authority aforeſaid, That four Pence by the Chaldron for every Chaldron, which from and after the ſaid twenty-fourth Day of *September* ſhall be ſold and delivered at any Wharf, Warehouſe, or Place, within the ſaid City and Liberty of *Weſtminſter*, or the aforeſaid Part of the ſaid Dutchy, or the ſaid Pariſhes, or the aforeſaid Part of the ſaid Pariſh of Saint *Andrew, Holborn*, ſhall be paid by the Seller of ſuch Coals, to the Principal Land Coal-meters for the time being, or to the Labouring Coal meters, for the Purpoſes following; that is to ſay, One Moiety thereof for the Uſe of the Principal Coal meters, as a Recompence of their Labour and Trouble, and for defraying the Charges of their Clerks, Meſſengers, Houſe-rent, Fire, Candles, and all other Expences incident to the Execution of the Office aforeſaid; and the other Moiety for the Uſe of the Labouring Coal-meters; and thereupon ſuch Principal Land Coal-meters ſhall, and they are hereby reſpectively required to deliver, or cauſe to be delivered to every Seller of ſuch Coals, or the Carman who ſhall cart, lead, drive, or carry the ſame, a Paper-writing, or Ticket, ſigned by the ſaid Principal Land Coal-meters, or one or more of them, and counterſigned by the Labouring Coal-meter attending and delivering the ſame, in which ſhall be contained as well the Chriſtian and Sirname of the reſpective Sellers, as of the Conſumers of the ſaid Coals, the Quantity and Quality, the Price *per* Chaldron, and the Day of the Week, Month, and Year of the Sales, Delivery, and Admeaſurement, the Amount of the Metage Charge, and the Names of the Carmen, or Perſons employed to cart, lead, drive, or carry the ſame Coals; which ſaid Ticket being thus made complete, and Metage paid, ſhall be delivered unaltered by the Labouring Coal-meter counterſigning the ſame, without Delay, to the Carman, or Perſon employed to cart, carry, drive, or lead the Coals, deſcribed in ſuch Ticket, to the Conſumer therein named; which ſaid Ticket unaltered, the Carman, or Perſon therein named, to be employed to cart, carry, lead, or drive the Coals, in ſuch Ticket deſcribed, ſhall, and they are hereby reſpectively required to deliver to the reſpective Conſumers therein named, or to their Agent or Servant who ſhall attend to receive the Coals deſcribed in ſuch Ticket, for the Uſe of ſuch Conſumer; and thereupon he, ſhe, and they are hereby required to pay to the Seller named in ſuch Ticket, the Metage therein ſpecified; and if the Labouring Coal-meter counterſigning ſuch Ticket, ſhall after Payment of the Metage Charge in purſuance of this Act, refuſe to deliver ſuch Ticket as herein before directed, to the Carman, or Perſon employed to cart, lead, drive or carry the Coals therein deſcribed, ſuch Labouring Coal-meter ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds; and if ſuch Carman, or Perſon employed to cart, carry, lead, or drive the Coals deſcribed in ſuch Ticket, ſhall (after the ſame Ticket ſhall have been ſo delivered to him by the Labouring Coal-meter counterſigning the ſame) either alter or neglect or refuſe to deliver the ſame Ticket to the Conſumer therein named, or to the Agent or Servant who ſhall attend to receive the Coals deſcribed in ſuch Ticket, ſuch Carman, or Perſon employed to cart, lead, or drive the Coals deſcribed in ſuch Ticket, ſhall likewiſe forfeit and pay, for every ſuch Offence, the Sum of five Pounds.

Meters to give Tickets.

Tickets to be delivered to the Conſumer.

Seller to be paid the Metage.

Penalty on Refuſal, &c. of Tickets.

Penalty on Carts carrying Coals without Tickets.

XI. And be it enacted by the Authority aforeſaid, That if any Cart or Carts loaded, or in which any Quantity of Coals, exceeding eight Buſhels, ſhall be ſent or driven from any Wharf, Warehouſe or Place within the ſaid City and Liberty of *Weſtminſter*, or the aforeſaid Part of the ſaid Dutchy and Pariſhes aforeſaid, or the aforeſaid Part of the ſaid Pariſh of Saint *Andrew Holborn*, without firſt having obtained ſuch Ticket as aforeſaid; that then, and in every ſuch Caſe, the Vender of the ſaid Coals, and the Driver or Leader of ſuch Cart, being convicted thereof by the Oaths (or being by one of the People called *Quakers*, by Affirmation) of two or more Witneſſes, before one or more of his Majeſty's Juſtice or Juſtices of the Peace for the ſaid Liberty of *Weſtminſter*, or County of *Middleſex*, and which he and they are hereby reſpectively authorized and required to

adminiſter

adminiſter and take, ſhall, for every Offence, forfeit and pay the reſpective Sums following; (to wit) The Vender of ſuch Coals the Sum of fifty Pounds, and the Driver of ſuch Cart the Sum of five Pounds.

Penalty on falſe Tickets, or Meaſure.

XII. And it is hereby enacted by the Authority aforeſaid, That if any Meter to be appointed by virtue or purſuance of this Act, ſhall deliver any falſe Ticket, or wilfully make, or procure to be made, any falſe Meaſure, and be thereof convicted by the Oaths (or in caſe the Teſtimony in this Reſpect ſhall be given by any of the People called *Quakers*, Affirmations) of any two or more credible Witneſſes, before any one or more Juſtice or Juſtices of the Peace for the ſaid Liberty or County (and who are hereby reſpectively required and authorized to adminiſter and take the ſame) ſuch Meters ſhall reſpectively be, from and immediately after the Time of ſuch Conviction, incapable of acting as a Coal-meter in purſuance of this Act, and forfeit the Sum of five Pounds.

Labouring Coal-meter to be preſent at any Quantity ſent above 8 Buſhels.

XIII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *September*, no Coals of or belonging to any Dealer in Coals, above the Quantity of eight Buſhels, under and in Performance of any one Contract, ſhall be ſent and delivered from any Wharf, Warehouſe or Storehouſe, within the ſaid City and Liberty of *Weſtminſter*, or the aforeſaid Part of the ſaid Dutchy, or the ſaid Pariſhes, or the aforeſaid Part of the ſaid Pariſh of Saint *Andrew Holborn* (except in the Preſence of one of ſuch Labouring Coal-meters, in purſuance of the Directions of this Act) any thing herein contained to the contrary notwithſtanding.

Exceptions.

XIV. Provided always, and it is hereby declared, That this Act ſhall not extend to the Owners of any Works for raiſing Water by Fire, nor who at any Time ſhall have twenty Chaldron of Coals, or upwards, in any Lighter or Lighters, or other Crafts, and who ſhall not vend ſuch Coals, but that they ſhall and may have twenty Chaldron of Coals, or more, delivered under the Inſpection of their own Agent (in the Abſence of a Meter) and in that Caſe, ſuch Perſons are hereby reſpectively exempted from Payment of any Metage Charge by virtue of this Act; but if ſuch Perſons ſhall require the Care or Attendance of any Meter, to be appointed in purſuance of this Act, then, and in ſuch Caſe, they ſhall pay the Metage Charge of four Pence by the Chaldron hereby laid, as other Conſumers of Coals are hereby obliged or ought to do, in purſuance of this Act; any thing herein before contained to the contrary hereof notwithſtanding.

Penalty on Labouring Coal-meters permitting above 8 Buſhels to be ſold unmeaſured.

XV. And be it further enacted by the Authority aforeſaid, That if any ſuch Labouring Coal-meter ſhall, from and after the ſaid twenty-fourth Day of *September*, wittingly or willingly ſuffer any Coals, ſold as and for Wharf Meaſure (exceeding the Quantity of eight Buſhels) to be ſent from any Wharf or Warehouſes within the ſaid City and Liberty of *Weſtminſter*, or the aforeſaid Part of the ſaid Dutchy, or the ſaid Pariſhes, or the aforeſaid Part of the ſaid Pariſh of Saint *Andrew Holborn*, without being meaſured in the Manner herein before directed, and ſhall not give Information thereof to the Principal Land Coal-meters, or their Deputies, at the ſaid Office, within two Days next after ſuch Coals ſhall have been ſent as aforeſaid, and ſhall be duly convicted thereof, by the Oaths of two or more credible Witneſſes, ſuch Labouring Coal-meter ſhall from thenceforth be for ever rendered incapable of acting as a Labouring Coal-meter within the ſaid City and Liberty of *Weſtminſter*, or the aforeſaid Part of the ſaid Dutchy, and the ſaid Pariſhes, and the aforeſaid Part of the ſaid Pariſh of Saint *Andrew Holborn*, and forfeit and pay the Sum of five Pounds.

Penalty on Dealers giving, and Labouring Coal-meters receiving, more than 4*d. per* Chaldron.

XVI. And be it further enacted by the Authority aforeſaid, That if any Dealer in Coals ſhall, from and after the ſaid twenty-fourth Day of *September*, directly or indirectly give, or cauſe to be given to any Labouring Coal-meter or Coal-meters, to be appointed in purſuance of this Act, any Fee, Reward, Gratuity or Sum or Sums of Money whatſoever (other than the ſaid Sum of four Pence by the Chaldron, hereby directed to be paid as aforeſaid) for his Trouble or Pains in attending or meaſuring of Coals, as herein before directed; or if any labouring Coal-meter or Coal-meters ſhall, directly or indirectly, receive from any Dealer or Dealers in Coals, any ſuch Fee, Reward, Gratuity, Sum or Sums of Money, other than the ſaid Sum of four Pence by the Chaldron, hereby directed to be paid; that then, and in ſuch Caſe, every ſuch Dealer or Dealers in Coals ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds, and the labouring Coal-meter or Meters, who ſhall have received ſuch Fee, Reward, Gratuity, Sum or Sums of Money, ſhall be from thenceforth for ever rendered incapable of acting as a Coal-meter within the ſaid City and Liberty of *Weſtminſter*, and the aforeſaid Part of the ſaid Dutchy, and the ſaid Pariſhes, and the aforeſaid Part of the ſaid Pariſh of Saint *Andrew Holborn*, and forfeit and pay the Sum of five Pounds.

Penalty on Carters defrauding the Owners.

XVII. And be it further enacted by the Authority aforeſaid, That if the Driver of any Cart loaded with Coals, or any Perſon belonging thereto, or employed therewith, ſhall deliver, or ſuffer to be delivered or taken from ſuch Cart, any Coals under his Care, otherwiſe than to or for the Uſe of the Owner or Owners thereof, and ſhall be convicted of ſuch Offence, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds.

Perſons diſſatisfied may re-meaſure the Coals, giving Notice,

XVIII. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be diſſatisfied with, or think himſelf or herſelf aggrieved, by or in the Meaſure of any Coals, under or by virtue of this Act, the ſame Coals ſhall (either upon acquainting the Seller of ſuch Coals, or the Carman driving or leading the ſame, at any Time during the Delivery thereof, and before the Carman ſhall be diſcharged thereof by the Conſumer, or his, her or their Agent or Agents)

Agents) be re-meaſured, either in the Preſence of a Sea-coal-meter, from the Sea-coal-meters Office in the City of *London*, or one of the Meters, or their Agents, appointed in purſuance of this Act; for which ſhall be paid, for the Purpoſes aforeſaid, the Sum of four Pence, and no more, for every Chaldron; and in caſe the Coals thus to be re-meaſured, ſhall not amount to the Meaſure for which they were originally ſold and meaſured, the Sellers of ſuch Coals are hereby reſpectively made liable to the Penalties and Puniſhments inflicted, and to be recovered and applied in ſuch Manner, and by ſuch Ways and Means, as by the Laws now in Being, made for the Puniſhment of Offences of this Sort, are directed.

and paying 4*d.* for Chaldron.

The Seller liable to Penalties for Deficiency.

After Notice of Diſſatisfaction,

XIX. And it is hereby further enacted by the Authority aforeſaid, That from and after Notice ſhall have been given in Writing to the Seller of ſuch Coals, or to the Carman carrying, driving or leading the ſame, and whilſt ſuch Coals ſhall ſo remain in their or either of their Poſſeſſion or Power as aforeſaid, of any ſuch Diſſatisfaction or Grievance as aforeſaid, ſuch Seller or Carman, in whoſe Poſſeſſion or Power ſuch Coals ſhall at the Time of ſuch Notice be, ſhall not leave or depart from the Cart in which ſuch Coals ſhall have been laden, but he and they ſhall remain with the ſame, and take all poſſible Care both of the Coals and Cart, till a Meter or Meters, appointed in purſuance of this Act, can be procured to re-meaſure ſuch Coals; and they are hereby reſpectively required, from time to time, with all convenient Speed, on Notice for that Purpoſe to be delivered or left at the ſaid Office, in Writing, in any of the ſaid Office Hours, to attend for that Purpoſe.

Perſon not to quit the Cart, till a Meter be procured.

Perſons diſqualified from being Principals or Labouring Coal-meters.

XX. Provided alſo, That no Perſon or Perſons whatſoever who ſhall be a Seller of Coals, or Dealer in, or employed in the carrying of Coals, or a Wharfinger, or intereſted in any Wharf, ſhall at any Time be capable of acting, or act, either as Principal or Labouring Coal-meter in virtue hereof.

Penalties how to be recovered and applied.

XXI. And it is hereby further enacted and declared by the Authority aforeſaid, That the aforeſaid ſeveral Forfeitures and Penalties impoſed, and to be incurred by virtue of or under this preſent Act, ſhall be recovered and applied in the Manner, and to and for the Purpoſes following (that is to ſay) Such and ſo many of the ſaid Forfeitures and Penalties as do and ſhall exceed the Sum of five Pounds, by Action of Debt, Bill, Plaint or Information, in any of his ſaid Majeſty's Courts of Record at *Weſtminſter*; the one Moiety of which ſaid Forfeitures and Penalties (that is, where each of them exceeds five Pounds) ſhall be to and for the Uſe of his ſaid Majeſty, his Heirs and Succeſſors, and the other Moiety thereof (with Full Coſts of Suit) to and for the Uſe of ſuch Perſon or Perſons who ſhall inform or ſue for the ſame: And all other the aforeſaid Forfeitures and Penalties ſhall be recovered by way of Complaint, made unto any one or more Juſtice or Juſtices of the Peace for the ſaid City and Liberty of *Weſtminſter*, or for the ſaid County of *Middleſex*, who is and are hereby required to call the Parties before him or them, and to hear and examine ſuch Complaint on Oath, or upon Affirmation (in caſe any Teſtimony in this Reſpect ſhall be given by any of the People called *Quakers*, and which Oath or Affirmation ſuch Juſtices are hereby reſpectively required and impowered to adminiſter and take) and upon due Proof thereof made to his or their Satisfaction, to grant a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, for levying ſuch Forfeitures and Penalties accordingly; the one Moiety thereof to and for the Uſe of the Informer, and the other Moiety thereof to and for the Uſe of the Poor of the Pariſh in which ſuch Offences ſhall have been reſpectively committed; and in caſe ſuch Forfeitures or Penalties ſhall not (after ſuch Conviction or Convictions) be forthwith paid; that then the ſame ſhall be levied by Diſtreſs and Sale of the Goods and Chattles of the reſpective Offenders, by Warrant or Warrants under the Hand and Seal, or Hands and Seals of ſuch Juſtice or Juſtices of the Peace, before whom ſuch Offender or Offenders ſhall be convicted, rendering the Overplus (if any be) to ſuch Offender or Offenders; and for want of ſufficient Diſtreſs or Diſtreſſes, ſuch Offender or Offenders ſhall be committed to the Houſe of Correction, for any Time not exceeding thirty Days, and not leſs than fourteen Days, there to remain and be kept to hard Labour.

Appeal to the Seſſions.

XXII. Provided alſo, and it is hereby further enacted and declared, That if any Perſon ſo convicted as aforeſaid, ſhall think himſelf aggrieved, he may appeal to the General Quarter-Seſſions of the Peace, to be held for the ſaid County of *Middleſex* next after ſuch Conviction (but not afterwards) and that Seſſions, when ſo appealed to, ſhall, at the then next Seſſions after bringing ſuch Appeal, hear and finally determine the ſame; and if the Appellant in ſuch Appeal, ſhall not make good, ſupport and ſucceed in ſuch his Appeal, or proſecute the ſame with Effect, the ſaid Court of Seſſions ſhall then award ſuch Coſts as they ſhall think reaſonable, to be then and there, in open Court, with the Penalty adjudged on and by ſuch Conviction, paid to the Proſecutor or Informer, and for want thereof, to commit the Perſon or Perſons, thus appealing, to the common Gaol of and for the ſaid County of *Middleſex*, and there to remain until he or they ſhall and do make actual Payment of ſuch Coſts and Penalty, to the Perſon or Perſons to whom the ſame ſhall be awarded, for the Purpoſes aforeſaid; but in caſe the ſaid Appellant ſhall make good, ſupport and ſucceed in ſuch his Appeal, and be acquitted of his Conviction, the ſame Court ſhall, in that Caſe, award to ſuch Appellant reaſonable Coſts, to be then and there, in open Court, paid to him or them, by the Perſon or Perſons on whoſe Information or Proſecution ſuch Conviction ſhall have been founded or made; and for want of ſuch Payment, the ſaid Court of Seſſions ſhall commit ſuch Informers and Proſecutors reſpectively to the common Gaol of the ſaid County of *Middleſex*, there to remain until he or they ſhall and do actually pay to ſuch Appellant the Coſts ſo reſpectively awarded to them as aforeſaid; but no Conviction, to be pronounced or made by virtue of or under this Act, ſhall be quaſhed or vacated for want of Form only.

The Court to award Coſts, &c.

Conviction not to be quaſhed for want of Form only.

XXIII. And

XXIII. And it is hereby further enacted, That no Writ of *Certiorari* ſhall iſſue, or be iſſuable, to remove the Record of any Conviction or Proceedings thereon, to be taken, made or pronounced in purſuance or by the Authority of this Act, into any of his ſaid Majeſty's Courts of Record at *Weſtminſter*. No Certiorari.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Action, Information or Suit ſhall be brought, filed or proſecuted againſt any Perſon or Perſons for any Thing to be done in purſuance of this Act, the ſame ſhall be commenced or filed within ſix Months next after the Fact committed (and not afterwards) and ſhall be laid in the County of *Middleſex* (and not elſewhere) and the Defendant or Defendants in or to ſuch Actions, Suits or Informations, may plead the General Iſſue, and give this Act and the Special Matter in Evidence, on any Trial to be had thereupon, and that the ſame was done in purſuance of this Act; and if the ſame ſhall appear ſo to have been done, or if any ſuch Action, Suit or Information ſhall be brought or filed after the Time for this Purpoſe herein before in this Reſpect limited, or ſhall be laid or brought in any other County or Place, then the Jury in every ſuch Caſe ſhall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Full Coſts, and ſuch Remedy for the Recovery of the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law. Suit to be commenced within 6 Months, &c. General Iſſue. Full Coſts.

XXV. And be it further enacted by the Authority aforeſaid, That this preſent Act ſhall be deemed, judged and taken to be a publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices and all other Perſons whatſoever, without ſpecially pleading the ſame. Publick Act.

XXVI. And it is hereby further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for three Years from and after the ſaid twenty-fourth Day of *September*, and from thence to the End of the then next Seſſion of Parliament. This Act to be in Force for 3 Years. Continued by

'24 Geo. 2. c. 57. § 12.' *And ſee* 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. *c.* 15.

CAP. XXXVI.

An Act to allow the Purchaſe, for His Majeſty's Uſe, of Naval Stores brought into this Kingdom on board Neutral Ships, by any of His Majeſty's Ships, and to allow ſuch Stores to be landed and entered during the Continuance of the preſent Wars with *France* and *Spain*, or either of them. EXP.

'WHEREAS great Numbers of Ships of Neutral Nations do daily paſs the Seas laden with Naval Stores, which they carry to the Ports of *France* and *Spain*, whereby his Majeſty's Enemies are not only enabled and encouraged to fit out and arm Privateers to deſtroy the Trade of his Majeſty's Subjects, but alſo ſupplied with Materials to build and fit out Ships of War to annoy and invade his Majeſty's Dominions: And whereas divers Ships of Neutral Nations, laden as aforeſaid, already have been taken, and more hereafter may be taken, and brought into the Ports of *Great Britain*, and the Purchaſe of ſuch Naval Stores, laden on Board ſuch Ships of Neutral Nations, for the Service of his Majeſty, may in many Caſes be expedient, without proceeding to the Condemnation thereof: But whereas by an Act of Parliament paſſed in the twelfth Year of his late Majeſty King CHARLES the Second (intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*;) it is, amongſt other Things, enacted, That no Sort of Maſts, Timber, or Boards, Pitch, Tar, Roſin, Hemp or Flax, ſhall be imported into *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, in any Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch as do truly and without Fraud belong to the People thereof, or ſome of them, as the true Owners and Proprietors thereof, and whereof the Maſter and three fourths of the Mariners, at leaſt, are *Engliſh*, except only ſuch foreign Ships and Veſſels as are of the Built of that Country or Place, of which the ſaid Goods are the Growth, Production or Manufacture, or ſuch Port where the ſaid Goods can only be, or moſt uſually are firſt ſhipped for Tranſportation, and whereof the Maſter and three fourths of the Mariners, at leaſt, are of the ſaid Country or Place, under the Penalty and Forfeiture of Ship and Goods: And whereas by an Act of Parliament made in the thirteenth Year of his preſent Majeſty's Reign, (intituled, *An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Privateers*;) it is provided, That during the Continuance of the preſent War, and no longer, (except as therein is excepted) it ſhall and may be lawful for any Merchant Ship, or other Trading Ship or Veſſel, or Privateer, to be navigated by foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majeſty's natural or naturalized Subjects, ſo as the Number of ſuch foreign Seamen or Mariners do not exceed three fourths of the Mariners at any one Time employed to navigate ſuch Merchant Ship, or other Trading Ship or Veſſel, or Privateer; and that one fourth, at leaſt, of the Mariners or Seamen ſo employed, be at all Times Natives, or his Majeſty's naturalized Subjects of *Great Britain*, (ſudden Death, and a Hazard, and Caſualties of War and the Seas, ſaved and excepted;)' Now be it enacted, *&c.* 12 Car. 2. c. 18. 13 Geo. 2. c. 3.

" Commiſſioners of the Navy may buy Naval Stores brought in Neutral Ships during the War. Com-
" miſſioners of the Cuſtoms to permit the ſame to be entered and landed.

CAP. XXXVII.

An Act to regulate Inſurance on Ships belonging to the Subjects of *Great Britain*, and on Merchandizes or Effects laden thereon.

43 *Eliz. c.* 12. 13 & 14 *Car.* 2. *c.* 23. 6 *Geo.* 1. *c.* 18. 7 *Geo.* 1. *c.* 27. 8 *Geo.* 1. *c.* 15. 11 *Geo.* 1. *c.* 30.

'WHEREAS it hath been found by Experience, that the making Aſſurances, Intereſt or no Intereſt, or without further Proof of Intereſt than the Policy, hath been productive of many pernicious Practices, whereby great Numbers of Ships, with their Cargoes, have either been fraudulently loſt and deſtroyed, or taken by the Enemy in Time of War; and ſuch Aſſurances have encouraged the Exportation of Wooll, and the carrying on many other prohibited and clandeſtine Trades, which by Means of ſuch Aſſurances have been concealed, and the Parties concerned ſecured from Loſs, as well to the Diminution of the publick Revenue, as to the great Detriment of fair Traders; and by introducing a miſchievous kind of Gaming or Wagering, under the Pretence of aſſuring the Riſque on Shipping, and fair Trade, the Inſtitution and laudable Deſign of making Aſſurances, hath been perverted; and that which was intended for the Encouragement of Trade and Navigation, has, in many Inſtances, become hurtful of, and deſtructive to the ſame: For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-ſix, no Aſſurance or Aſſurances ſhall be made by any Perſon or Perſons, Bodies Corporate or Politick, on any Ship or Ships belonging to his Majeſty, or any of his Subjects, or on any Goods, Merchandizes or Effects laden or to be laden on Board of any ſuch Ship or Ships, Intereſt or no Intereſt, or without further Proof of Intereſt than the Policy, or by way of Gaming or Wagering, or without Benefit of Salvage to the Aſſurer; and that every ſuch Aſſurance ſhall be null and void to all Intents and Purpoſes.

No Aſſurance to be made on Ships or Effects, &c. of Subjects, Intereſt or no Intereſt.

Aſſurance on private Ships of War, may be made Intereſt or no Intereſt.

II. Provided always, and be it further enacted by the Authority aforeſaid, That Aſſurance on private Ships of War, fitted out by any of his Majeſty's Subjects ſolely to cruize againſt his Majeſty's Enemies, may be made by or for the Owners thereof, Intereſt or no Intereſt, free of Average, and without Benefit of Salvage to the Aſſurer; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Aſſurance on Effects from Spain or Portugal.

III. Provided alſo, and it is hereby enacted, That any Merchandizes or Effects from any Ports or Places in *Europe* or *America*, in the Poſſeſſion of the Crowns of *Spain* or *Portugal*, may be aſſured in ſuch Way and Manner, as if this Act had not been made.

Re-aſſurance in what Caſes admitted, &c.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful to make Re-aſſurance, unleſs the Aſſurer ſhall be inſolvent, become a Bankrupt, or die; in either of which Caſes ſuch Aſſurer, his Executors, Adminiſtrators or Aſſigns, may make Re-aſſurance, to the Amount of the Sum before by him aſſured, provided it ſhall be expreſſed in the Policy to be a Re-aſſurance.

The Conditions for lending Sums on Bottom-ree, upon Ships bound to or from the Eaſt Indies.

V. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *Auguſt*, all and every Sum and Sums of Money to be lent on Bottom-ree, or at Reſpondentia, upon any Ship or Ships belonging to any of his Majeſty's Subjects, bound to or from the *Eaſt-Indies*, ſhall be lent only on the Ship, or on the Merchandize or Effects laden, or to be laden on Board of ſuch Ship, and ſhall be ſo expreſſed in the Condition of the Bond; and the Benefit of Salvage ſhall be allowed to the Lender, his Agents or Aſſigns, who alone ſhall have a Right to make Aſſurance on the Money ſo lent; and no Borrower of Money on Bottom-ree, or at Reſpondentia, as aforeſaid, ſhall recover more on any Aſſurance than the Value of his Intereſt on the Ship, or in the Merchandizes or Effects laden on Board of ſuch Ship, excluſive of the Money ſo borrowed; and in caſe it ſhall appear that the Value of his Share in the Ship, or in the Merchandizes or Effects laden on Board, doth not amount to the full Sum or Sums he hath borrowed as aforeſaid, ſuch Borrower ſhall be reſponſible to the Lender for ſo much of the Money borrowed, as he hath not laid out on the Ship or Merchandizes laden thereon, with lawful Intereſt for the ſame, together with the Aſſurance, and all other Charges thereon, in the Proportion the Money not laid out ſhall bear to the whole Money lent, notwithſtanding the Ship and Merchandizes be totally loſt.

In all Actions Plaintiff to declare within 15 Days what Sums he hath aſſured.

VI. And be it further enacted by the Authority aforeſaid, That in all Actions or Suits brought or commenced after the ſaid firſt Day of *Auguſt*, by the Aſſured, upon any Policy of Aſſurance, the Plaintiff in ſuch Action or Suit, or his Attorney or Agent, ſhall within fifteen Days after he or they ſhall be required ſo to do in Writing, by the Defendant, or his Attorney or Agent, declare in Writing what Sum or Sums he hath aſſured, or cauſed to be aſſured in the Whole, and what Sums he hath borrowed at Reſpondentia or Bottom-ree, for the Voyage, or any Part of the Voyage in Queſtion in ſuch Suit or Action.

'VII. And whereas it is unreaſonable that any Perſon or Perſons, Body or Bodies Corporate, ſubſcribing, ſealing, or otherwiſe executing any Policy or Policies of Aſſurance, ſhould be put to any Coſts, Charges or Expences, in any Suit or Action at Law, to be brought on ſuch Policy or Policies, in caſe ſuch Perſon or Perſons, Body or Bodies Corporate, is or are ready and willing to

'pay

'pay such Damages and Costs, as shall and may be really and *bona fide* due thereon, which at present they are liable to, and often forced unjustly to bear, for that in many Cases upon such Policies, no Money can be brought into Court:' For Remedy whereof, be it enacted by the Authority aforesaid, That from and after the said first Day of *August*, it shall and may be lawful for any Person or Persons, Body or Bodies Corporate, sued in any Action or Actions of Debt, Covenant, or any other Action or Actions, on any Policy or Policies of Assurance, to bring into Court any Sum or Sums of Money; and if any such Plaintiff or Plaintiffs shall refuse to accept such Sum or Sums of Money, so brought into Court as aforesaid, with Costs to be taxed, in full Discharge of such Action or Actions, and shall afterwards proceed to Trial in such Action or Actions, and the Jury shall not assess Damages to such Plaintiff or Plaintiffs, exceeding the Sum or Sums of Money so brought into Court, such Plaintiff or Plaintiffs, in every such Case and Cases, shall pay to such Defendant or Defendants, in every such Action and Actions, Costs to be taxed; any Law, Custom or Usage to the contrary notwithstanding.

Persons sued on Policies of Assurance, to bring the Money into Court; Plaintiff not accepting it, and Jury not assessing greater Damages, to pay Costs.

VIII. Provided always, and it is hereby declared, That this Act shall not extend to, or be in Force against any Persons residing in any Parts or Places in *Europe*, out of his Majesty's Dominions, for whose Account any Assurance or Assurances shall be made before the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and forty-six; nor extend to, or be in Force against any Persons residing in any Parts or Places in *Turkey*, or in *Asia*, *Africa* or *America*, for whose Account any Assurance or Assurances shall be made before the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and forty-seven; any thing herein contained to the contrary thereof in any wise notwithstanding.

Limitations of this Act.

Concerning Insurance see further 21 *Geo.* 2. *c.* 4. 25 *Geo.* 2. *c.* 26.

CAP. XXXVIII.

An Act more effectually to prohibit and prevent Pastors or Ministers from officiating in Episcopal Meeting-houses in *Scotland*, without duly qualifying themselves according to Law; and to punish Persons for resorting to any Meeting-houses where such unqualified Pastors or Ministers shall officiate.

'WHEREAS it is notorious, that for many Years last past, during the Reign of his present Majesty, and of his late Majesty King GEORGE the First, a great Number of Meeting-houses have been set up and maintained in the City of *Edinburgh*, and other Parts of *Scotland*, by Persons professing to be of the Episcopal Communion, whereof the Pastors or Ministers have never taken the Oaths to his Majesty, or his Royal Father, nor ever did, in express Words, during the Exercise of Divine Service, pray for his Majesty and the Royal Family; by Means whereof those illegal Meetings have greatly contributed to excite and foment a Spirit of Disaffection amongst Numbers of Persons in that Part of the Kingdom, against his Majesty's Person and Government; which hath been one of the Causes of the wicked and unnatural Rebellion, lately raised and carried on against his Majesty, in Favour of a Popish Pretender: And whereas the Abuse of so much Lenity and Forbearance, as has been hitherto shewn under the gracious and mild Government of his Majesty, and his Royal Father, towards such Nonjuring Episcopal Ministers, makes it absolutely necessary, that the Laws in Force concerning them be more punctually executed, and that some further Provision be made, to prevent the Continuance of so great a Mischief;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Sheriffs of Shires, Stewarts of Stewartries in *Scotland*, and their Deputies, and the Magistrates of Royal Boroughs, shall, and they are hereby authorized and strictly required, with all convenient Speed, on or before the first Day of *November* in the Year of our Lord one thousand seven hundred and forty-six, to enquire, by Examination of Witnesses upon Oath, or other credible Information, into the Number and Situation of the Episcopal Meeting-houses within their respective Jurisdictions, and shall cause Lists to be made of the same, and to be entered and inserted in a Book which shall be provided and kept for that Purpose, by the Clerks belonging to their Jurisdictions respectively, and shall forthwith transmit true Copies thereof to the Clerk of each House of Parliament, to be laid before the said Houses respectively at their next Meeting.

See 21 Geo. 2; c. 34.

Sheriffs, &c. to enquire into the Number of Episcopal Meeting-houses.

Lists to be made.

Copies to be transmitted to the Clerk of each House of Parliament.

II. And be it further enacted by the Authority aforesaid, That every Person who now is Pastor or Minister of any Episcopal Congregation in *Scotland*, shall, and he is hereby required, on or before the said first Day of *September* in the Year of our Lord one thousand seven hundred and forty-six, to produce to the Clerk of the Shire, Stewartry or Borough where his Meeting-house is situated, a Certificate from the proper Officer, of his having qualified himself by taking the Oaths to his Majesty appointed by Law, of which Certificate the Clerk shall forthwith make an Entry in the said Book appointed for keeping a List or Register of the Meeting-houses within that Jurisdiction; which Entry shall express the Name of the Minister whom the Certificate concerns, and the Situation and Description of the Meeting-house where he officiates as Minister or Pastor; Copies of which Entries shall likewise be transmitted by the said Clerk to the Clerk of each House of Parliament, for the Purpose aforesaid; and the said Clerk of such Shire, Stewartry or Borough, shall likewise deliver two attested Copies of such Certificate to such Pastor or Minister, one of them to be by him fixed on the Outside of the Meeting-house where he shall officiate, on or near the Door thereof, and

Pastors to produce Certificates of their being qualified.

Clerk to enter the same.

Copies to be transmitted.

Copies to be affixed on the Meeting-house.

and the other in ſome conſpicuous Place within ſuch Meeting-houſe; for each of which laſt mentioned Copies, the Sum of ſix Pence Sterling ſhall be paid, and no more.

Miniſters to pray for the King, &c. by Name, as directed in the Liturgy.

III. And be it further enacted by the Authority aforeſaid, That every Paſtor or Miniſter who ſhall, at any Time after the ſaid firſt Day of *September*, officiate in any Epiſcopal Meeting-houſe or Congregation, ſhall, as often as he ſhall ſo officiate, at ſome Time during the Exerciſe of Divine Service in ſuch Epiſcopal Meeting-houſe or Congregation, pray for the King's moſt Excellent Majeſty, his Heirs or Succeſſors, by Name, and for all the Royal Family, in the ſame Form of Words as his Majeſty, his Heirs or Succeſſors, and the Royal Family are or ſhall be directed by lawful Authority to be prayed for in the Prayers for the Royal Family, contained in the Liturgy of the Church of *England*.

Paſtors not producing Certificates, &c. their Meeting-houſes to be ſhut up.

IV. And be it further enacted, That the ſaid Sheriffs, Stewards and their Deputies, and Magiſtrates of Boroughs, ſhall be obliged, and they are hereby ſtrictly enjoined and required, immediately after the ſaid firſt Day of *November*, forthwith to ſhut up, or cauſe to be ſhut up, the Doors of the Meeting-houſes, or other Places where ſuch Epiſcopal Aſſemblies or Meetings have been or ſhall be held, whereof the Paſtor or Miniſter ſhall not have produced to their Clerks reſpectively the Certificate of his having been qualified as aforeſaid, or wherein his Majeſty, his Heirs or Succeſſors, and the Royal Family ſhall not be prayed for in expreſs Words, in the Manner before directed; and ſhall not again give Acceſs to the ſaid Houſes, or other Places of Meeting, until the Proprietor, Tenant or Poſſeſſor thereof ſhall enact himſelf, with one or more ſufficient Sureties, in the Court Books of the ſaid Sheriff, Steward, or Royal Borough, under the Penalty of one hundred Pounds Sterling Money, to be paid to the ſaid Judges or Magiſtrates, for the Uſe of his Majeſty, that he or ſhe ſhall not permit or ſuffer ſuch Houſe or Place to be employed or made uſe of as an Epiſcopal Meeting-houſe, by any Paſtor or Miniſter not qualifying himſelf as aforeſaid, and conforming to the Regulations before mentioned, at any Time thereafter, during ſuch Time as he or ſhe ſhall continue Proprietor, Tenant or Poſſeſſor thereof.

Proprietor, &c. to give 100l. Security before admitted to Acceſs.

Paſtors unqualified, &c. officiating, &c.

V. And be it further enacted, That if any Perſon ſhall, from and after the ſaid firſt Day of *September*, preſume to enter upon, or exerciſe the Function of a Paſtor or Miniſter of any Epiſcopal Meeting or Congregation in *Scotland*, without having firſt cauſed his Letters of Orders to be entered on Record, or regiſtered, or without having firſt qualified himſelf by taking and ſubſcribing the Oaths, in ſuch Manner as all Officers, civil and military, in *Scotland* are by Law obliged to take and ſubſcribe the ſame, or without having firſt produced, and cauſed to be entered, in the Manner herein before directed, in the Books to be kept by the Clerk of the Sheriff, Steward or Borough Courts reſpectively, where ſuch Perſon propoſes to officiate as a Paſtor or Miniſter, his Name and Place of Abode, and the Place where his Meeting is to be held, and the Certificate of his having taken and ſubſcribed the Oaths as aforeſaid; or in caſe any Perſon who ſhall officiate as a Paſtor or Miniſter in any ſuch Epiſcopal Meeting-houſe or Congregation, ſhall not, as often as he ſhall ſo officiate, at ſome Time during Divine Service, pray for his Majeſty by Name, his Heirs or Succeſſors, and all the Royal Family, in the Manner herein before directed; every Perſon ſo offending in any of the Premiſſes, being thereof lawfully convicted before any two or more Juſtices of the Peace, or before any other Judge competent of the Place ſummarily, ſhall, for the firſt Offence, ſuffer Impriſonment by the Space of ſix Months; and for the ſecond, or any ſubſequent Offence, being thereof lawfully convicted before the Court of Juſticiary, or in any of the Circuit Courts, ſhall be adjudged to be tranſported, and ſhall accordingly be tranſported to ſome of his Majeſty's Plantations in *America* for Life; and in caſe any Perſon adjudged to be ſo tranſported ſhall return into, or be found in *Great Britain*, then every ſuch Perſon ſhall ſuffer Impriſonment for Life.

Penalty.

Deſcription of an Epiſcopal Meeting-houſe.

VI. And for the better aſcertaining what ſhall be deemed an Epiſcopal Meeting-houſe within the the true Intent and Meaning of this Act, and to prevent Evaſions thereof, Be it further enacted and declared, That any Meeting, Aſſembly or Congregation in *Scotland*, where there ſhall be five Perſons or more aſſembled or met together to hear Divine Service, over and beſides thoſe of the Houſhold, if it be in any Houſe where there is a Family inhabiting, or if it be in an Houſe or Place where there is no Family inhabiting, then where any ſuch Five or more Perſons ſhall be ſo aſſembled and met together to hear Divine Service, and where Divine Service ſhall be performed by a Paſtor or Miniſter, being of, or profeſſing to be of the Epiſcopal Communion, every ſuch Meeting, Aſſembly or Congregation, ſhall be deemed and taken to be an Epiſcopal Meeting-houſe within the true Intent and Meaning of this Act.

Sheriffs, &c. to make Enquiry of Offences, and proſecute, &c.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Sheriffs and Stewards, and their Deputies, and the Magiſtrates of Royal Boroughs, ſhall be obliged and are hereby ſtrictly enjoined and required hereafter, from time to time, to make diligent Enquiry within their reſpective Juriſdictions, concerning any Offences that ſhall be committed againſt this Act, or the other Laws now in being concerning the Paſtors or Miniſters officiating in any Epiſcopal Meeting-houſe in *Scotland*; and whenever they ſhall find that any Meeting-houſe, within their Juriſdiction, hath been ſet up or maintained without ſuch Entry being made as aforeſaid, or that the Paſtor or Miniſter officiating in any Epiſcopal Meeting-houſe hath been guilty of neglecting to pray, in expreſs Words, for his Majeſty, his Heirs or Succeſſors, by Name, and all the Royal Family, in the Manner herein before directed, they are hereby authorized and required to cauſe ſuch Offences to be proſecuted before them, and to ſhut up, or otherwiſe ſuppreſs ſuch Meeting-houſes, and to inflict the Penalties impoſed by this or other Acts againſt the Miniſters or Paſtors officiating therein in ſuch Manner as is not allowed by Law: And in caſe any Information ſhall be given to the ſaid Sheriffs,

Sheriffs, Stewards or their Deputies, or to the Magiſtrates of Royal Boroughs; or if it ſhall appear to any of them, upon ſuch Enquiry as aforeſaid, that any Offence has been committed againſt this Act, for which the Penalty of Tranſportation, or Impriſonment for Life, is hereby inflicted; then ſuch Sheriff, Steward, his Deputy, or other Magiſtrate, ſhall cauſe Information to be made thereof in Writing, to his Majeſty's Advocate for *Scotland*, who is hereby required to proſecute the ſame with Effect. Informations in Caſes of Tranſportation or Impriſonment for Life, to be intimated to the King's Advocate.

VIII. And be it further enacted by the Authority aforeſaid, That if any Perſon, at any Time after the ſaid firſt Day of *September*, ſhall reſort to, or frequent any Epiſcopal Meeting-houſe or Congregation in *Scotland*, whereof the Paſtor's or Miniſter's Letters of Orders ſhall not be entered on Record, or regiſtered as aforeſaid, or whereof a Certificate of the Paſtor or Miniſter's having taken the Oaths, and his Name and Place of Abode, and alſo the Place where his Meeting is to be held, ſhall not be entered according to the Directions of this Act, or where the Paſtor or Miniſter ſhall not pray, in expreſs Words, for his Majeſty, his Heirs or Succeſſors, by Name, and all the Royal Family, in the Manner before directed; every Perſon ſo offending, who ſhall not, within the Space of five Days, give Information of ſuch illegal Meeting to ſome proper Magiſtrate, ſuch Perſon ſo offending, and being thereof lawfully convicted before any two or more of his Majeſty's Juſtices of the Peace, or before any other Judge competent of the Place ſummarily, ſhall, for the firſt Offence, forfeit the Sum of five Pounds Sterling Money; one Moiety thereof to the Uſe of his Majeſty, his Heirs or Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall give Information of the ſaid Offence, and ſuffer Impriſonment by the Space of ſix Months, unleſs or until the ſame be paid; and for the Second, or any ſubſequent Offence, being thereof lawfully convicted before the Court of Juſticiary, or in any of the Circuit Courts, ſhall ſuffer Impriſonment for the Space of two Years from the Date of ſuch Conviction. Perſons reſorting to unregiſter'd Meeting-houſes, &c. and not giving Information, Penalty.

IX. And be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *September*, no Letters of Orders of any Paſtor or Miniſter of any Epiſcopal Meeting or Congregation in *Scotland*, ſhall be deemed ſufficient, or be admitted to be regiſtered, but ſuch as have been given by ſome Biſhop of the Church of *England*, or of *Ireland*; and in caſe any Letters of Orders, other than ſuch as are before deſcribed, ſhall be regiſtered, ſuch Regiſtration ſhall be deemed null and void to all Intents and Purpoſes. Letters of Orders to be by a Biſhop of England or Ireland.

X. Provided always, That every Proſecution for any Offence committed againſt this Act, ſhall be commenced within the Space of twelve Months after ſuch Offence committed, and not afterwards. Proſecutions to be commenced within 12 Months.

'XI. And whereas it is juſt and neceſſary to provide, that thoſe who give Reaſon to ſuſpect their 'being diſaffected to his Majeſty's Perſon and Government, and the preſent happy Eſtabliſhment, by 'their frequenting or reſorting to ſuch illegal Meeting-houſes, where his Majeſty is not prayed for in 'expreſs Words, ſhould be reſtrained from the Power of hurting that Eſtabliſhment to which they ſhew 'ſuch Diſaffection;' Be it therefore further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *September*, no Peer of *Scotland* ſhall be capable of being elected one of the ſixteen Peers, to ſit and vote in the Houſe of Peers in the Parliament of *Great Britain*, or of voting in the Election of any of the ſaid ſixteen Peers, who ſhall have, at any Time within one Year preceding ſuch Election, been twice preſent at Divine Service in any Epiſcopal Meeting or Congregation in *Scotland*, not held and allowed in purſuance of an Act made in the tenth Year of the Reign of Queen ANNE, intituled, *An Act to prevent the diſturbing thoſe of the Epiſcopal Communion, in that Part of Great Britain called* Scotland, *in the Exerciſe of their Religious Worſhip, and in the Uſe of the Liturgy of the Church of* England; *and for repealing the Act paſſed in the Parliament of* Scotland, intituled, *Act againſt irregular Baptiſms and Marriages*; or which ſhall not, after the ſaid firſt Day of *September*, be regiſtered according to the Directions of this Act; or where the Paſtor or Miniſter officiating did not, in expreſs Words, pray for his Majeſty, his Heirs or Succeſſors, by Name, and for all the Royal Family; and it ſhall be competent for any Peer of *Scotland*, preſent at the Election of the ſaid ſixteen Peers, or of any of them, to made this Objection, and to prove the ſame by a Witneſs or Witneſſes upon Oath, or by referring it to the Oath of the Peer ſo objected to; which Oath the Lord Clerk Regiſter, or either of the two Clerks of Seſſion, appointed by him to officiate in his Name at ſuch Election of ſixteen Peers, or of any of them, is hereby impowered to adminiſter; and in caſe the ſame ſhall be proved, or the Peer ſo objected to ſhall admit the Fact, or refuſe to depoſe concerning it, he ſhall be and is hereby diſqualified from, and rendered incapable of voting, or being choſen at any ſuch Election as aforeſaid; but ſuch Admiſſion, or Confeſſion upon Oath, or otherwiſe ſo made at ſuch Meeting, aſſembled for any ſuch Election, ſhall not be made uſe of, or given in Evidence againſt any ſuch Peer, upon any Proſecution for any Penalty inflicted by this or any former Act of Parliament. Peers preſent at unregiſter'd Meeting-houſes, &c. diſqualified from voting, or being elected. 10 Ann. c. 7. Proof, Oath by whom to be adminiſter'd. Admiſſion not to be Evidence upon Proſecution for Penalties.

XII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *September*, no Perſon ſhall be capable of being elected, or of voting in any Election of a Member of Parliament for any Shire or Borough, in that Part of *Great Britain* called *Scotland*, or of being elected, or voting in the Election of a Magiſtrate or Counſellor for Boroughs, or of a Deacon of Crafts within Burgh, or of a Collector or Clerk of the Land Tax or Supply, who ſhall have at any Time within one Year preceding ſuch Election, been twice preſent at Divine Service, in any Epiſcopal Meeting or Congregation in *Scotland*, not held and allowed in purſuance of the ſaid Act made in the tenth Year of the Reign of Queen ANNE, or which ſhall not, after the ſaid firſt Day of *September*, be regiſtered according to the Directions of this Act, or where the Perſons preſent at unregiſter'd Meeting-houſes, &c. diſqualified from voting, or being elected. 10 Ann. c. 7.

Proof. Oath by whom to be adminiſter'd.

Paſtor or Miniſter officiating did not, in expreſs Words, pray for his Majeſty, his Heirs or Succeſſors, by Name, and for all the Royal Family; and it ſhall be competent for any Candidate or Member of the Meeting aſſembled for any ſuch Election, to make this Objection, and to prove the ſame by a Witneſs or Witneſſes upon Oath, or by referring it to the Oath of the Perſon objected to, which Oath the Preſes or Clerk of ſuch Meeting is hereby impowered to adminiſter; and in caſe the ſame ſhall be proved, or the Perſon ſo objected to ſhall admit the Fact, or refuſe to depoſe concerning it, he ſhall be, and is hereby diſqualified from, and rendered incapable of voting, or being choſen at any ſuch Election as aforeſaid; but ſuch Admiſſion, or Confeſſion upon Oath, or otherwiſe ſo made at ſuch Meeting, aſſembled for any ſuch Election, ſhall not be made uſe of, or given in Evidence againſt any ſuch Perſon, upon any Proſecution, for any Penalty inflicted by this or any former Act of Parliament.

Admiſſion not to be Evidence upon Proſecution for Penalties.

Civil or military Officers reſorting to unregiſter'd Meeting-houſes, &c.

XIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, at any Time after the ſaid firſt Day of *September*, either Peers, or Commoners, who have, or ſhall have any Office or Offices, civil or military, in that Part of *Great Britain* called *Scotland*, ſhall reſort to, or frequent any Epiſcopal Meeting-houſe or Congregation in *Scotland*, whereof the Paſtor's or Miniſter's Letters of Orders ſhall not be entered on Record, or regiſtrate as aforeſaid, or whereof a Certificate of the Paſtor or Miniſter's having taken the Oaths, and his Name, or Place of Abode, and alſo the Place where his Meeting is to be held, ſhall not be entered according to the Directions of this Act, and where the Paſtor or Miniſter ſhall not pray, in expreſs Words, for his Majeſty, his Heirs or Succeſſors, by Name, and all the Royal Family, in the Manner before directed, every Perſon ſo offending, being thereof lawfully convicted before any two or more of his Majeſty's Juſtices of the Peace, or before any other Judge competent of the Place, ſhall be diſabled from thenceforth to hold ſuch Office or Offices, and ſhall forfeit the ſame; and ſhall be adjudged incapable to bear any Office, civil or military, in that Part of *Great Britain* called *Scotland*, for the Space of one Year from and after the Date of ſuch Conviction.

Penalty.

Judges, &c. not doing their Duty in the Premiſſes. Penalty.

XIV. And be it enacted by the Authority aforeſaid, That in caſe any of the ſaid Judges, or Magiſtrates, ſhall be guilty of any wilful Neglect or Omiſſion of their Duty in the Premiſſes, they ſhall forfeit the Sum of fifty Pounds Sterling, *toties quoties*; one Moiety thereof to the Informer, the other to be diſpoſed of for the Uſe of the Poor of the Pariſh where the Offender ſhall be reſident for the time being, to be recovered by ſummary Complaint before the Court of Seſſion, or by Proſecution before the Court of Juſticiary at *Edinburgh*, or at the Circuit Courts of Juſticiary.

See 26 *Geo.* 2. c. 29.

CAP. XXXIX.

An Act for the more effectual diſarming the Highlands in *Scotland*; and for the more effectually ſecuring the Peace of the ſaid Highlands; and for reſtraining the Uſe of the Highland Dreſs; and for further indemnifying ſuch Perſons as have acted in Defence of his Majeſty's Perſon and Government, during the unnatural Rebellion; and for indemnifying the Judges and other Officers of the Court of Juſticiary in *Scotland*, for not performing the Northern Circuit in *May* one thouſand ſeven hundred and forty-ſix; and for obliging the Maſters and Teachers of Private Schools in *Scotland*, and Chaplains, Tutors and Governors of Children or Youth, to take the Oaths to his Majeſty, his Heirs and Succeſſors, and to regiſter the ſame.

1 Geo. 1. c. 54. See 21 Geo. 2. c. 34.

'WHEREAS by an Act made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, of Glorious Memory, intituled, *An Act for the more effectual ſecuring the Peace of the Highlands in* Scotland, it was enacted, That from and after the firſt Day of *November*, which was in the Year of our Lord one thouſand ſeven hundred and ſixteen, it ſhould not be lawful for any Perſon or Perſons (except ſuch Perſons as are therein mentioned and deſcribed) within the Shire of *Dunbartain*, on the North Side of the Water of *Levin*, *Stirling* on the North Side of the River of *Forth*, *Perth*, *Kincardin*, *Aberdeen*, *Inverneſs*, *Nairn*, *Cromarty*, *Argyle*, *Forfar*, *Bamff*, *Sutherland*, *Caithneſs*, *Elgine*, and *Roſs*, to have in his or their Cuſtody, uſe, or bear, Broad Sword or Target, Poignard, Whinger, or Durk, Side Piſtol, Gun, or other warlike Weapon, otherwiſe than in the ſaid Act was directed, under certain Penalties appointed by the ſaid Act; which Act having by Experience been found not ſufficient to attain the Ends therein propoſed, was further enforced by an Act made in the eleventh Year of the Reign of his late Majeſty, intituled, *An Act for more effectual diſarming the Highlands in that Part of* Great Britain *called* Scotland; *and for the better ſecuring the Peace and Quiet of that Part of the Kingdom:* And whereas the ſaid Act of the Eleventh Year of his late Majeſty being, ſo far as it related to the diſarming the Highlands, to continue in Force only during the Term of ſeven Years, and from thence to the End of the next Seſſion of Parliament, is now expired: And whereas many Perſons within the ſaid Bounds and Shires ſtill continue poſſeſſed of great Quantities of Arms, and there, with a great Number of ſuch Perſons, have lately raiſed and carried on a moſt audacious and wicked Rebellion againſt his Majeſty, in favour of a Popiſh Pretender, and in Proſecution thereof did, in a traiterous and hoſtile Manner, march into the Southern Parts of this Kingdom, took Poſſeſſion of ſeveral Towns, raiſed Contributions upon the Country, and committed many other Diſorders, to the Terror and great Loſs of

11 Geo. 1. c. 26.

'his Majesty's faithful Subjects, until, by the Blessing of God on his Majesty's Arms, they were subdued:' Now, for preventing Rebellion, and traiterous Attempts in Time to come, and the other 'Mischiefs arising from the Possession or Use of Arms, by lawless, wicked, and disaffected Persons inhabiting within the said several Shires and Bounds; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *August* one thousand seven hundred and forty-six, it shall be lawful for the respective Lords Lieutenants of the several Shires above recited, and for such other Person or Persons as his Majesty, his Heirs or Successors shall, by his or their Sign Manual, from time to time, think fit to authorize and appoint, in that Behalf, to issue, or cause to be issued out, Letters of Summons in his Majesty's Name, and under his or their respective Hands and Seals, directed to such Persons within the said several Shires and Bounds, as he or they, from time to time, shall think fit, thereby commanding and requiring all and every Person and Persons therein named, or inhabiting within the particular Limits therein described, to bring in and deliver up, at a certain Day, in such Summons to be prefixed, and at a certain Place therein to be mentioned, all and singular his and their Arms and warlike Weapons, unto such Lord Lieutenant, or other Person or Persons appointed by his Majesty, his Heirs or Successors, in that Behalf, as aforesaid, for the Use of his Majesty, his Heirs or Successors, and to be disposed of in such Manner as his Majesty, his Heirs or Successors shall appoint; and if any Person or Persons, in such Summons mentioned by Name, or inhabiting within the Limits therein described, shall, by the Oaths of one or more credible Witness or Witnesses, be convicted of having or bearing any Arms, or warlike Weapons, after the Day prefixed in such Summons, before any one or more of his Majesty's Justices of the Peace for the Shire or Stewartry where such Offender or Offenders shall reside, or be apprehended, or before the Judge Ordinary, or such other Person or Persons as his Majesty, his Heirs or Successors shall appoint, in Manner herein after directed, every such Person or Persons so convicted, shall forfeit the Sum of fifteen Pounds Sterling, and shall be committed to Prison until Payment of the said Sum; and if any Person or Persons, convicted as aforesaid, shall refuse or neglect to make Payment of the foresaid Sum of fifteen Pounds Sterling, within the Space of one Calendar Month from the Date of such Conviction, it shall and may be lawful to any one or more of his Majesty's Justices of the Peace, or to the Judge Ordinary of the Place where such Offender or Offenders is or are imprisoned, in case he or they shall judge such Offender or Offenders fit to serve his Majesty as a Soldier or Soldiers, to cause him or them to be delivered over (as they are hereby impowered and required to do) to such Officer or Officers belonging to the Forces of his Majesty, his Heirs or Successors, who shall be appointed from time to time to receive such Men, to serve as Soldiers in any of his Majesty's Forces in *America*; for which Purpose the respective Officers, who shall receive such Men, shall then cause the Articles of War against Mutiny and Desertion to be read to him or them in the Presence of such Justices of the Peace, or Judge Ordinary, who shall so deliver over such Men, who shall cause an Entry or Memorial thereof to be made, together with the Names of the Persons so delivered over, with a Certificate thereof in Writing, under his or their Hands, to be delivered to the Officers appointed to receive such Men; and from and after reading of the said Articles of War, every Person so delivered over to such Officer, to serve as a Soldier as aforesaid, shall be deemed a listed Soldier to all Intents and Purposes, and shall be subject to the Discipline of War; and in case of Desertion, shall be punished as a Deserter; and in case such Offender or Offenders shall not be judged fit to serve his Majesty as aforesaid, then he or they shall be imprisoned for the Space of six Calendar Months, and also until he or they shall give sufficient Security for his or their good Behaviour for the Space of two Years from the giving thereof.

Lord Lieutenants, &c. to issue Summons, for delivering up of Arms. Penalty. On Non-payment; the Persons, if fit, to serve as Soldiers in America. Articles of War to be read to them; If unfit, to be imprisoned for 6 Months, and find Bail.

II. And be it further enacted by the Authority aforesaid, That all Persons summoned to deliver up their Arms as aforesaid, who shall, from and after the Time in such Summons prefixed, hide or conceal any Arms, or other warlike Weapons, in any Dwelling-house, Barn, Out-house, Office, or any other House, or in the Fields, or any other Place whatsoever, and all Persons who shall be accessary or privy to the hiding or concealing of such Arms, and shall be thereof convicted by the Oaths of one or more credible Witness or Witnesses, before any one or more of his Majesty's Justices of the Peace, Judge Ordinary, or other Person or Persons authorized by his Majesty in Manner above mentioned, shall be liable to be fined by the said Justices of the Peace, Judge Ordinary, or other Person authorized by his Majesty, before whom he or they shall be convicted, according to their Discretion, in any Sum not exceeding one hundred Pounds Sterling, nor under the Sum of fifteen Pounds Sterling, of lawful Money of *Great Britain*, and shall be committed to Prison until Payment; and if the Person so convicted, being a Man, shall refuse or neglect to pay the Fine so imposed, within the Space of one Calendar Month from the Date of the said Conviction, he shall, in case he be judged by any one or more Justice or Justices of the Peace, or the Judge Ordinary of the Place where such Offender is imprisoned, fit to serve his Majesty as a Soldier, be delivered over to serve as a Soldier in his Majesty's Forces in *America*, in the Manner before directed, with respect to Persons convicted of having or bearing of Arms; and in case such Offender shall not be judged fit to serve his Majesty as aforesaid, then he shall be imprisoned for the Space of six Calendar Months, and also until he shall give sufficient Security for his good Behaviour, for the Space of two Years from the giving thereof; and if the Person convicted shall be a Woman, she shall, over and above the foresaid Fine, and Imprisonment till Payment, suffer Imprisonment for the Space of six Calendar Months, within the *Tolbooth* of the Head Burgh of the Shire or Stewartry within which she is convicted.

Concealing, &c. of Arms, Penalty. On Non-payment, the Persons, if fit, to serve as Soldiers in America; if not fit, to be imprisoned for 6 Months, and find Bail. Penalty on Women.

Arms hidden in any Houſe, &c. the Tenant to be deemed the Concealer, &c.

III. And be it further enacted by the Authority aforeſaid, That if, after the Day appointed by any Summons for the delivering up of Arms in purſuance of this Act, any Arms, or warlike Weapons, ſhall be found hidden or concealed in any Dwelling-houſe, Barn, Out-houſe, Office, or any other Houſe whatſoever, being the Reſidence or Habitation of or belonging to any of the Perſons ſummoned to deliver up Arms as aforeſaid, the Tenant or Poſſeſſor of ſuch Dwelling-houſe, or of the Dwelling-houſe to which ſuch Barn, Office, or Out-houſe belongs, being thereof convicted in Manner above-mentioned, ſhall be deemed and taken to be the Haver and Concealer of ſuch Arms, and being thereof convicted in Manner above mentioned, ſhall ſuffer the Penalties hereby above enacted againſt Concealers of Arms, unleſs ſuch Tenant or Poſſeſſor, in whoſe Houſe, Barn, Out-houſe, Office, or other Houſe by them poſſeſſed, ſuch Arms ſhall be found concealed, do give Evidence, by his or her making Oath, or otherwiſe to the Satisfaction of the ſaid Juſtices of the Peace, Judge Ordinary, or other Perſon authorized by his Majeſty, before whom he or ſhe ſhall be tried, that ſuch Arms were ſo concealed and hid without his or her Knowledge, Privity, or Connivance.

Second Offence Tranſportation.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon who ſhall have been convicted of any of the above Offences, of bearing, hiding, or concealing Arms, contrary to the Proviſions in this Act, ſhall thereafter preſume to commit the like Offence a ſecond Time, that he or ſhe being thereof convicted before any Court of Juſticiary, or at the Circuit Courts, ſhall be liable to be tranſported to any of his Majeſty's Plantations beyond the Seas, there to remain for the Space of ſeven Years.

Officers to be appointed by his Majeſty.

V. And for the more effectual Execution of this preſent Act, be it further enacted by the Authority aforeſaid, That it ſhall be lawful to his Majeſty, his Heirs or Succeſſors, by his or their Sign Manual, from time to time, to authorize and appoint ſuch Perſons as he or they ſhall think proper, to execute all the Powers and Authorities by this Act given to one or more Juſtice or Juſtices of the Peace, or to the Judge Ordinary, within their reſpective Juriſdictions, as to the apprehending, trying, and convicting ſuch Perſon or Perſons who ſhall be ſummoned to deliver up their Arms, in purſuance of this Act.

What ſhall be deemed a ſufficient Summons,

VI. And to the end that every Perſon or Perſons, named or concerned in ſuch Summons, may have due Notice thereof, and to prevent all Queſtions concerning the Legality of ſuch Notice, it is hereby further enacted by the Authority aforeſaid, That ſuch Summons, notwithſtanding the Generality thereof, be deemed ſufficient, if it expreſs the Perſon or Perſons that are commanded to deliver up their Weapons, or the Pariſhes, or the Lands, Limits, and Boundings of the reſpective Territories and Places, whereof the Inhabitants are to be diſarmed as aforeſaid; and that it ſhall be a ſufficient and legal Execution or Notice of the ſaid Summons, if it is affixed on the Door of the Pariſh Church or Pariſh Churches of the ſeveral Pariſhes within which the Lands (the Inhabitants whereof are to be diſarmed) do lie, on any *Sunday*, between the Hours of ten in the Forenoon, and two in the Afternoon, four Days at leaſt before the Day prefixed for the delivering up of the Arms, and on the Market Croſs of the Head Burgh of the Shire or Stewartry, within which the ſaid Lands lie, eight Days before the Day appointed for the ſaid Delivery of the Arms; and in caſe the Perſon or Perſons employed to affix the ſaid Summons on the Doors of the ſeveral Pariſh Churches, or any of them, ſhall be interrupted, prevented, or forcibly hindered from affixing the ſaid Summons on the Doors of the ſaid Churches, or any of them, upon Oath thereof made before any of his Majeſty's Juſtices of the Peace, the Summons affixed on the Market Croſs of the ſaid Head Burgh of the Shire or Stewartry as aforeſaid, ſhall be deemed and taken to be a ſufficient Notice to all the Perſons commanded thereby to deliver up their Arms, within the true Intent and Meaning, and for the Purpoſes of this Act.

and legal Notice.

Evidence of Notice given of the Summons to be made on Oath.

VII. And to the end that there may be ſufficient Evidence of the Execution, or Notice given of the Summons for diſarming the ſeveral Perſons and Diſtricts, as aforeſaid, be it further enacted by the Authority aforeſaid, That upon the elapſing of the ſaid ſeveral Days to be prefixed for the delivering up Arms, the Perſon or Perſons employed to fix the Summons, as above mentioned, on the Market Croſs of the Head Burghs of any Shire or Stewartry, ſhall, before any one of his Majeſty's Juſtices of the Peace for the ſaid Shire or Stewartry, make Oath, that he or they did truly execute and give Notice of the ſame, by affixing it as aforeſaid; and the Perſon or Perſons employed to affix the ſaid Summons on the Doors of the Pariſh Church or Pariſh Churches, ſhall make Oath in the ſame Manner, and to the ſame Effect, or otherwiſe ſhall ſwear that he or they were interrupted, prevented, or forcibly hindered from affixing the ſaid Summons as aforeſaid; which Oaths, together with Copies or Duplicates of the Summons, to which they ſeverally relate, ſhall be delivered to the Sheriff or Steward Clerk of the ſeveral Shires or Stewartries, within which the Perſons intended to be diſarmed do live or reſide, who ſhall enter the ſame in Books, which he and they is and are hereby required to keep for that Purpoſe; and the ſaid Books in which the Entries are ſo made, or Extracts out of the ſame, under the Hand of the Sheriff or Steward Clerk, ſhall be deemed and taken to be full and complete Evidence of the Execution of the Summons, in order to the Conviction of the Perſons who ſhall neglect or refuſe to comply with the ſame.

Oath with Duplicates of the Summons, to be delivered to the Sheriff, &c.

Sheriff, not making, Entry, &c.

VIII. And be it further enacted by the Authority aforeſaid, That if any ſuch Sheriff or Steward Clerk neglect or refuſe to make ſuch Entry as is above mentioned, or ſhall refuſe to exhibit the Books containing ſuch Entries, or to give Extracts of the ſame, being thereto required by any Perſon or Perſons who ſhall carry on any Proſecutions in purſuance of this Act, the Clerk ſo neglecting or refuſing ſhall forfeit his Office, and ſhall likewiſe be fined in the Sum of fifty Pounds Sterling; to be recovered upon a ſummary Complaint before the Court of Seſſion, for the Uſe of his Majeſty, his Heirs or Succeſſors.

Penalty.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord Lieutenant of any of the Shires aforeſaid, or the Perſon or Perſons authorized by his Majeſty, his Heirs or Succeſſors, as aforeſaid, to ſummon the Perſon or Perſons aforeſaid to deliver up his or their Arms, in Manner above mentioned, or to and for any one Juſtice of the Peace of the reſpective Shires above mentioned, or to the Judge Ordinary within their reſpective Juriſdictions, or to ſuch Perſon or Perſons as ſhall be authorized by his Majeſty, his Heirs or Succeſſors, for trying Offences againſt this Act, to authorize and appoint ſuch Perſon or Perſons as they ſhall think fit, to apprehend all ſuch Perſon or Perſons as may be found within the Limits aforeſaid, having or wearing any Arms, or warlike Weapons, contrary to Law, and forthwith to carry him or them to ſome ſure Priſon, in order to their being proceeded againſt according to Law.

Lord Lieutenant, &c. to appoint Perſons to ſummon,

and apprehend, &c. ſuch as ſhall be found with Arms.

X. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, by Warrant under his or their Royal Sign Manual, and alſo to and for the Lord Lieutenant of any of the Shires aforeſaid, or the Perſon or Perſons authorized by his Majeſty to ſummon the Perſon or Perſons aforeſaid to deliver up their Arms, or any one or more Juſtices of the Peace, by Warrant under his or their Hands, to authorize and appoint any Perſon or Perſons to enter into any Houſe or Houſes, within the Limits aforeſaid, either by Day or by Night, and there to ſearch for, and to ſeize all ſuch Arms as ſhall be found contrary to the Direction of this Act.

Search may be made for Arms by Day or Night,

XI. Provided, That if the above-mentioned Search ſhall be made in the Night-time, that is to ſay, between Sun ſetting and Sun riſing, it ſhall be made in the Preſence of a Conſtable, or of ſome Perſon particularly to be named for that Purpoſe in the Warrant for ſuch Search; and if any Perſons, to the Number of five or more, ſhall at any Time aſſemble together to obſtruct the Execution of any Part of this Act, it ſhall and may be lawful to and for every Lord Lieutenant, Deputy Lieutenant, or Juſtice of the Peace where ſuch Aſſembly ſhall be, and alſo to and for every Peace Officer within any ſuch Shire, Stewartry, City, Burgh or Place where ſuch Aſſembly ſhall be, and likewiſe to and for all and every ſuch other Perſon or Perſons, as by his Majeſty, his Heirs or Succeſſors, ſhall be authorized and appointed in that Behalf as aforeſaid, to require the Aid and Aſſiſtance of the Forces of his Majeſty, his Heirs or Succeſſors, by applying to the Officer commanding the ſaid Forces (who is hereby authorized, impowered and commanded to give ſuch Aid and Aſſiſtance accordingly) to ſuppreſs ſuch unlawful Aſſembly, in order to the putting this Act in due Execution; and alſo to ſeize, apprehend and diſarm, and they are hereby required to ſeize, apprehend and diſarm ſuch Perſons ſo aſſembled together, and forthwith to carry the Perſons ſo apprehended before one or more of his Majeſty's Juſtices of the Peace of the Shire or Place where ſuch Perſons ſhall be ſo apprehended, in order to their being proceeded againſt, for ſuch their Offences, according to Law; and if the Perſons ſo unlawfully aſſembled, or any of them, or any other Perſon or Perſons ſummoned to deliver up his or their Arms in purſuance of this Act, ſhall happen to be killed, maimed or wounded in the diſperſing, ſeizing and apprehending, or in the endeavouring to diſperſe, ſeize or apprehend, by reaſon of their reſiſting the Perſons endeavouring to diſperſe, ſeize and apprehend them; then all and every ſuch Lord Lieutenant, Deputy Lieutenant, Juſtice or Juſtices of the Peace, or any Peace Officer or Officers, and all and every Perſon or Perſons, authorized and appointed by his Majeſty, his Heirs or Succeſſors, in that Behalf as aforeſaid, and all Perſons aiding and aſſiſting to him, them, or any of them, ſhall be freed, diſcharged and indemnified, as well againſt the King's Majeſty, his Heirs and Succeſſors, as againſt all and every other Perſon and Perſons, of, for or concerning the killing, maiming or wounding any ſuch Perſon or Perſons ſo unlawfully aſſembled, that ſhall be ſo killed, maimed or wounded as aforeſaid.

in Preſence of a Conſtable, &c.

In caſe of Oppoſition,

the Aid of the King's Forces to be called.

Offenders to be carried before a Juſtice.

Indemnification againſt Perſons killed reſiſting.

XII. And be it further enacted by the Authority aforeſaid, That if any Action, Civil or Criminal, ſhall be brought before any Court whatſoever, againſt any Perſon or Perſons for what he or they ſhall lawfully do in purſuance or Execution of this Act, ſuch Court ſhall allow the Defendant the Benefit of the Diſcharge and Indemnity above provided, and ſhall further decern the Purſuer to pay the Defender the full and real Expences that he ſhall be put to by ſuch Action or Proſecution.

Defendant to be allowed the Indemnity, and his Expences.

XIII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That no Peers of this Realm, nor their Sons, nor any Members of Parliament, nor any Perſon or Perſons, who, by the Act above recited of the firſt Year of his late Majeſty, were allowed to have or carry Arms, ſhall by virtue of this Act be liable to be ſummoned to deliver up their Arms or warlike Weapons; nor ſhall this Act, or the above recited Act, be conſtrued to extend to exclude or hinder any Perſon, whom his Majeſty, his Heirs or Succeſſors, by Licence under his or their Sign Manual, ſhall permit to wear Arms, or who ſhall be licenſed to wear Arms by any Writing or Writings under the Hand and Seal, or Hands and Seals of any Perſon or Perſons authorized by his Majeſty, his Heirs or Succeſſors, to give ſuch Licence, from keeping, bearing or wearing ſuch Arms and warlike Weapons as in ſuch Licence or Licences ſhall for that Purpoſe be particularly ſpecified.

Perſons exempted from delivering up their Arms.

XIV. And to the end that no Perſons may be diſcouraged from delivering up their Arms, from the Apprehenſion of the Penalties and Forfeitures which they may have incurred, through their neglecting to comply with the Directions of the ſaid Act of the firſt Year of his late Majeſty's Reign, Be it further enacted by the Authority aforeſaid, That from and after the Time of affixing any ſuch Summons as aforeſaid, no Perſon or Perſons reſiding within the Bounds therein mentioned, ſhall be ſued or proſecuted for his or their having, or having had, bearing, or having borne Arms at any Time before the ſeveral Days to be prefixed or limited by Summons as aforeſaid, for the reſpective Perſons and Diſtricts

1 Geo. 1. c. 54.

None to be ſued for having had Arms before the Time limited for delivering them up.

ſtricts to deliver up their Arms; but if any Perſon or Perſons ſhall refuſe or neglect to deliver up their Arms in Obedience to ſuch Summons as aforeſaid, or ſhall afterwards be found in Arms, he and they ſhall be liable to the Penalties and Forfeitures of the Statute above recited, as well as to the Penalties of this preſent Act.

Penalty on not delivering up Arms.

Diſpoſal of the Forfeitures.

XV. And be it further enacted by the Authority aforeſaid, That one Moiety of the Penalties impoſed by this Act, with reſpect to which no other Proviſion is made, ſhall be to the Informer or Informers; and the other Moiety ſhall be at the Diſpoſal of the Juſtices of the Peace, Judge Ordinary or other Perſon authorized by his Majeſty as aforeſaid, before whom ſuch Conviction ſhall happen, provided the ſame be applied towards the Expence incurred in the Execution of this Act.

Continuance. 'Continued and amended 26 Geo. 2. c. 29.'

XVI. And be it further enacted by the Authority aforeſaid, That the above Proviſions in this Act ſhall continue in Force for ſeven Years, and from thence to the End of the next Seſſion of Parliament, and no longer.

None but the Army to wear the Highland Clothes.

The Time is enlarged by 20 Geo. 2. c. 51. And this Clauſe is amended and enforced by 21 Geo. 2. c. 34.

Penalty.

XVII. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-ſeven, no Man or Boy within that Part of *Great Britain* called *Scotland*, other than ſuch as ſhall be employed as Officers and Soldiers in his Majeſty's Forces, ſhall, on any Pretence whatſoever, wear or put on the Clothes commonly called *Highland Clothes* (that is to ſay) the Plaid, Philebeg or little Kilt, Trowſe, Shoulder Belts, or any Part whatſoever of what peculiarly belongs to the Highland Garb; and that no Tartan or party-coloured Plaid or Stuff ſhall be uſed for Great Coats, or for Upper Coats; and if any ſuch Perſon ſhall preſume, after the ſaid firſt Day of *Auguſt*, to wear or put on the aforeſaid Garments, or any Part of them, every ſuch Perſon ſo offending, being convicted thereof by the Oath of one or more credible Witneſs or Witneſſes before any Court of Juſticiary, or any one or more Juſtices of the Peace for the Shire or Stewartry, or Judge Ordinary of the Place where ſuch Offence ſhall be committed, ſhall ſuffer Impriſonment, without Bail, during the Space of ſix Months, and no longer; and being convicted for a ſecond Offence before a Court of Juſticiary, or at the Circuits, ſhall be liable to be tranſported to any of his Majeſty's Plantations beyond the Seas, there to remain for the Space of ſeven Years.

19 Geo. 2. c. 20.

'XVIII. And whereas by an Act made in this Seſſion of Parliament, intituled, *An Act to indemnify ſuch Perſons as have acted in Defence of his Majeſty's Perſon and Government, and for the Preſervation of the publick Peace of this Kingdom, during the Time of the preſent unnatural Rebellion, and Sheriffs and others who have ſuffered Eſcapes, occaſioned thereby, from vexatious Suits and Proſecutions*, it is enacted, That all perſonal Actions and Suits, Indictments, Informations and all Moleſtations, Proſecutions and Proceedings whatſoever, and Judgments thereupon, if any be, for or by Reaſon of any Matter or Thing adviſed, commanded, appointed or done during the Rebellion, until the thirtieth Day of *April* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, in order to ſuppreſs the ſaid unnatural Rebellion, or for the Preſervation of the publick Peace, or for the Service or Safety of the Government, ſhall be diſcharged and made void: And whereas it is alſo reaſonable, that Acts done for the publick Service, ſince the ſaid thirtieth Day of *April*, though not juſtifiable by the ſtrict Forms of Law, ſhould be juſtified by Act of Parliament:' Be it enacted by the Authority aforeſaid, That all perſonal Actions and Suits, Indictments and Informations, which have been or ſhall be commenced or proſecuted, and all Moleſtations, Proſecutions and Proceedings whatſoever, and Judgments thereupon, if any be, for or by reaſon of any Act, Matter or Thing adviſed, commanded, appointed or done before the twenty-fifth Day of *July* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, in order to ſuppreſs the ſaid unnatural Rebellion, or for the Preſervation of the publick Peace, or for the Safety or Service of the Government, ſhall be diſcharged and made void; and that every Perſon, by whom any ſuch Act, Matter or Thing ſhall have been ſo adviſed, commanded, appointed or done for the Purpoſes aforeſaid, or any of them, before the ſaid five and twentieth Day of *July*, ſhall be freed, acquitted and indemnified, as well againſt the King's Majeſty, his Heirs and Succeſſors, as againſt all and every other Perſon and Perſons; and that if any Action or Suit hath been or ſhall be commenced or proſecuted, within that Part of *Great Britain* called *England*, againſt any Perſon for any ſuch Act, Matter or Thing ſo adviſed, commanded, appointed or done for the Purpoſes aforeſaid, or any of them, before the ſaid twenty-fifth Day of *July*, he or ſhe may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Plaintiffs ſhall become non-ſuit, or forbear further Proſecution, or ſuffer Diſcontinuance; or if a Verdict paſs againſt ſuch Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover his, her or their double Coſts, for which he, ſhe, or they ſhall have the like Remedy, as in Caſes where Coſts by Law are given to Defendants; and if ſuch Action or Suit hath been or ſhall be commenced or proſecuted in that Part of *Great Britain* called *Scotland*, the Court, before whom ſuch Action or Suit hath been or ſhall be commenced or proſecuted, ſhall allow to the Defender the Benefit of the Diſcharge and Indemnity above provided, and ſhall further decern the Purſuer to pay to the Defender the full and real Expences that he or ſhe ſhall be put to by ſuch Action or Suit.

All Actions, for Matters done for the Service of the Government, to be void, &c.

England.

General Iſſue.

Double Coſts.

Scotland.

Full Coſts.

6 Annæ, c. 6.

'XIX. And whereas by an Act paſſed in the ſixth Year of her late Majeſty Queen ANNE, intituled, *An Act for rendering the Union of the Two Kingdoms more entire and complete*; it is, amongſt other Things, enacted, That Circuit Courts ſhall be holden in that Part of the United Kingdom called *Scotland*, in Manner, and at the Places mentioned in the ſaid Act: And whereas by the late unnatural Rebellion, the Courſe of Juſtice in *Scotland* has been ſo interrupted, as rendered it impracticable to give up and tranſmit Preſentments, in ſuch due Time as Proſecutions might

'thereupon

'thereupon commence, before the Northern Circuit, to be holden in *May* this preſent Year, whereby 'there appeared a Neceſſity of ſuperſeding the ſaid Circuit;' Be it therefore enacted by the Authority aforeſaid, That the Judges of the Court of Juſticiary, and all and every other Perſon and Perſons therein concerned, are hereby indemnified for their not performing the ſaid Circuit, as by the forecited Act they were obliged to do; any thing in the ſame Act, or in any other Law or Statute to the contrary notwithſtanding. Judges indemnified for not performing the Circuit Courts.

'XX. And whereas a Doubt hath ariſen with reſpect to the Shire of *Dunbartain*, what Part thereof 'was intended to be diſarmed by the firſt-recited Act made in the First Year of his late Majeſty 'King GEORGE, and intended to be carried into further Execution by the preſent Act;' Be it enacted by the Authority aforeſaid, That ſuch Parts of the ſaid Shire of *Dunbartain*, as lie upon the Eaſt, Weſt and North Sides of *Lochlomond*, to the Northward of that Point where the Water of *Leven* runs from *Lochlomond*, are and were intended to be diſarmed by the aforeſaid Act, and are comprehended and ſubject to the Directions of this Act. Parts of Dunbartain to be diſarmed.

'XXI. And whereas it is of great Importance to prevent the riſing Generation being educated 'in diſaffected or rebellious Principles, and although ſufficient Proviſion is already made by Law for 'the due Regulation of the Teachers in the Four Univerſities, and in the publick Schools authorized 'by Law in the Royal Burghs and Country Pariſhes in *Scotland*, it is further neceſſary, that all 'Perſons who take upon them to officiate as Maſters or Teachers in Private Schools, in that Part 'of *Great Britain* called *Scotland*, ſhould give Evidence of their good Affection to his Majeſty's Per-'ſon and Government;' Be it therefore enacted by the Authority aforeſaid, That from and after the firſt Day of *November* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, it ſhall not be lawful for any Perſon in *Scotland* to keep a Private School for teaching *Engliſh*, *Latin*, *Greek* or any Part of Literature, or to officiate as a Maſter or Teacher in ſuch School, or any School for Literature, other than thoſe in the Univerſities, or eſtabliſhed in the reſpective Royal Burghs by publick Authority, or the Parochial Schools ſettled according to Law, or the Schools maintained by the Society in *Scotland* for propagating Chriſtian Knowledge, or by the General Aſſemblies of the Church of *Scotland*, or Committees thereof, upon the Bounty granted by his Majeſty, until the Situation and Deſcription of ſuch Private School be firſt entered and regiſtered in a Book, which ſhall be provided and kept for that Purpoſe by the Clerks of the ſeveral Shires, Stewartries and Burghs in *Scotland*, together with a Certificate from the proper Officer, of every ſuch Maſter and Teacher having qualified himſelf, by taking the Oaths appointed by Law to be taken by Perſons in Offices of publick Truſt in *Scotland*; and every ſuch Maſter and Teacher of a Private School ſhall be obliged, and is hereby required, as often as Prayers ſhall be ſaid in ſuch School, to pray, or cauſe to be prayed for, in expreſs Words, his Majeſty, his Heirs and Succeſſors, by Name, and for all the Royal Family; and if any Perſon ſhall, from and after the ſaid firſt Day of *November*, preſume to enter upon, or exerciſe the Function or Office of a Maſter or Teacher of any ſuch Private School as ſhall not have been regiſtered in Manner herein directed, or without having firſt qualified himſelf, and cauſed the Certificate to be regiſtered as above-mentioned; or in caſe he ſhall neglect to pray for his Majeſty by Name, and all the Royal Family, or to cauſe them to be prayed for as herein directed; or in caſe he ſhall reſort to, or attend Divine Worſhip in any Epiſcopal Meeting-houſe not allowed by the Law; every Perſon ſo offending in any of the Premiſſes, being thereof lawfully convicted before any two or more of the Juſtices of Peace, or before any other Judge competent of the Place ſummarily, ſhall, for the firſt Offence, ſuffer Impriſonment for the Space of ſix Months; and for the ſecond, or any ſubſequent Offence, being thereof lawfully convicted before the Court of Juſticiary, or in any of the Circuit Courts, ſhall be adjudged to be tranſported, and accordingly ſhall be tranſported to ſome of his Majeſty's Plantations in *America* for Life; and in caſe any Perſon adjudged to be ſo tranſported ſhall return into, or be found in *Great Britain*, then every ſuch Perſon ſhall ſuffer Impriſonment for Life.

Situation, &c. of private Schools to be regiſtered; with a Certificate of the Maſter having qualified.

His Majeſty, &c. to be prayed for by Name.

Maſters not to reſort to unlicenſed Meeting-houſes Penalty.

XXII. And be it further enacted by the Authority aforeſaid, That if any Parent or Guardian ſhall put a Child or Children under his Care to any Private School that ſhall not be regiſtered according to the Directions of this Act, or whereof the principal Maſter or Teacher ſhall not have regiſtered the Certificate of his having qualified himſelf as herein directed, every ſuch Parent or Guardian ſo offending, and being thereof lawfully convicted before any two or more Juſtices of Peace, or before any other Judge competent of the Place ſummarily, ſhall, for the firſt Offence, be liable to ſuffer Impriſonment by the Space of three Months; and for the ſecond or any ſubſequent Offence, being thereof lawfully convicted before the Court of Juſticiary, or in any of the Circuit Courts, ſhall ſuffer Impriſonment for the Space of two Years from the Date of ſuch Conviction. Parents, &c. ſending Children to unregiſtered Schools, &c.

Penalty.

'XXIII. And whereas by an Act paſſed in the Parliament of *Scotland*, in the Year of our Lord 'one thouſand ſix hundred and ninety-three, all Chaplains in Families, and Governors and Teachers 'of Children and Youth, were obliged to take the Oaths of Allegiance and Aſſurance therein di-'rected; and there may be ſome Doubt, whether by the Laws, as they ſtand at preſent, they are 'obliged to take all the Oaths appointed to be taken by Perſons in Offices of publick Truſt in *Scotland*:' Therefore be it enacted by the Authority aforeſaid, That from and after the firſt Day of *November* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, no Perſon ſhall exerciſe the Employment, Function, or Service of a Chaplain, in any Family in that Part of *Great Britain* called *Scotland*, or of a Governor, Tutor, or Teacher of any Child, Children or Youth, reſiding in *Scotland*, or in Parts beyond the Seas, without firſt qualifying himſelf, by taking the Oaths appointed by Chaplains, &c. in Families to take the Oaths;

Certificates to be regiſtered.

by Law to be taken by Perſons in Offices of publick Truſt, and cauſing a Certificate of his having done ſo to be entered or regiſtered in a Book to be kept for that Purpoſe by the Clerks of the Shires, Stewartries or Burghs in *Scotland*, where ſuch Perſon ſhall reſide; or in caſe of any ſuch Governor, Tutor or Teacher of any ſuch Child, Children or Youth, acting in Parts beyond the Seas, then in a Book to be kept for that Purpoſe by the Clerk of the Shire, Stewartry or Burgh where the Parent or Guardian of ſuch Child, Children or Youth ſhall reſide. And if any Perſon, from and after the ſaid firſt Day of *November*, ſhall preſume to exerciſe the Employment, Function, or Service of Chaplain, in any Family in *Scotland*, or of a Governor or Teacher of Children or Youth as aforeſaid, without having taken the ſaid Oaths, and cauſed the Certificate of his having duly taken the ſame, to be regiſtered, as is above directed; every Perſon ſo offending, being thereof lawfully convicted before any two or more Juſtices of Peace, or before any other Judge competent of the Place ſummarily, ſhall, for the firſt Offence, ſuffer Impriſonment by the Space of ſix Months; and for the ſecond or any ſubſequent Offence, being thereof lawfully convicted before the Court of Juſticiary, or in any of the Circuit Courts, ſhall be adjudged to be baniſhed from *Great Britain* for the Space of ſeven Years.

Penalty.

Oath appointed for Chaplains, &c. of the Church of Scotland.

5 Geo. 1. c. 29.

XXIV. Provided always, That it ſhall be lawful for every Chaplain, Schoolmaſter, Governor, Tutor, or Teacher of Youth, who is of the Communion of the Church of *Scotland*, inſtead of the Oath of Abjuration appointed by Law to be taken by Perſons in Offices civil or military, to take the Oath directed to be taken by Preachers and Expectants in Divinity of the eſtabliſhed Church of *Scotland*, by an Act paſſed in the fifth Year of the Reign of King GEORGE the Firſt, intituled, *An Act for making more effectual the Laws appointing the Oaths for Security of the Government to be taken by Miniſters and Preachers in Churches and Meeting-houſes in* Scotland; and a Certificate of his having taken that Oath, ſhall, to all Intents and Purpoſes, be as valid and effectual as the Certificate of his having taken the Oath of Abjuration above-mentioned; and he ſhall be as much deemed to have qualified himſelf according to Law, as if he had taken the Abjuration appointed to be taken by Perſons in Civil Offices.

Perſons keeping Chaplains, &c. who have not qualified;

XXV. And be it further enacted, That from and after the ſaid firſt Day of *November*, no Perſon within *Scotland*, ſhall keep or entertain any Perſon or Chaplain in any Family, or as Governor, Tutor, or Teacher of any Child, Children, or Youth, unleſs the Certificate of ſuch Perſon's having taken the Oaths to his Majeſty be duly regiſtered in Manner above directed; and if any Perſon ſhall keep or entertain a Chaplain in his Family, or a Governor, Tutor, or Teacher of any Child, Children, or Youth under his Care, without the Certificate of ſuch Chaplain, Governor, Tutor, or Teacher's having reſpectively qualified himſelf, by taking the Oaths to his Majeſty, being duly regiſtered in Manner above-mentioned, every ſuch Perſon ſo offending, being thereof lawfully convicted before any two or more of his Majeſty's Juſtices of Peace, or before any other Judge competent, ſhall, for the firſt Offence, ſuffer Impriſonment by the Space of ſix Months; and for the ſecond or any ſubſequent Offence, being thereof lawfully convicted before the Court of Juſticiary, or in any of the Circuit Courts in *Scotland*, ſhall ſuffer Impriſonment by the Space of two Years.

Penalty.

Sheriffs, &c. to enquire into Offences againſt this Act, &c.

Continued by 32 *Geo.* 2. *c.* 26. *And re-further* 21 *Geo.* 2. *c.* 34. 26 *Geo.* 2. *c.* 29.

XXVI. And for the better preventing any Private Schools from being held or maintained, or any Chaplain in any Family, or any Governor, Tutor, or Teacher of any Children or Youth, from being employed or entertained contrary to the Directions of this Act, Be it further enacted, That the Sheriffs of Shires, and Stewarts of Stewartries, and Magiſtrates of Burghs of *Scotland*, ſhall be obliged, and are hereby required, from time to time, to make diligent Enquiry within their reſpective Juriſdictions, concerning any Offences that ſhall be committed againſt this Act, and cauſe the ſame, being the firſt Offence, to be proſecuted before themſelves; and in caſe of a ſecond or ſubſequent Offence, to give Notice thereof, and of the Evidence for proving the ſame, to his Majeſty's Advocate for the time being, who is hereby required to proſecute ſuch ſecond or ſubſequent Offences before the Court of Juſticiary, or at the Circuit Courts.

The End of the Sixth VOLUME.